

NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting and Public Hearing** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held at the **District office**, located at 1124 Regal Row, Austin, Texas, on **Thursday, June 16, 2016**, commencing at **6:00 p.m.** for the following purposes, which may be taken in any order at the discretion of the Board.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to meet in Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. **Call to Order.**
2. **Citizen Communications (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 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. **Not for public review**
 2. Approval of minutes of the Board's May 26, 2016 Regular Meeting and Public Hearings. **Not for public review at this time**
 3. Approval of the effectiveness of Directors' communications with stakeholders and constituents for the 3rd Quarter FY 2016 (March - May) per the collective judgment of the Board, as required by the District's Management Plan. **Pg. 21**
 4. Approval of an alternate regular Board meeting schedule for the summer months. **NBU**
 5. Approval of a joint-funding agreement with USGS at an annual cost of \$7,370 to continue the inclusion of the Lovelady Drought Indicator well in the USGS-managed and reported Texas Data Collection Program. **Pg. 25**
 6. Discussion and possible action related to amendments to the engagement letter for legislative consulting services with Sledge Law and Public Strategies. **Pg. 29**
 7. Approval of a letter of support for an application to be submitted by the Meadows Foundation and others to fund development of a Blanco River watershed protection plan. **Pg. 32**

8. Approval of a contract amendment with Alan Plummer Associates for continued engineering services related to the District technical review of State Highway 45 Southwest. **Pg. 33**

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. Review of Status Update Report – at directors' discretion **Pg. 37**
- ii. Update on activities related to GMA and regional water planning
- iii. Update on District grant projects and other Aquifer Science Team projects
- iv. Update on the activities related to the SH 45 SW roadway project
- v. Update on activities related to the HCP and the associated draft EIS
- vi. Update on activities related to the Travis County PGMA
- vii. Update on interim legislative activity

4. **Public Hearings.**

The Board will hold a public hearing on the conversion of a Temporary Production Permit issued to Aqua Texas Inc. (Sierra West) to a Regular Production Permit pursuant to the HB 3405 permit process. The Regular Permit would authorize continued operation of the existing well located at 235 Marigold Court, Driftwood, TX 78619 and withdrawal of an annual permitted volume of approximately 30,000,000 gallons of groundwater from the Trinity Aquifer for Public Water Supply Use for the Sierra West neighborhood. **(6:15)**

5. **Presentations.**

Presentation by the District Aquifer Science Team of the preliminary results of the Aquifer Science Onion Creek Study. **NBU**

6. **Discussion and Possible Action.**

- a. Discussion and possible action related to approval of the conversion of a Temporary Production Permit issued to Aqua Texas Inc. (Sierra West) to a Regular Production Permit pursuant to the HB 3405 permit process that would authorize continued operation of the existing well and withdrawal of an annual permitted volume of approximately

30,000,000 gallons of groundwater from the Trinity Aquifer for Public Water Supply Use for the Sierra West neighborhood. **Pg. 44**

- b.** Discussion and possible action related to amending the FY16 Budget. **Pg. 49**
- c.** Discussion related to a briefing by the District's attorney on recent legal cases of interest to Groundwater Conservation Districts. **Pg. 78**
- d.** Discussion and possible action related to consideration of 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. **NBU**

7. Adjournment.

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the _____ day of June, 2016, at _____ .m.

_____, Deputy Clerk

Travis County, TEXAS

Please note: This agenda and available related documentation have been posted on our website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

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.)

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Quarterly Board Judgment of Effective Director Communications

(as required by the District Management Plan)

III.C.4. Objective 4. Demonstrate leadership in external communication, collaboration, coordination and joint planning with respect to groundwater and related resources.

Performance Standard 4-1: Cultivate and communicate effectively and routinely with stakeholders of all types that affect and are affected by the District's programs and policies.

Metric: Collective judgment of the Board once each quarter as to whether communications between the District and its stakeholder community, including constituents and other public officials, are providing an effective basis for District decision-making and for identifying any needed remedial actions.

