



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, November 8, 2023, at 9:30 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular board meeting on Wednesday, November 8, 2023, at 9:30 a.m. at the District's office at 8656 W. Highway 71, Building A, Suite 224, Austin, Texas 78735. The meeting was open to the public and a videoconference remote participation option was provided, instructions for accessing the remote videoconference were provided with the Public Notice of Meeting.

- 1. Call to order, declare meeting open to the public, take roll and declare quorum status** – President Scadden called the public meeting to order at 9:30 a.m. on Wednesday, November 8, 2023. Six directors were present at the meeting constituting a quorum, including President Scadden, Director Leva, Director Hunt, Director Norton, Director Davis, and Director Van Ackeren. Also present were General Manager Lane Cockrell and District regulatory compliance specialist Virginia Smith, District volunteer Pete Golde, Radu Boghici, P.G., hydrogeologist for Hays Trinity Groundwater Conservation District ("Hays Trinity GCD"), Charlie Flatten, General Manager of Hays Trinity GCD, Tom Smith, Karen Hatton, Christy Muse, Lew Adams, Annie Borden, Angelica Reyes-Johnson, and Leslie Valentine. The following individuals participated remotely by videoconference call: Cole Ruiz with Lloyd Gosselink, Ed McCarthy, representing Mirasol Springs, CJ Bennett with Bullock, Bennett & Associates, LLC, Bruce Moulton, Vice President of the Hays Trinity GCD Board of Directors, David Smith, Secretary-Treasurer of the Hays Trinity GCD Board, Jodi Askins, Bill Dugat, and Victoria Rose, with Save Our Springs Alliance.
- 2. Announcements** – No announcements were presented.
- 3. Public Comments** – Leslie Valentine presented public comments to the Board regarding the Mirasol Springs development and expressed concern regarding potential negative impacts to Roy Creek and surrounding springs. Tom Smith presented public comments to the Board regarding the Mirasol Springs development and expressed concerns regarding the volume of groundwater requested by Clancy Utility Holdings, LLC in their permit applications, and requested that additional consideration be given to the potential effects of climate change, and that additional studies be performed to further explore potential water-usage reduction strategies and alternative water sources for the development. Lew Adams presented public comments to the Board regarding the Mirasol Springs development and suggested that Clancy Utility Holdings' permit be implemented in phases to allow the District to assess impacts to surrounding wells and springs. Annie Borden presented public comments to the Board regarding the Mirasol Springs development and expressed concerns regarding potential impacts to surrounding springs and the Pedernales River. Karen Hatton presented public comments to the Board regarding the Mirasol Springs development and expressed concerns regarding negative impacts to the Pedernales River and surrounding springs during drought. Angelica Reyes-Johnson presented public comments to the Board regarding the Mirasol Springs development and offered to allow the District to monitor water levels in her domestic groundwater well to assess potential impacts.



4. **Discuss and possibly act on matters related to the election of Board Officers** – General Manager Cockrell reported that the current Board officers are all willing to continue serving in their capacities on the Board. President Scadden reported that the current Board officers are Director Scadden as Board President, Director Davis as Vice President, Director Van Ackeren as Board Secretary, and Director Urie as Treasurer. A motion was made by Director Hunt to maintain the current Board officer positions for the next year. Motion seconded by Director Leva. Motion carried 6 Ayes – 0 Nays – 1 Absent.

5. **Discuss and possibly act on approving previous meeting minutes** – President Scadden presented the minutes for the October 11, 2023 regular board meeting for consideration. A motion was made by Director Davis to adopt the minutes of the October 11, 2023 regular board meeting as presented. Motion seconded by Director Hunt. Motion carried 5 Ayes – 0 Nays – 1 Absent – 1 Abstaining. Director Van Ackeren abstained from voting as he was not present at the October 11 meeting.

