

Agenda Back-Up
for the
Barton Springs/Edwards Aquifer Conservation District
Board of Directors

Regular Meeting

May 25, 2017
6:00 P.M.

Item 1

Call to Order

Item 2

Citizen Communications

Item 3

Routine Business

a. Consent Agenda

(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)

- 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
- 2. Approval of minutes of the Board's May 11, 2017 regular Board Meeting.**

Item 3

Routine Business

- b. General Manager's Report.** *(Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action unless the topic is specifically listed elsewhere in this agenda.)*

1. Standing Topics.

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**

- 2. Special Topics.** *(Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.)*

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**
- iv. Update on District grant projects and other Aquifer Science Team projects**
- v. Update on activities related to area roadway projects**
- vi. Update on Board committee activity**

Item 4

Presentation

Awarding of the Aquatic Science Adventure Camp scholarships to the selected recipients.

Item 5

Board Discussions and Possible Actions

- a. Discussion and possible action related to planning and activities to update and revise the District Management Plan.**

Draft Management Plan Objectives and Performance
Standards for Committee Discussion

DRAFT Management Plan Objectives and Performance Standards DRAFT

Include intro paragraph about annual report serving as the primary tracking method for measuring performance and progress towards achieving the District's goals and objectives.

Teams	General Mgmt. (9 objectives)	Administration (3 objectives)	Education & Outreach (5 objectives)	Aquifer Science (8 objectives)	Reg. Compliance (8 objectives)
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GOAL 1 - Providing the Most Efficient Use of Groundwater – 31TAC356.52(a)(1)(A)/TWC 536-107(a)(1)

MP Obj No.	Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*
1-1	Provide and maintain on an ongoing basis a sound statutory, regulatory, financial, and policy framework for continued District operations and programmatic needs.	<p>A. Develop, implement, and revise as necessary, the District Management Plan in accordance with state law and requirements. Each year, the Board will evaluate progress towards satisfying the District goals. A summary of the Board evaluation and any updates or revisions to the management plan will be provided in the annual report.</p> <p>B. Review and modify District Rules as warranted to provide and maintain a sound statutory basis for continued District operations and to ensure consistency with both District authority and programmatic needs. A summary of any rule amendments adopted in the previous fiscal year will be included in the annual report.</p>	1-1	PS 1-1, PS 1-2, PS 2-1
1-2	Monitor aggregated use of various types of water wells in the District, as feasible and appropriate, to assess overall groundwater use and trends on a continuing basis.	<p>Monitor annual production from all nonexempt wells through required monthly or annual meter reports to ensure that groundwater is used as efficiently as possible for beneficial use. A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type will be provided in the annual report.</p>	1-2	PS 2-3, PS 2-4, PS 3-1, PS 6-1, PS 6-2
1-3	Evaluate quantitatively at least every five years the amount of groundwater withdrawn by exempt wells in the District to ensure an accurate accounting of total withdrawals in a water budget that includes both regulated and non-regulated withdrawals, so that appropriate groundwater management actions are taken.	<p>A. An estimate of groundwater withdrawn by exempt wells in the District will be made using TDLR and TWD8 databases, and from records of well permits maintained by the Regulatory Compliance Team and will be updated every five years with the District's management plan.</p> <p>B. The estimates of exempt well withdrawals will be included in a summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type that will be provided in the annual report.</p>	1-3	PS 4-2
1-4	Develop and maintain programs that inform and educate citizens of all ages about groundwater and springflow-related matters, which affect both water supplies and salamander ecology.	<p>A. Publicize District drought trigger status (Barton Springs 10-day average discharge and Lovelady Monitor Well water level) in monthly eNews bulletins and continuously on the District website.</p> <p>B. Provide summaries of associated outreach and education programs, events, workshops, and meetings in the monthly team activity reports in the publicly-available Board backup.</p> <p>C. A summary of outreach activities and estimated reach will be provided in the annual report.</p>	1-4	PS 3-3, PS 4-4
1-5	Ensure responsible and effective management of District finances such that the District has the near-term and long-term financial means to support its mission. (new obj from old PS 1-3)	<p>A. A clean financial audit with auditor's report will be included in the annual report and submitted to TCEQ each year.</p> <p>B. Timely develop and approve fiscal-year budgets and amendments. The dates for public hearings and Board approval of the budget and any amendment will be provided in the annual report.</p>	N/A	PS 1-3
1-6	Provide efficient administrative support and infrastructure, such that District operations are executed reliably and accurately, meet staff and local stakeholder needs, and conform to District policies and with federal and state requirements.	<p>A. Maintain, retain, and control all District records in accordance with the Texas State Library and Archives Commission-approved District Records Retention Schedule to allow for safekeeping and efficient retrieval of any and all records, and annually audit records for effective management of use, maintenance, retention, preservation and disposal of the records' life cycle as required by the Local Government Code. A summary of training provided to staff or directors or any claims of violation of the Public Information Act will be provided in the annual report.</p> <p>B. Develop, post, and distribute District Board agendas, meeting materials, and backup documentation in a timely and required manner; post select documents on the District website, and maintain official records, files, and minutes of Board meetings appropriately. A summary of training provided to staff or directors or any claims of violation of the Open Meetings Act will be provided in the annual report.</p>	N/A	PS 1-4
1-7	Manage and coordinate electoral process for Board members.	<p>Ensure elections process is conducted and documented in accordance with applicable requirements and timelines. Elections documents will be maintained on file and a summary of elections-related dates and activities will be provided in the annual report for years when elections occur.</p>	N/A	PS 1-5