Date of Meeting:

June 16, 2016

Assessing Preceding Quarter of:

3rd Quarter - March-May

Collective Judgment:

Motion by:

Second by:

Supporting documentation attached including:

- Minutes of this meeting
- Copies of Director Compensation forms for previous quarter
- Any other documentation provided by the Directors



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Texas Water Science Center
1505 Ferguson Lane
Austin, TX 78754

May 12, 2016

Brian Hunt
Senior Hydrogeologist
Barton Springs - Edwards Aquifer Conservation Dst
1124 Regal Row
Austin, TX 78748

Dear Mr. Hunt,

Enclosed are two signed originals of our standard joint-funding agreement for the project(s) Texas Water Science Center Water Resources Investigations, during the period September 1, 2016 through August 31, 2018 in the amount of \$14,740 cash from your agency. Please sign and return one fully-executed original to Beau Griffin at the address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **July 1, 2016**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Meghan Roussel by phone number (512) 927-3503 or email mroussel@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed annually via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Kandis Becher at phone number (817) 263-9545 Ext 225 or email at kkbecher@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

Timothy H. Raines
Acting Director

Enc.: 16CMTX101000000(2)

Fixed Cost Agreement YES| X | NO| |

THIS AGREEMENT is entered into as of the September 1, 2016, by the U.S. GEOLOGICAL SURVEY, Texas Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Barton Springs - Edwards Aquifer Conservation Dst party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$0 by the party of the first part during the period
September 1, 2016 to August 31, 2018
- (b) \$14,740 by the party of the second part during the period
September 1, 2016 to August 31, 2018
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of :

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request; be furnished by the party of the first part; at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.

9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered annually. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Agreement#: 16CMTX101000000
Customer#: 6000000639
Project #: SJ009ME
TIN #: 74-2488641
USGS DUNS #: 128821266

USGS Technical Point of Contact

Name: Meghan Roussel
Supervisory Hydrologist
Address: 1505 Ferguson Lane
Austin, TX 78754
Telephone: (512) 927-3503
Fax: (512) 927-3590
Email: mroussel@usgs.gov

Customer Technical Point of Contact

Name: Brian Hunt
Senior Hydrogeologist
Address: 1124 Regal Row
Austin, TX 78748
Telephone: (512) 282-8441
Fax: (512) 282-7016
Email: brianh@bseacd.org

USGS Billing Point of Contact

Name: Kandis Becher
Budget Analyst
Address: 2775 Altamesa Blvd.
Fort Worth, TX 76133
Telephone: (817) 263-9545 Ext 225
Fax: (817) 361-0459
Email: kkbecher@usgs.gov

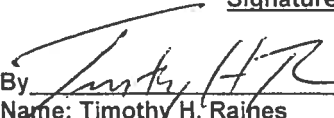
Customer Billing Point of Contact

Name: Dana Wilson
Senior Administrative Programs
Manager
Address: 1124 Regal Row
Austin, TX 78748
Telephone: (512) 282-8441
Fax:
Email: dana@bseacd.org

U.S. Geological Survey
United States
Department of Interior

Barton Springs - Edwards Aquifer Conservation Dst

Signature

By  Date: May 12, 2016
Name: Timothy H. Raines
Title: Acting Director

Signatures

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

**Barton Springs - Edwards Aquifer Conservation District
16CMTX101000000**

Description	Site Information			USGS CWP	Customer	Total
	Code	Units	Diff. Factor			
Task: 2 - Ground Water Data Collection						
Site: 301237097464801 Lovelady Well near Austin, TX						
Operation and Maintenance		1.00	1.00	\$0	\$14,740	\$14,740
				Site Totals:	\$0	\$14,740
				1 total site(s) under the Task Totaling:	\$0	\$14,740
				1 total site(s) under the Agreement Totaling:	\$0	\$14,740

B. Sledge Direct: 512-579-3601
Fax: 512-579-3611
Email: bsledge@sledgelaw.com

June 6, 2016

Mr. John Dupnik, P.G.
General Manager
Barton Springs Edwards Aquifer Conservation District
1124 Regal Row
Austin, Texas 78748

Re: Amendment to Legislative Consulting Services Agreement (Internal Billing Code 0022-00)

Dear Mr. Dupnik:

This purpose of this letter is to amend the contract initially executed on September 18, 2014, as amended by letter agreements dated May 28, 2015, and April 5, 2016 (“Engagement Agreement”). Except as specifically modified by this letter amendment, the terms and conditions of the Engagement Agreement remain the same.