6. **Receive, discuss, and take action as necessary on Board Committee Reports:**
 - a. **Finance** – Pete Golde provided a report to the Board regarding the financial reports dated October 31, 2023. The balance sheet indicated assets totaling \$173,359.18, and liabilities totaling \$4,034.19. The fiscal year to date profit and loss report indicated expenses totaling \$68,007.19, gross profit totaling \$3,972.24, and net income totaling \$-63,972.75 through October 2023. Pete Golde provided a summary of the checks issued by the District since the last board meeting, a summary of expenses by vendor, a fiscal year to date summary of expenses by budgetary line item, and the reconciliation change report for the District’s general fund and escrow account.

 - b. **Legislative** – Director Davis reported that Texas Proposition #6 on water infrastructure funding passed by a margin of roughly 78% in the November 2023 constitutional amendment election. Christy Muse also commented that the Travis County propositions passed allowing 276 million dollars in funding for parks and open spaces, with 100 million of that earmarked for western Travis County.

 - c. **Science & Outreach** – Director Hunt shared a PowerPoint presentation with the Board regarding key hydrogeologic principles, the hydrogeology of the District, and other information related to possible management strategies for groundwater management zones in the District. Director Hunt reported that water produced by wells is balanced by a loss of water somewhere else, either from local spring flows or storage depletion. Director Hunt presented graphs displaying springflow data from Jacob’s Well showing springflow response to local groundwater pumping. Director Hunt presented information regarding alternative water supply strategies, including rainwater harvesting, surface water, managed aquifer recharge (“MAR”), and ASR. Director Hunt proposed possible management strategies for the Hamilton Pool Management Zone, including demand reduction and alternative water supply strategies, such as rainwater harvesting, MAR, ASR, and the Lower Trinity Aquifer. President Scadden raised questions regarding managed aquifer recharge, and whether the use of treated effluent for lawn irrigation



would contribute to managed aquifer recharge. Director Hunt reported that managed aquifer recharge includes a variety of strategies, including the restoration of native grassland that is less water dependent. Director Norton asked whether the Lower Trinity Aquifer contributes any spring flow to local springs. Director Hunt reported that some seeps may be fed by the Lower Trinity, including the Pedernales River. President Scadden reported that he may attend an upcoming Bee Cave City Council meeting to present public comments regarding the District's recent election, and to offer any information on groundwater and the District's activities.

- d. **Rules** – General Manager Cockrell reported that the District will need to revise its rules to implement new legislative changes to the cap on export fees, and reported that he is working with the District's general counsel to develop appropriate language.

7. **General Manager's Report:**

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided a summary of the permit applications and well registrations received by the District during the month of October. General Manager Cockrell reported that the District received three (3) new well registrations, ten (10) well drilling authorization applications for new wells, five (5) applications to plug or cap an existing well, and one (1) new general permit application during the month of October 2023. General Manager Cockrell reported that the District received three (3) new water utility service connections in October, and that reported production for the month showed 27.1 acre-feet (8.8 million gallons) total. General Manager Cockrell reported that he is working with Buddy's RV Park to resolve issues related to irrigating during drought conditions. President Scadden expressed some concerns that well owners within the District may not be aware of the District's current drought restrictions and curtailment requirements.
- b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that GMA 9 will meet on November 28, 2023, at 10:00 a.m. at the Cow Creek GCD offices in Boerne, Texas, and that a videoconference option will be available for those unable to attend in-person. General Manager Cockrell reported that the next Texas Alliance of Groundwater Districts ("TAGD") business meeting will be held on January 30 and 31 in Round Rock, Texas.
- c. **Overview of current District groundwater monitoring program** – General Manager Cockrell presented water-level data from the District's Lakeside Monitoring Well for the Middle and Lower Trinity aquifers. General Manager Cockrell reported that Lower Trinity Aquifer levels are up over sixteen (16) feet since September. General Manager Cockrell also presented data collected by the Texas Water Development Board ("TWDB") for a Travis County monitoring well on Stagecoach Road, showing that water levels have increased slightly in the well since the end of October.