MP Obj No.		Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*
GOAL 2 - Controlling and Preventing Waste of Groundwater - 31TAC 356.52 (a)(1)(B)/TWC 436.1071(a)(2) [HCP Measures - Controlling and Preventing Waste of Groundwater]					
Management Plan Objectives					
2-1		Require all newly drilled exempt and nonexempt wells, and all plugged wells to be registered and to comply with applicable District Rules, including Well Construction Standards.	A summary of the number and type of applications processed and approved for authorizations, permits, and permit amendments including approved use types and commensurate permit volumes for production permits and amendments will be provided in the annual report.	2-1	PS 2-2, PS 2-3 (Existing wells)
2-2		Ensure permitted wells and well systems are operated as intended by requiring reporting of periodic meter readings, making periodic inspections of wells, and reviewing pumpage compliance at regular intervals that are meaningful with respect to the existing aquifer conditions.	A. Inspect all new wells for compliance with the Rules, and Well Construction Standards, and provide a summary of the number and type of inspections or investigations in the annual report. B. A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type will be provided in the annual report.	2-2	PS 2-3, PS 2-4, PS 3-1
2-3		Provide leadership and technical assistance to government entities, organizations, and individuals affected by groundwater-utilizing land use activities, including support of or opposition to legislative initiatives or projects that are inconsistent with this objective.	A. Provide a summary of interim legislative activity and related District efforts in the annual report. B. Provide a summary of Districts efforts during the legislative session including bills tracked, supported, and opposed in the annual report. C. Provide a summary of District activity related to other land use activities affecting groundwater in the annual report.	M-5	PS 1-6, PS 4-3
2-4		Ensure all production permits are evaluated in accordance with the Reasonable Use doctrine and are authorized for beneficial use that is commensurate with reasonable non-speculative demand.	A summary of the number and type of applications processed and approved for authorizations, permits, and permit amendments including approved use types and commensurate permit volumes for production permits and amendments will be provided in the annual report.	N/A	
GOAL 3 - Addressing Conjunctive Surface Water Management Issues - 31TAC 356.52(a)(3)(D)/TWC 436.1071(a)(4) [HCP Measures - Addressing Conjunctive Surface Water Management Issues]					
Management Plan Objectives					
3-1		Assess the physical and institutional availability of existing regional surface water and alternative groundwater supplies and the feasibility of those sources as viable supplemental or substitute supplies for District groundwater users.	Identify available alternative water resources and supplies that may facilitate source substitution and reduce demand on the Edwards Aquifer, and evaluate feasibility by considering: 1. available/proposed infrastructure, 2. financial factors, 3. logistical/engineering factors, and 4. potential secondary impacts (development density/intensity or recharge water quality). A summary of District activity related to this objective will be provided in the annual report.	3-1	PS 5-1
3-2		Encourage and assist District permittees to diversify their water supplies by assessing the feasibility of alternative water supplies and fostering arrangements with currently available alternative water suppliers.	Identify available alternative water resources and supplies that may facilitate source substitution and reduce demand on the Edwards Aquifer, and evaluate feasibility by considering: 1. available/proposed infrastructure, 2. financial factors, 3. logistical/engineering factors, and 4. potential secondary impacts (development density/intensity or recharge water quality). A summary of District activity related to this objective will be provided in the annual report.	3-2	PS 5-1
3-3		Demonstrate the importance of the relationship between surface water and groundwater, and the need for implementing prudent conjunctive use through educational programs with permittees and public outreach programs.	A. Provide summaries of associated outreach and education programs, events, workshops, and meetings in the monthly team activity reports in the publicly-available Board backup. B. Summarize outreach activities and estimate reach in the annual report.	3-3	PS 4-4, PS 5-4
3-4		Actively participate in the regional water planning process to provide input into policies, planning elements, and activities that affect the aquifers managed by the District.	Regularly attend regional water planning group meetings and annually report on meetings attended.	N/A	
GOAL 4 - Addressing Natural Resource Issues which Impact the Use and Availability of Groundwater, and which are Impacted by the Use of Groundwater - 31TAC 356.52 (a)(1)(E)/TWC 436.1071(a)(5) [HCP Measures - Addressing Natural Resource Management Issues]					

MP Obj No.	Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*
4-1	Assess ambient conditions in District aquifers on a recurring basis by: <ul style="list-style-type: none"> (1) sampling and collecting groundwater data from selected wells and springs monthly; (2) conducting scientific investigations as indicated by new data and models to better determine groundwater availability for the District aquifers; (3) conducting studies as warranted to help increase understanding of the aquifers and, to the extent feasible, detect possible threats to water quality and evaluate their consequences. 	<p>A. Water-level and water-quality data that are maintained by the District and/or TWDB, or other agencies, will be reviewed on a regular basis.</p> <p>B. Improve existing analytical or numerical models or work with other organizations on analytical or numerical models that can be applied to the aquifers in the District.</p> <p>C. A review of the data mentioned above will be assessed for significant changes and reported in the annual report.</p>	4-1.a	PS 6-1
4-3	Implement separate management zones and, as warranted, different management strategies to address more effectively the groundwater management needs for the various aquifers in the District.	<p>A. Increase the understanding of District aquifers by assessing aquifer conditions, logging wells, and collecting water quality data. The number of water quality samples performed will be summarized in the annual report.</p> <p>B. A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type will be provided in the annual report.</p>	4-3	PS 2-3, PS 5-1
4-4	Actively participate in the joint planning processes for the relevant aquifers in the District to establish and refine Desired Future Conditions (DFCs) that protect the aquifers and the Covered Species of the District HCP.	Attend at least 75% of the GMA meetings and annually report on meetings attended, GMA decisions on DFCs, and other relevant GMA business.	4-4	PS 4-2
4-5	Review all production permit applications greater than 2 MGY for potential to cause unreasonable impacts as defined by District rule.	<p>For permits that are determined to have potential for unreasonable impacts, a list of those permits will be provided in the annual report. In addition staff will perform the following:</p> <ul style="list-style-type: none"> • Analytical models will be run to estimate amount of drawdown from pumping and influence on other water resources in the area. • Proposed permit conditions will be recommended to the Board for minimizing unreasonable impacts. • A technical evaluation will be prepared and included as part of the permit. 	N/A	
4-6	Prepare, submit, and maintain a draft and final Habitat Conservation Plan (HCP) and provide support of related National Environmental Policy Act documentation and processes for obtaining an Incidental Take Permit (ITP) from the US Fish & Wildlife Service (USFWS) for the endangered species at Barton Springs.	<p>A. Prior to ITP permit issuance, a progress report summarizing activities related to the USFWS review of the ITP application will be provided in the annual report.</p> <p>B. Upon ITP issuance, the HCP annual report documenting the District's activities and compliance with ITP permit requirements will be incorporated into the annual report by reference.</p>	N/A	
GOAL 5 - Addressing Drought Conditions - 31TAC 356.52 (a)(1)(F)/TWC 636.1071(a)(6)				
MP Obj No.	Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*
5-1	Adopt and keep updated a science-based drought trigger methodology, and frequently monitor drought stages on the basis of actual aquifer conditions, and declare drought conditions as determined by analyzing data from the District's defined drought triggers and from existing and such other new drought declaration factors, especially the prevailing DO concentration trends at the spring outlets, as warranted.	<p>A. During periods of District-declared drought, a drought chart will be prepared at least monthly to report the stage of drought and the conditions that indicate that stage of drought. During periods of non-drought, the drought charts will be prepared at least once every three months.</p> <p>B. A summary of the drought indicator conditions and any declared drought stages and duration will be provided in the annual report.</p>	5-1	PS 3-2

5-2	Implement a drought management program that step-wise curtails freshwater Edwards Aquifer use to at least 50% by volume of 2014 authorized aggregate monthly use during Extreme Drought, and that designs/uses other programs that provide an incentive for additional curtailments where possible. For all other aquifers, implement a drought management program that requires mandatory monthly pumpage curtailments during District-declared drought stages.	During District-declared drought, enforce compliance with drought management rules to achieve overall monthly pumpage curtailments within 10% of the aggregate curtailment goal of the prevailing drought stage. A monthly drought compliance report for all individual permittees will be provided to the Board during District-declared drought, and a summary will be included in the annual report.	5-2	PS 3-1, PS 4-2, PS 5-1
5-3	Inform and educate permittees and other well owners about the significance of declared drought stages and the severity of drought, and encourage practices and behaviors that reduce water use by a stage-appropriate amount.	A. During District-declared drought, publicize declared drought stages and associated demand reduction targets in monthly eNews bulletins and continuously on the District website. B. A summary of drought and water conservation related newsletter articles, press releases, and drought updates sent to Press, Permittees, Well Owners and eNews subscribers will be provided in the annual report.	5-3	PS 3-1, PS 3-3, PS 4-4, PS 5-4
5-4	Assist and, where feasible, incentivize individual freshwater Edwards Aquifer historic-production permittees in developing drought planning strategies to comply with drought rules, including: <ol style="list-style-type: none"> pumping curtailments by drought stage to at least 50% of the 2014 authorized use during Extreme Drought, "right-sizing" authorized use over the long term to reconcile actual water demands and permitted levels, and as necessary and with appropriate conditions, the source substitution with alternative supplies. 	A. Require an updated UCP/JDCP from Permittees within one year of each five-year Management Plan Adoption. B. A summary of any activity related to permit right sizing or source substitution with alternative supplies that may reduce demand on the freshwater Edwards Aquifer will be provided in the annual report.	5-4	PS 3-1, PS 5-1
5-5	Implement a Conservation Permit that is held by the District and accumulates and preserves withdrawals from the freshwater Edwards Aquifer that were previously authorized with historic-use status and that is retired or otherwise additionally curtailed during severe drought, for use as ecological flow at Barton Springs during Extreme Drought and thereby increase springflow for a given set of hydrologic conditions.	A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type including the volume reserved in the Freshwater Edwards Conservation Permit for ecological flows will be provided in the annual report.	5-5	Objective 3, PS 4-5
GOAL 6 - Addressing Conservation and Rainwater Harvesting where Appropriate and Cost Effective - 31TAC 356.52 (a)(1)(G)/TWC §36.1071(a)(7) {HCP Measures - 6.2.1.6 Addressing Demand Reduction through Conservation}				
MP Obj No.	Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*
6-1	Develop and maintain programs that inform, educate, and support District permittees in their efforts to educate their end-user customers about water conservation and its benefits, and about drought-period temporary demand reduction measures.	A. A summary of efforts to assist permittees in developing drought and conservation messaging strategies will be provided in annual report. B. Declared drought stages and associated demand reduction targets will be publicized monthly in eNews bulletins and continuously on the District website.	6-1	PS 3-3, PS 5-4
6-2	Encourage use of conservation-oriented rate structures by water utility permittees to discourage egregious water demand by individual end-users during declared drought.	On an annual basis, the District will provide an informational resource or reference document to all Public Water Supply permittees to serve as resources related to conservation best management strategies and conservation-oriented rate structures.	6-2	PS 3-1
6-3	Develop and maintain programs that educate and inform District groundwater users and constituents of all ages about water conservation practices and resources.	Summarize water conservation related newsletter articles, press releases, and events in the annual report.	6-3	PS 5-4
GOAL 7 - Addressing Recharge Enhancement where Appropriate and Cost Effective - 31TAC 356.52 (a)(1)(G)/TWC §36.1071(a)(7) {HCP Measures - 6.2.1.7 Addressing Supply through Structural Enhancement}				
MP Obj No.	Management Plan Objectives	Performance Standards	HCP ID No.	2013 MP Standard*

7-1	Improve recharge to the freshwater Edwards Aquifer by conducting studies and, as feasible and allowed by law, physically altering (cleaning, enlarging, protecting, diverting surface water to) discrete recharge features that will lead to an increase in recharge and water in storage beyond what otherwise would exist naturally.	Maintaining the functionality of the Antloch system will be the principal method for enhancing recharge to the freshwater Edwards Aquifer. Additional activities may be excavating sinkholes and caves within the District.	7-1	PS 5-2
7-2	Conduct technical investigations and, as feasible, assist water-supply providers in implementing engineered enhancements to regional supply strategies, including desalination, aquifer storage and recovery, and effluent reclamation and re-use, to increase the options for water-supply substitution and reduce dependence on the Aquifer.	Assess progress toward enhancing regional water supplies in the annual report.	7-2	PS 5-1, 5-3,
<p>GDAL 8 - Addressing the Desired Future Conditions of the Groundwater Resources - 31TAC (a)(1)(H)/TWC 636.1071(a)(8) (HCP Measures - 6.2.1.B Quantitatively Addressing Established Desired Future Conditions)</p> <p>Management Plan Objectives</p>				
MP Obj No.			HCP ID No.	2013 MP Standard*
8-1	Freshwater Edwards Aquifer All-Conditions DFC: Adopt rules that restrict, to the greatest extent practicable, the total amount of groundwater authorized to be withdrawn annually from the Aquifer to an amount that will not substantially accelerate the onset of drought conditions in the Aquifer; this is established as a running seven-year average springflow at Barton Springs of no less than 49.7 cfs (1.41 m3/s) during average recharge conditions.	A. A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type will be provided in the annual report. B. Upon ITP issuance, the HCP annual report documenting the District's activities and compliance with ITP permit requirements will be incorporated into the annual report by reference. C. Upon ITP issuance, compile a summary of aquifer data including: 1) the frequency and duration of District-declared drought; 2) levels of the Aquifer as measured by springflow and indicator wells (including temporal and spatial variations); and 3) total annual and daily discharge from Barton Springs will be provided in the annual report.	8-1	PS 4-5
8-2	Freshwater Edwards Aquifer Extreme Drought DFC: Adopt rules that restrict, to the greatest extent practicable and as legally possible, the total amount of groundwater withdrawn monthly from the Aquifer during Extreme Drought conditions in order to minimize take and avoid jeopardy of the Covered Species as a result of the Covered Activities, as established by the best science available. This is established as a limitation on actual withdrawals from the Aquifer to a total of no more than 5.2 cfs (0.15 m3/s) on an average annual (curtailed) basis during Extreme Drought, which will produce a minimum springflow of not less than 6.5 cfs (0.18 m3/s) during a recurrence of the drought of record (DOR). Implement appropriate rules and measures to ensure compliance with District-adopted DFCs for each relevant aquifer or aquifer subdivision in the District.	A. A summary of the volume of aggregate groundwater withdrawals permitted and actually produced from permitted wells for each Management Zone and permit type will be provided in the annual report. B. Upon ITP issuance, the HCP annual report documenting the District's activities and compliance with ITP permit requirements will be incorporated into the annual report by reference. C. Upon ITP issuance, compile a summary of aquifer data including: 1) the frequency and duration of District-declared drought; 2) levels of the Aquifer as measured by springflow and indicator wells (including temporal and spatial variations); and 3) total annual and daily discharge from Barton Springs will be provided in the annual report.	8-2	Objective 3, PS 4-2, PS 4-5
8-3		Develop and implement a cost-effective method for evaluating and demonstrating compliance with the DFCs of the relevant aquifers in the District, in collaboration with other GCDs in the GMAs. Prior to method implementation, provide a summary of activities related to method development. Once developed, provide a summary of data for each District-adopted DFC for each relevant aquifer indicating aquifer conditions relative to the DFC and provide in the annual report.	N/A	