- d. **Other items of interest not requiring Board action** – General Manager Cockrell reported that a press release was distributed regarding the District’s Rules updates and the creation of the Hamilton Pool Management Zone. General Manager Cockrell reported that he provided a presentation at the Lakeway MUD Open House on October 19, 2023. General Manager Cockrell reported that he attended the UT Bureau of Economic Geology Well Performance Model Pilot Study Roundtable on October 26, 2023. General Manager Cockrell reported that the District’s office will be closed for Veteran’s Day on Friday, November 10, and for the Thanksgiving holiday on November 23 and 24. General Manager Cockrell reported that the Canfield-Connors proposed test well project has been cancelled, and that the applicant withdrew their application with the District.

8. **Discuss and possibly act on matters related to potential Interlocal Agreement with Hays Trinity GCD regarding coordinated management of Mirasol Springs development** – This agenda item was taken out of numerical order due to time constraints. General Manager Cockrell reported that he met with Charlie Flatten, General Manager of Hays Trinity GCD, and counsel for both districts to explore the potential for coordinated management of permits related to the Mirasol Springs development. General Manager Cockrell reported that counsel and staff for both districts feel that it is premature to adopt an interlocal agreement between the districts until each board has considered the merits of Clancy Utility Holdings, LLC’s permit applications. Director Davis asked whether Hays Trinity GCD staff and board members would participate in the stakeholder process for the Southwestern Travis County GCD’s Hamilton Pool Management Zone. Director Hunt suggested that Hays Trinity GCD could participate in the stakeholder process. President Scadden emphasized that both districts have a history of collaboration. Lew Adams asked whether this collaborative process would only apply to the Clancy Utility Holdings, LLC permit application or if it would apply to all permits in that area. Director Hunt suggested that the districts could consider a broader agreement to facilitate coordinated management of any permits where both districts’ groundwater resources were concerned. President Scadden reported that the Board is not able to make a determination on that at this time. Tom Smith asked whether there will be two separate permit hearings before the Hays Trinity GCD Board and the Southwestern Travis County GCD Board. President Scadden reported that yes, actions by each Board on their respective permit applications will be independent. No action taken under this agenda item.

9. **Discuss and possibly act on matters related to invoice from LRE Water, LLC for services related to regional hydrogeologic study** – General Manager Cockrell presented an invoice from LRE Water, LLC for the regional hydrogeologic study in the amount of \$3,931.25. General Manager Cockrell reported that he and Director Hunt met with representatives from LRE Water to discuss their progress on the regional hydrogeologic study and progress on deliverables. A motion was made by Director Van Ackeren to approve payment of the invoice from LRE Water, LLC. Motion seconded by Director Davis. Motion carried 6 Ayes – 0 Nays – 1 Absent. General Manager Cockrell reported that LRE Water pushed the completion date for this project from December 2023 to March 2024 to allow core data from the District’s new monitoring well to be analyzed and included. General Manager Cockrell reported that he is set to meet with the Travis County Emergency Services District No. 1 Board of Directors regarding the proposed well site.