Item 5

Board Discussions and Possible Actions

- b. Discussion and possible action related to District representation on the General Assembly of the Capital Area Council of Governments (CAPCOG).**

CAPITAL AREA COUNCIL OF GOVERNMENTS—GENERAL ASSEMBLY MEMBER REPRESENTATIVES

BASTROP COUNTY

REPRESENTATIVES

Bastrop County Judge Paul Pape
 Bastrop County Commissioner Willie Pina
 City of Bastrop Mayor Ken Kesselus
 City of Elgin Mr. Marc Holm
 City of Smithville Council Member William Gordon

BLANCO COUNTY

REPRESENTATIVES

Blanco County Judge Brett Bray
 City of Blanco Mr. Lambert Little
 City of Johnson City Mayor Dawn Capra
 City of Round Mountain Vacant

BURNET COUNTY

REPRESENTATIVES

Burnet County Judge James Oakley
 Burnet County Commissioner Joe Don Dockery
 City of Bertram Ms. Georgina Hernandez
 City of Burnet Council Member Tres Clinton
 City of Cottonwood Shores Ms. Karrie Cummings
 City of Granite Shoals Mayor Carl Brugger
 City of Highland Haven Mayor Olan Kelley
 City of Marble Falls Mayor Pro Tem Jane Marie Hurst
 City of Meadowlakes Mayor Mary Ann Raesener

CALDWELL COUNTY

REPRESENTATIVES

Caldwell County Judge Ken Schiawe
 Caldwell County Commissioner Joe Ivan Roland
 City of Lockhart Council Member John Castillo
 City of Lockhart Mayor Lew White
 City of Luling Mayor Mike Hendricks
 City of Martindale Council Member Ross Purcell

FAYETTE COUNTY

REPRESENTATIVES

Fayette County Judge Ed Janecka
 Fayette County Vacant
 City of Carmine Mayor Jerry Knox
 City of Fayetteville Mayor Ronald Pflughaupt
 City of Flatonia Mr. R. Scott Dixon
 City of La Grange Mayor Janet Moerbe
 City of Round Top Mayor Barnell Albers
 City of Schulenburg Mayor Roger Moeppenberndt

HAYS COUNTY

REPRESENTATIVES

Hays County Judge Bert Cobb
 Hays County Commissioner Debbie Gonzales Ingalsbe
 Hays County Commissioner Will Conley
 City of Buda Council Member Eileen Altmiller
 City of Buda City Manager Kenneth Williams
 City of Dripping Springs Mayor Todd Purcell
 City of Kyle Council Member Shane Arabic
 City of Kyle Council Member Travis Mitchell
 City of Mountain City Mayor Phillip Taylor
 City of San Marcos Council Member Jane Hughson
 City of San Marcos Mayor Daniel Guerrero
 City of San Marcos Ms. Jamie Lee Pettijohn
 City of Uhland Vacant
 City of Wimberley Mayor Steve Thurber
 City of Woodcreek Mayor Michael Steinert

LEE COUNTY

REPRESENTATIVES

Lee County Commissioner Maurice Pitts, Jr.
 City of Giddings Mayor John Dowell
 City of Lexington Mayor Charlotte Hooper

LLANO COUNTY

REPRESENTATIVES

Llano County Judge Mary Cunningham
 City of Llano Mayor Mike Reagor
 City of Horseshoe Bay Council Member Reagan Lambert
 City of Sunrise Beach Village Council Member Dan Gower

TRAVIS COUNTY

REPRESENTATIVES

Travis County Commissioner Brigid Shea
 Travis County Commissioner Gerald Daugherty
 Travis County Commissioner Jeff Travillion
 City of Austin Council Member Ellen Troxclair
 City of Austin Council Member Sabino Renteria
 City of Austin Mr. DeWayne Lofton
 City of Austin Mr. Gilbert Rivera
 City of Bee Cave Mayor Caroline Murphy
 City of Creedmoor Mayor Robert Willhite
 City of Jonestown Alderman Dave Nelson
 City of Lago Vista Council Member Ed Tidwell
 City of Lakeway Mayor Joe Bain
 City of Lakeway Mayor Pro Tem Dwight Haley
 City of Manor Mayor Rita G. Jonse

TRAVIS COUNTY Continued

REPRESENTATIVES

City of Mustang Ridge
 City of Pflugerville
 City of Pflugerville
 City of Pflugerville
 City of Rollingwood
 City of Sunset Valley
 City of West Lake Hills
 Village of the Hills
 Village of Point Venture
 Village of San Leanna
 Village of Volente

ASSOCIATE MEMBERS

Austin Independent School District
 Barton Springs/Edwards Aquifer Conservation District
 Bluebonnet Electric Cooperative, Inc.
 Buda Economic Development Corporation
 Capital Area Metropolitan Planning Organization
 Central Health
 Del Valle Independent School District
 Dripping Springs Independent School District
 Eanes Independent School District
 Fayette County Central Appraisal District
 Georgetown Chamber of Commerce
 Giddings Independent School District
 Guadalupe-Blanco River Authority
 Hays Central Appraisal District
 Hutto Independent School District
 La Grange Independent School District
 Lower Colorado River Authority
 Pedernales Electric Co-Op
 Round Rock Chamber of Commerce
 Round Rock Independent School District
 Travis County Emergency Services, Dist. 2

REPRESENTATIVES

Mr. Alfred Vallejo II
 Council Member Omar Pena
 Mayor Victor Gonzales
 Council Member Mike Heath
 Alderwoman Roxanne McKeec
 Mayor Rose Cardona
 Mr. Dave Claunch
 Mayor Eric Oviien
 Vacant
 Mayor Elizabeth Kortis
 Mayor Ken Beck

REPRESENTATIVES

Mr. Joey Crumley
 Mr. John Dupnik
 Mr. Johnny Sanders
 Ms. Ann Miller
 Mr. Ashby Johnson
 Ms. Cynthia Valadez
 Ms. Darla Wegner
 Mr. Ron Jones
 Vacant
 Mr. Richard Moring
 Ms. Karen Sheldon
 Mr. Allen Law
 Mr. Jim Powers
 Mr. David Valle
 Dr. Douglas Killian
 Superintendent William Wagner
 Mr. Phil Wilson
 Ms. Trista L. Fugate
 Ms. Lora Weber
 Ms. Terri Romere
 Chief Ron Moellenberg

WILLIAMSON COUNTY

Williamson County
 Williamson County
 Williamson County
 City of Bartlett
 City of Cedar Park
 City of Cedar Park
 City of Cedar Park
 City of Florence
 City of Georgetown
 City of Georgetown
 City of Granger
 City of Hutto
 City of Hutto
 City of Jarrell
 City of Leander
 City of Leander
 City of Liberty Hill
 City of Round Rock
 City of Round Rock
 City of Round Rock
 City of Round Rock
 City of Taylor
 City of Taylor
 City of Thrall
 City of Weir

REPRESENTATIVES

Judge Dan A. Gattis
 Commissioner Cynthia Long
 Vacant
 Mayor Norris Ivy
 Council Member Corbin Van Arsdale
 Council Member Stephen Thomas
 Ms. Brenda Eivens, City Manager
 Mayor Mary Condon
 Mr. David Morgan, City Manager
 Council Member Rachael Jonrowe
 Ms. Monica Stojanik
 Ms. Debbie Holland
 Council Member Tom Hines
 Mayor Larry Bush
 Ms. Kirsten Lynch
 Council Member Andrea Navarrette
 Council Member Ron Rhea
 Mayor Alan McGraw
 Council Member Kris Whitfield
 Mr. Russ Boles
 Council Member Frank Leffingwell
 Council Member Christine Lopez
 Mayor Pro Tem Brandt Rydell
 Mayor Troy Marx
 Mayor Mervin Walker

REPRESENTATIVES

Judge Bert Cobb, Chair
 Council Member Corbin Van Arsdale, 1st Vice Chair
 Commissioner Gerald Daugherty, 2nd Vice Chair
 Council Member Andrea Navarrette, Secretary
 Commissioner Cynthia Long, Immediate Past Chair
 Commissioner Cynthia Long, Parliamentarian

2017 EXECUTIVE COMMITTEE

OFFICERS:

Judge Bert Cobb, Chair
 Council Member Corbin Van Arsdale, 1st Vice Chair
 Commissioner Gerald Daugherty, 2nd Vice Chair
 Council Member Andrea Navarrette, Secretary
 Commissioner Cynthia Long, Immediate Past Chair
 Commissioner Cynthia Long, Parliamentarian

MEMBERS:

Council Member Eileen Altmiller
 Council Member Frank Leffingwell
 Judge Brett Bray
 Mayor Caroline Murphy
 Commissioner Will Conley
 Judge James Oakley
 Judge Mary Cunningham
 Judge Paul Pape
 Representative John Cynric
 Commissioner Maurice Pitts, Jr.
 Commissioner Joe Don Dockery
 Mayor Pro Tem Brandt Rydell
 Judge Dan A. Gattis
 Judge Ken Schawc
 Mayor Victor Gonzales
 Commissioner Brigid Shea
 Council Member William Gordon
 Council Member Ellen Troxclair
 Mayor Pro Tem Jane Hughson
 Mayor Lew White
 Representative Jason Isaac
 Representative Paul Workman
 Judge Ed Janicka

Bylaws
of the
CAPITAL AREA COUNCIL OF GOVERNMENTS

ARTICLE I - CREATION AND PURPOSE

Section 1.1 - Preamble

(a) We, the representatives of local governments in State Planning Region 12, join together in a voluntary organization, to be known as the Capital Area Council of Governments, for the purpose of meeting at regular intervals to discuss and study community challenges of mutual interest and concern, and to develop plans, policies, and recommendations for action for approval and implementation by member local governments and other levels of government within the Region.

(b) We recognize that our individual and common destinies rest with the interdependent actions of the local governments located within the Region.

(c) The Capital Area Council of Governments is a voluntary organization of local governments through which its members seek, by mutual agreement and closer cooperation, solutions to mutual problems for their mutual benefit.

(d) The Council's goal is to combine the total resources of its members for regional planning beyond the capabilities of the individual members.

Section 1.2 – Creation

The Capital Area Council of Governments was created June 26, 1970, pursuant to the Regional Planning Act of 1965, as amended, Chapter 391 of the Texas Local Government Code. The Council's geographic boundaries are coextensive with State Planning Region 12, which comprises the counties of Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson. The name of the council was changed from Capital Area Planning Council to Capital Area Council of Governments effective August 11, 2004.

Section 1.3 – Purpose

(a) The general purpose of the Council is to encourage and facilitate local governments in the Region to cooperate with one another, with other levels of government, and with the private sector to plan for the future development of the Region and thereby improve the health, safety, and general welfare of their citizens.

(b) The specific purposes of the Council are:

(1) to make studies and plans to guide the unified, far-reaching development of the Region and assist participating local governments in preparing and implementing plans that are consistent with the Council's general purpose;

(2) to coordinate development in the Region and thereby eliminate duplication and promote economy and efficiency;

(3) to serve as a forum to identify, focus on, discuss, and study regional challenges and opportunities;

- (4) to serve as a vehicle for the collection and exchange of information about the Region and to provide for effective communication and coordination among member governments, other levels of government, and the private sector;
- (5) to encourage, develop, and review policies, plans, and priorities for Regional growth and development;
- (6) to furnish general and technical aid to member governments;
- (7) to facilitate agreement and cooperative action among member governments to carry out specific projects;
- (8) to maintain liaison with member governments, other levels of government, and the private sector, and to serve as a Regional spokesman for local governmental interests;
- (9) to review, coordinate, and expedite federal, state, and local governmental programs that have Regional implications; and
- (10) to develop and carry out plans and programs as directed by the Council.

ARTICLE II – MEMBERSHIP IN THE COUNCIL

Section 2.1 – Qualification for Membership

To be eligible for membership in the Capital Area Council of Governments, a local government or other organization or individual described in Section 2.2, must be located, in whole or part, in State Planning Region 12.

Section 2.2 – Categories of Membership

The categories of membership and organizations eligible for membership in the Council are:

- (1) **Full Members:** counties and municipalities.
- (2) **Associate Members:** independent and common school districts and water, drainage, conservation, and sewer, hospital, and other special-purpose governmental districts; other local, state, and federal governmental units or agencies, publicly and privately owned public utilities; and nonprofit organizations specifically concerned with health, welfare, economic, or civic development, if these organizations' membership is approved by the Executive Committee.
- (3) **Sustaining Members:** an individual or organization with a positive interest in the welfare of State Planning Region 12.

Section 2.3 – Joinder and Withdrawal

(a) An organization or individual eligible for membership in the Council may apply for membership by submitting to the Executive Committee a written resolution of its governing body, or, in the case of an individual, a written request for membership, together with the amount of dues calculated under Section 8.1. If the applicant is eligible for membership and the correct amount of dues accompanied the resolution or request, the Executive Committee shall admit the applicant as a member in the appropriate category and memorialize the admission by written resolution. The applicant becomes a member of the Council on the date the resolution is adopted.

(b) A member of the Council may withdraw its membership at any time by submitting to the Executive Committee a written resolution or, in the case of an individual, a written request of withdrawal. The Executive Committee shall memorialize the withdrawal by written resolution, and the withdrawal becomes effective when the resolution is adopted.