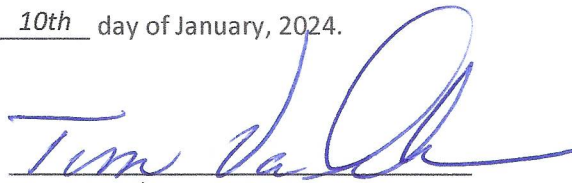
10. **Discuss and possibly act on matters related to District financial audit for FY 2023, including engagement letter from Montemayor Britton Bender PC** – General Manager Cockrell reported that he requested an engagement letter from Montemayor Britton Bender, PC, the District’s previous auditor, for the District’s fiscal year 2023 financial audit. General Manager Cockrell reported that the total auditing fee is \$9,000.00 for this fiscal year, and that 25% of that will be due upfront upon approval of the engagement letter. President Scadden questioned why the District’s auditor is requesting a retainer fee to be paid upfront, instead of billing professional services on a monthly basis. General Manager Cockrell reported that the District’s auditor did charge a similar retainer last fiscal year. A motion was made by Director Davis to approve the engagement letter from Montemayor Britton Bender, PC, for fiscal year 2023 financial auditing services. Motion seconded by Director Norton. Motion carried 6 Ayes – 0 Nays – 1 Absent.
11. **Discuss and possibly act on matters related to District drought stage status** – General Manager Cockrell presented a map of Travis County from the U.S. Drought Monitor showing that the entire county is under D-3 Severe Drought. General Manager Cockrell reported that in order for the Board to downgrade the drought stage, District Rules require that at least 50% of the District’s territory must be at or below the lower drought stage for at least four consecutive weeks. General Manager Cockrell reported that the District may not downgrade its current drought stage of D-4 drought until the D-3 drought level persists for at least four weeks. Director Norton reported that the Texas State Climatologist continues to hold weekly meetings to evaluate drought status in Texas and submit updated data to the U.S. Drought Monitor. No action taken under this agenda item.
12. **Discuss and possibly act on matters related to stakeholder process for Hamilton Pool Management Zone** – This agenda item was taken out of numerical order due to time constraints. General Manager Cockrell reported that over the summer the District passed rules changes to create the Hamilton Pool Management Zone, and that the District now needs to develop rules applicable to the management zone. General Manager Cockrell reported that the Board is considering creating a stakeholder group to develop management recommendations for the Hamilton Pool Management Zone. General Manager Cockrell reported that the stakeholder group would meet for three to five months beginning in February or March 2024 to receive public input and create recommendations for the management zone. General Manager Cockrell reported that the District may hire a professional facilitator to run the stakeholder groups meetings, and is working with the Rules Subcommittee to draft a list of stakeholders to participate in the stakeholder process. Karen Hatton asked whether or not members of the public will be invited to participate in stakeholder meetings. President Scadden reported that the stakeholder group will include local members of the public, and meetings will allow public participation. No action taken under this agenda item.
13. **Discuss and possibly act on matters related to FY 2023 and FY 2024 Interlocal Agreements with Travis County, including resolution authorizing Board Officers and GM to execute agreements related to FY 2024 ILA** – General Manager Cockrell reported that the District received payment for its last invoice for fiscal year 2023 in the amount of \$63,723.27 from Travis County, and that the District is awaiting payment in the amount of \$66,513.37 for its request for anticipated expenses related to the District’s new monitoring well and the regional hydrogeologic study with LRE Water, which were approved in the fiscal year 2023 agreement. General Manager Cockrell reported that



Travis County has not yet shared an interlocal agreement for fiscal year 2024 for review, but that he has prepared a resolution authorizing Board officers and the general manager to negotiate with Travis County and execute documents on behalf of the District to avoid further delays. A motion was made by Director Hunt to authorize the Board officers and general manager to execute documents with Travis County on behalf of the District related to the fiscal year 2024 interlocal agreement. Motion seconded by Director Van Ackeren. Motion carried 6 Ayes – 0 Nays – 1 Absent.

14. **Discuss and possibly act on matters related to District staffing** – General Manager Cockrell reported that the District has not hired an administrative assistant yet and that he doesn't anticipate filling the position before the holidays. General Manager Cockrell reported that the District has only received two applications for the position to date, and that the job posting was posted on the District website, TAGD job site, and other websites. General Manager Cockrell reported that other groundwater districts are also struggling to hire administrative employees and raised the possibility of hiring a local college student to work part time. President Scadden raised the possibility of reaching out to Austin Community College and possibly hiring a recent graduate. General Manager Cockrell also suggested that the Board consider including a future agenda item to discuss Virginia Smith's role in assisting the District while he is away on paternity leave in December. No action taken under this agenda item.
15. **Discuss and establish possible agenda items for future Board Meetings** – General Manager Cockrell reported that the next agenda will include an item to discuss rules amendments and an agenda item to discuss the Hamilton Pool Management Zone stakeholder process and potential facilitator. General Manager Cockrell reported that he is also coordinating with Clancy Utility Holdings, LLC to determine their availability to attend a permit hearing once their application is declared administratively complete.
16. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – President Scadden reported that the next board meeting will be held on November 29, 2023, at 9:30 a.m. at the District's office.
17. **Adjourn** – A motion was made by Director Davis at 11:52 a.m. Motion seconded by Director Leva. Motion carried 6 Ayes – 0 Nays – 1 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 10th day of January, 2024.


Tim Van Ackeren, Secretary