ARTICLE III – REPRESENTATION IN THE GENERAL ASSEMBLY

Section 3.1 – General Assembly

The representatives of members of the Capital Area Council of Governments are collectively the General Assembly of the Council.

Section 3.2 – Elected Officials

At least two-thirds of the voting representatives in the General Assembly must be elected officials of the governing body of full members of the Council.

Section 3.3 – Full Member Representatives

(a) Each full member of the Council is entitled to representation in accordance with the following schedule based on the member's population determined under Section 9.4:

<i>Counties</i>	<i>Municipalities</i>	<i>No. of Representatives</i>
Under 20,000	Under 10,000	1
20,000-100,000	10,000-50,000	2
100,000+	50,000-100,000	3
-----	100,000+	4

(b) The governing body of the full member shall select its representatives to the General Assembly.

(c) Each representative of a full member has one vote in the General Assembly and on all committees on which the representative serves.

Section 3.4 – Associate Member Representatives

(a) Each associate member of the Council is entitled to one representative.

(b) The governing body of the associate member shall select its representative to the General Assembly.

(c) An associate member representative has one vote in the General Assembly and on all committees on which the representative serves.

Section 3.5 – Citizen Representatives

(a) A full member may select a citizen representative if an elected official is not available to represent the member.

(c) Each citizen representative has one vote in the General Assembly and on all committees on which the representative serves

Section 3.6 – Sustaining Member Representatives

(a) Each sustaining member is entitled to and shall select one representative.

(b) A sustaining member representative is not entitled to vote in the General Assembly. A sustaining member representative has one vote on other committees on which the representative serves.

Section 3.7 – Terms of Representatives

(a) An elected official who is a representative serves for the duration of his or her elected office. All non-elected representatives serve for two-year terms.

(b) A representative's term begins on January 1 of the year following the year in which the representative is selected. A representative's term expires on December 31 of the year in which the representative's term ends as prescribed in subsection (a).

(c) A representative whose term expires continues to serve as a representative until his or her successor is selected and qualifies.

Section 3.8 – Resignation and Removal

(a) A representative may resign at any time by giving written notice to the chairperson or secretary of the Council. A representative's resignation is effective when the notice is given, unless the notice specifies a later effective date.

(b) The authority that selected a representative may remove the representative, with or without cause, at any time by giving written notice of removal to the chairperson or secretary of the Council. Removal is effective when the notice is received.

Section 3.9 – Vacancy

(a) A vacancy on the General Assembly occurs:

- (1) when a representative dies;
- (2) when a representative resigns;
- (3) when a representative is removed; or
- (4) when a representative becomes disqualified to serve.

(b) The authority that selected the representative whose position is vacant shall fill the vacancy for the remainder of the unexpired term.

ARTICLE IV – THE GENERAL ASSEMBLY

Section 4.1 – Meetings

(a) The representatives of members shall meet regularly as a General Assembly during the summer or fall and in December of each year. The December meeting is the Annual Meeting of the General Assembly.

(b) The General Assembly shall meet upon call of the chairperson of the Council or upon the written request of at least 20% of the representatives of the full members.

Section 4.2 – Notice

Notice of both regular and special meetings of the General Assembly must comply with the Open Meetings Act.

Section 4.3 – Quorum and Action

(a) A quorum of the General Assembly consists of one-third of the total number of representatives of full members, excluding vacancies. However, if there is fewer than one-third of the total number of representatives of full members (excluding vacancies) present, there is no quorum unless at least thirteen members of the Executive Committee are present.

(b) If a quorum is present when a vote is taken, the affirmative vote of a majority of the representatives entitled to vote and present is the act of the General Assembly.

Section 4.4 – Nominating Committee

(a) At its summer or fall meeting each year the General Assembly shall appoint a seven-person Nominating Committee to nominate Executive Committee members and officers of the Council to serve during the following year. The Nominating Committee members serve for a year or until a new Nominating Committee, which may include members of the former Committee, is appointed.

(b) A Nominating Committee member must be a General Assembly representative of a full member, an associate member, or a citizen representative. Two Nominating Committee members must be Executive Committee members and at least two members must be General Assembly members not currently serving on the Executive Committee. The chair of the Council shall serve as the Nominating Committee chair, or the vice chair in the absence of the chair.

(c) The Nominating Committee shall nominate at least one qualified representative for each position on the Executive Committee. The Nominating Committee shall also nominate one Executive Committee member for each office of the Council. In making nominations to the Executive Committee, the Nominating Committee shall consider the economic, urban-rural, geographic, ethnic, and gender diversity of the Region and, insofar as possible, shall make its nominations to reflect this diversity. In the case of November elections, a person who has been elected but not sworn into office may be considered by the Nominating Committee contingent upon the candidate being designated as the General Assembly representative of that local government at the time of the General Assembly election.

(d) The Nominating Committee shall solicit interest for service on the Executive Committee from all eligible General Assembly members. To be eligible for service, General Assembly members must be elected officials from cities and counties who are full members and who are officially designated by that city or county as the General Assembly representative. The Nominating Committee shall submit its nominations in writing for Executive Committee members to the Executive Director of the Council and the Executive Director shall furnish copies of the Nominating Committee report to each General Assembly representative during October of each year. A qualified representative who is not included on the slate of the Nominating Committee but wishes to be considered for election to the Executive Committee by the General Assembly may notify the Executive Director in writing no later than November 30th and specify which nominated representative he or she wishes to challenge. Nominations will not be accepted from the floor. A contested slot will be voted on separately from the

Nominating Committee slate.

(e) The Nominating Committee shall submit its nominations in writing for the officers of the Council to the Executive Committee with the notice of the January Executive Committee meeting.

(f) In accordance with Local Government Code, Section 391.006(c), the Nominating Committee shall solicit interest for service on the Executive Committee from State Legislators whose districts are wholly or partly within the State Planning Region 12.

(g) Legislators eligible for membership on the Executive Committee may apply for membership on the Executive Committee by submitting a written request to the Nominating Committee. At least one eligible Legislator may serve in an ex-officio position on the Executive Committee. The Nominating Committee shall recommend at least one State Legislator for an ex-officio position on the Executive Committee when it submits nominations to the Executive Director during October of each year.

Section 4.5 – General Responsibilities

The General Assembly has the following general responsibilities:

- (1) to establish the overall policies and specific objectives of the Council;
- (2) to adopt an annual budget for the Council;
- (3) to create, appoint members to, fill vacancies in, and specify the duties of permanent committees of the General Assembly, not otherwise described in these bylaws, to assist in carrying out its responsibilities;
- (4) to review, on its own motion or at the request of the Executive Committee or any permanent committee of the General Assembly, any action of the Executive Committee or permanent committee.

ARTICLE V – THE EXECUTIVE COMMITTEE

Section 5.1 – Governing Body

The Executive Committee is the governing body of the Council between meetings of the General Assembly. Members of the Executive Committee shall also serve on the Board of Managers of the Capital Area Emergency Communications District (CAECD) as an additional duty.

Section 5.2 – Composition

- (a) The composition of the Executive Committee is as follows:
- (1) two representatives from Travis County;
 - (2) one representative from each of the other nine counties in State Planning Region 12;
 - (3) one representative from the City of Austin;
 - (4) one representative from a city with a population in excess of one hundred thousand (100,000);
 - (5) four representatives from cities with populations between 25,000 and 100,000;
 - (6) five representatives from cities with populations under 25,000; and
 - (7) three at-large members.

(8) at least one State of Texas Legislator in accordance with Local Government Code, Section 391.006(c).

(b) At each Annual Meeting, the General Assembly shall elect members from the categories described in Subsections (a) (1) through (7) of this section 5.2.

(c) In selecting the medium-sized city, small city and at-large representatives, the General Assembly shall consider population and geography to ensure diversity among the members of the Executive Committee.

(d) All of the Executive Committee members, except for the ex-officio State Legislator, must be elected officials of the governing bodies of the full members of the Council.

(e) An elected official of the governing body of a full member of the Council remains eligible for membership on the Executive Committee if he or she was an elected official at the time of election to the Executive Committee.

(f) A State Legislator selected for the Executive Committee shall serve as an ex-officio member, will not be eligible to vote, to serve as an officer of the Council, or to serve on subcommittees, and will not count toward a quorum.

Section 5.3 – Meetings

(a) The Executive Committee shall meet regularly each month at a time and place specified by resolution.

(b) The Executive Committee shall meet specially on call of the chairperson of the Council or upon the written request of at least one-third of the members of the Executive Committee.

Section 5.4 – Notice

Notice of regular and special meetings of the Executive Committee must comply with the Open Meetings Act.

Section 5.5 – Quorum and Action

(a) A quorum of the Executive Committee consists of a majority of the total number of members, excluding vacancies, but a quorum may not consist of fewer than thirteen members.

(b) If a quorum is present when a vote is taken, the affirmative vote of a majority of the members present is the act of the Executive Committee.

Section 5.6 – Term

Executive Committee members serve one-year terms, beginning on the date they are elected and expiring on December 31. An Executive Committee member whose term expires continues to serve until his or her successor is elected.

Section 5.7 – Vacancy

(a) A vacancy on the Executive Committee occurs:

- (1) when a member dies;
- (2) when a member resigns;
- (3) when a member is removed;
- (4) when a member becomes disqualified to serve; or
- (5) when a member incurs four absences as described in subsection (b).

(b) If an Executive Committee member misses three Executive Committee meetings in a calendar year, the Executive Director shall notify the Executive Committee member in writing of the absences and that a fourth absence will vacate the member's position on the Executive Committee. If the Executive Committee member misses a fourth Executive Committee meeting, having received the Executive Director's notice, the Executive Committee shall declare the absent member's position on the Executive Committee vacant unless the member persuades the Executive Committee, at its next meeting, that there was good cause for the absence.

(c) Executive Committee members shall also serve on the Board of Managers of the CAECD; a missed meeting of the CAECD shall be counted toward the absences described in (b).

(c) If a vacancy occurs on the Executive Committee, the Nominating Committee may nominate at the request of the Executive Committee, and the Executive Committee shall elect a replacement to serve for the remainder of the unexpired term.

Section 5.8 – Powers and Responsibilities

(a) The Executive Committee has the following general powers:

- (1) to sue and be sued in the name of the Council;
- (2) to contract;
- (3) to acquire, own, lease, transfer, or otherwise dispose of real and personal property, tangible or intangible, or any interest in it;
- (4) to invest the Council's assets in real or personal property, tangible or intangible, or any interest in it;
- (5) to sell, assign, mortgage, or pledge all or any part of the Council's real or personal property, or any interest in it;
- (6) to borrow or lend money or other property;
- (7) to apply for, receive, and use contributions and grants.

(b) The Executive Committee has the following general responsibilities:

- (1) to have prepared, review, and submit an annual budget for the Council to the General Assembly;
- (2) to designate one or more depositories for the Council's funds and specify the individuals authorized to sign and countersign checks and other instruments for withdrawal of the funds;
- (3) to receive, review, and, if necessary, act upon reports and recommendations of its subcommittees and of committees of the Council, and to notify the General Assembly of any action taken;
- (4) to make recommendations, formulate policy, and take action on matters referred to it by the General Assembly that best carry out the purposes of the Council.

Section 5.9 – Creation of Subcommittees

(a) The Executive Committee by resolution may create one or more subcommittees and appoint members of the Executive Committee to serve on them. Each subcommittee may have three or more members who serve at the pleasure of the Executive Committee.

(b) To the extent specified in the creating resolution, a subcommittee may exercise the Executive Committee's powers and carry out its responsibilities described in Section 5.8.

(c) The Executive Committee in the creating resolution shall appoint officers of the subcommittee from among its members and shall describe the meeting, quorum, and voting requirements for the subcommittee.

ARTICLE VI – OFFICERS OF THE COUNCIL

Section 6.1 – Election

(a) The Executive Committee shall elect from among its members a chairperson, first and second vice-chairperson, a secretary, and a parliamentarian of the Council.

(b) The Executive Committee shall elect the officers at the regular January meeting, or as soon thereafter as practicable.

Section 6.2 – Term

(a) Officers of the Council serve one-year terms, beginning on the date they are elected and expiring on December 31. An officer whose term expires continues to serve until his or her successor is elected.

(b) The Executive Committee may remove an officer for cause upon two-thirds vote of the total number of members of the Committee, vacancies excluded. Removal of the officer must be described in the agenda for the meeting at which removal will be considered.

(c) An officer may not serve more than two consecutive full terms in the same office.

Section 6.3 – Vacancy

In case of vacancy in an office, as determined under Section 5.7, the Nominating Committee may upon the request of the Executive Committee nominate a replacement and the Executive Committee shall elect a replacement from among its members at a regular or special meeting. The replacement serves for the remainder of the unexpired term.

ARTICLE VII – EXECUTIVE DIRECTOR AND STAFF

Section 7.1 – Executive Director

(a) The Executive Committee shall employ an Executive Director, who is qualified by training and

experience, to faithfully carry out the duties delegated to him or her by the General Assembly and the Executive Committee. The Executive Director serves at the pleasure of the Executive Committee.

(b) The Executive Director is the chief administrative officer of the Council and, subject to its policies and directives, acts for and in the name of the Council. Only the Executive Director, chairperson, or first vice-chairperson is authorized to contract on behalf of the Council in accordance with the *Procurement Policy*.

(c) Among other duties, the Executive Director shall:

- (1) appoint and remove all employees of the Council; and
- (2) prepare the Council's annual budget and submit it to the Executive Committee for review, recommendation, and submission to the General Assembly.

ARTICLE VIII – FINANCES

Section 8.1 – Annual Dues

(a) Each member of the Council shall pay annual dues according to the following schedule:

(1) Counties: 5 cents per capita based on the most recent population estimates determined under Section 9.4, minimum of \$50.00.

(2) Municipalities: 10 cents per capita based on the most recent population estimates determined under Section 9.4, minimum of \$50.00.

(3) School districts: 5 cents per capita for enrollment up to 2,500; plus 2 cents per capita for enrollment between 2,500 and 10,000; plus 1 cent per capita for enrollment in excess of 10,000. The minimum dues for a school district are \$50.00, and the maximum dues are \$500.00.

(4) Special-purpose governmental districts, except public utilities: \$125.00.

(5) Public Utilities: \$500.00.

(6) Other agencies and organizations: \$200.00.

(7) Sustaining members: \$100.00 minimum.

(b) The General Assembly upon recommendation of the Executive Committee may amend the schedule of dues set out in subsection (a) in conjunction with reviewing and adopting the annual budget. The amendment may be made effective only for the budget year or permanently.

(d) General Assembly members representing a city or county that has not paid annual dues by December 1st may not be elected to the Executive Committee.

Section 8.2 – Special Assessment

In case of emergency, the General Assembly, upon recommendation of the Executive Committee, may adopt a schedule of special assessments for all members or for specified categories of members.

Section 8.3 – Nonpayment of Dues or Special Assessment

(a) If a member does not pay its dues, or an installment of its dues authorized by Section 8.1, within three months after the dues or installment becomes due and payable, the Executive Committee by resolution may suspend the member from the Council until the member pays its dues or installment in full. If the member

does not pay its dues or the installment within six months after the dues or installment becomes due and payable, the Executive Committee by resolution may expel the member from the Council.

(b) If a member does not pay its special assessment within thirty days after the assessment becomes due and payable, the Executive Committee by resolution shall suspend the member from the Council until the member pays its special assessment in full. If the member does not pay its special assessment within sixty days after the assessment becomes due and payable, the Executive Committee by resolution shall expel the member from the Council.

Section 8.4 – Annual Report and Audit

(a) The Council shall prepare an annual report of its activities and furnish a copy of the report to the governing body of each member of the Council.

(b) The Council shall obtain an annual audit, prepared by an independent certified public accountant in compliance with applicable federal and state law, of its performance, receipts, and expenditures. The Council shall include a summary of the audit results in its annual report required by subsection (a).

ARTICLE IX – MISCELLANEOUS

Section 9.1 – Principal Office

The Executive Committee shall determine the location of the Council's principal office by resolution.

Section 9.2 – Fiscal Year

The Executive Committee shall determine the Council's fiscal year by resolution.

Section 9.3 – Books and Records

(a) The Council shall keep at its principal office correct and complete minutes of the meetings of the General Assembly and its committees and of the Executive Committee and its subcommittees; accurate and complete financial records; and other appropriate records documenting the operations of the Council.

(b) The Council's records are subject to the Texas Public Information Act.

Section 9.4 – Determination of Population

(a) Except as provided in subsection (b), the State data Center biennial estimates of population determine the representation and dues of full members.

(b) A full member may request the Executive Committee at its November meeting to use its own population estimate to determine its representation on the Council and the amount of its dues. The member must document its request with evidence of utility connections or other reliable evidence of population. If the Executive Committee agrees to use the member's population estimate, the estimate will determine the member's representation at the Annual Meetings and the amount of the member's dues until publication of the next State Data Center estimates.

Section 9.5 – Amendment of Bylaws

- (a) If a quorum of full-member representatives is present, the General Assembly may amend these bylaws by majority vote of all the representatives entitled to vote in the General Assembly.
- (b) The written text of a proposed amendment must be furnished to each representative entitled to vote at least thirty calendar days before the day of the meeting at which the amendment will be considered.
- (c) An amendment is effective when adopted by the General Assembly unless the amendment specifies otherwise.

Bylaws History

Adopted 6/70

Revised 10/74

Revised 9/79

Revised 4/81

Revised 9/98

Revised 1/04

Revised 8/04

Revised 11/08

Revised 4/09

Revised 8/10

Revised 12/10

Revised 9/11

Revised 12/11

Revised 12/12

Revised 09/13

Revised 12/14

Revised 9/15

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
August 25, 2016**

Board members present at commencement: Blayne Stansberry, Craig Smith, Blake Dorsett Bob Larsen and Mary Stone. Staff present: John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders, Vanessa Escobar, Stephen Davis and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta also participated in the meeting. Also present were those on the attached sign-in sheet. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

1. Call to Order.

President Stansberry called the meeting to order at 6:00 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments of a General Nature).

There were no public comments of a general nature.

3. Routine Business.

a. **Consent Agenda** Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as an item of Regular Business.

1. **Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
2. **Approval of minutes of the Board's August 11, 2016 regular Meeting.**
3. **Approval of revised District records retention schedule that establishes mandatory minimum retention periods for local governments.**
4. **Approval of the appointment of John Dupnik to replace Kirk Holland as the District's designated representative of the General Assembly of the Capital Area Council of Governments (CAPCOG.)**

Director Smith moved approval of consent agenda items 1 through 4.

Director Stone seconded the motion and it passed with a vote of 5 to 0.



**APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE
CAPITAL AREA COUNCIL OF GOVERNMENTS**

The governing bodies of CAPCOG's members designate General Assembly representatives.

- | | |
|--------------------------|--|
| Counties: | Official appointments are made at Commissioners Court. |
| Cities, Towns, Villages: | Official appointments are made at City Council meetings. |
| Organizations: | Official appointments are made by the Board or other governing body. |

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

- _____ County Commissioners Court (e.g., Travis County Commissioners Court)
 -OR-
 _____ City Council (e.g., Austin City Council)
 -OR-
 _____ Other (Board or other governing body)

City, County, or Organization being represented

Name of Representative

Position

Address

City, Zip Code

(_____) _____

Telephone Number

(_____) _____

Fax Number

Email address *(General Assembly Reps. will be subscribed to the CAPCOG Connections, Training, & Data Points email lists)*

Check One:

_____ Reappointment

_____ Filling Vacancy

_____ Changing Representative

 Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly

Representative for the above entity on _____

Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email to mmooney@capcog.org. Tel. 512-916-6018

Item 5

Board Discussions and Possible Actions

c. Discussion and possible action related to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer.

Item 5

Board Discussions and Possible Actions

d. Discussion and possible action related to activities in the 85th Legislative session of interest to the District.

Item 6

Director's Reports

Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- **Meetings and conferences attended or that will be attended;**
- **Committee formation and updates;**
- **Conversations with public officials, permittees, stakeholders, and other constituents;**
- **Commendations; and**
- **Issues or problems of concern.**

Item 7

Adjournment