Term of the Agreement:

The term of the agreement will be for a two-year period beginning July 1, 2016, and ending June 30, 2018, which will include the remainder of the 84th Texas Legislature, the Regular Session of the 85th Texas Legislature, the period of time for gubernatorial action on legislative measures passed during the Regular Session of the 85th Texas Legislature, and part of the legislative interim period of the 85th Texas Legislature. The term of the agreement may be extended by mutual agreement of the parties under a separate contract amendment.

Billing Structure and Rates:

The SledgeLaw Group, PLLC (“the Firm”) will provide the services under the Engagement Agreement under a flat-fee structure bifurcated between “legislative session months” and “legislative interim months” that is spread across the 24-months of the legislative biennium, as follows:

Legislative Session Months: November of even-numbered years (when pre-filing of legislative measures begins) through June of odd-numbered years (through the end of the Regular Session of the Texas Legislature and the time period for gubernatorial action on bills): \$4000 per month.

Legislative Interim Months: July of odd-numbered years through October of even-numbered years (covers interim legislative activities): \$1000 per month.

Utilizing that fee structure for the term of this agreement as amended, the flat fees during the term would be as follows: July through October, 2016: \$1000 per month; November 2016 through June 2017: \$4000 per month; and July 2017 through June 2018: \$1000 per month.

You may terminate the engagement at any time and for any reason by informing us in writing. Similarly, we may terminate or withdraw from our representation of you at any time for any reason (including non-payment of fees), provided we comply with the applicable rules of professional conduct. If we decide to withdraw for any reason, you agree to take all steps necessary to release us from any further obligation to represent you, including signing any documents necessary to complete our withdrawal. In the event of a termination or our withdrawal, you will pay us the flat fees through the month of termination only and no additional flat fees for any months where work is not performed.

If this letter correctly reflects your understanding of the terms and conditions of our representation under this amendment to the Engagement Agreement, please execute this amendment in the space provided and return a copy to me.

We look forward to continue working with you and the other good folks at the BSEACD. Please contact me if you have any questions.

Very truly yours,

SLEDGELAW GROUP PLLC



By: _____

Brian L. Sledge

AGREED AND ACCEPTED
BARTON SPRINGS/EDWARDS
AQUIFER CONSERVATION DISTRICT

By: _____
Board President

Attest: _____
Board Secretary

APPROVED AS TO FORM:

William D. Dugat III
Attorney for Barton Springs / Edwards
Aquifer Conservation District



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

June 10, 2016

Dr. Andrew Sansom
Executive Director
The Meadows Center for Water and the Environment
Texas State University
601 University Dr.
San Marcos, TX 78666

Dear Dr. Sansom,

Please accept this letter written on behalf of the Barton Springs/Edwards Aquifer Conservation District in support of a regional Watershed Protection Plan (WPP) for the Blanco watershed.

The District has long supported efforts to protect regional water resources through active surface water and groundwater research, education and outreach, and helping inform effective land stewardship and management efforts. The Barton Springs segment of the Edwards Aquifer receives recharge from the Blanco River, especially in dry times. Protecting water quality within the Blanco watershed in turn helps preserve water quality for Edwards Aquifer groundwater users and aquifer-dependent, endangered species.

The value of a community-based approach to preserve water quality and flows in the watershed is clear, given rapid population growth and a changing landscape. There are many pressures on the Blanco River, its tributaries and its source waters.

The development and implementation of this Plan will help community and regional stakeholders collaborate to improve and protect water quality long into the future. The regional framework will leverage current efforts and expertise to help coordinate a collective solution.

We look forward to participating in a plan to prevent and mitigate non-point source pollution and to approach watershed management as part of a regional, collaborative effort. Should this project be funded, we pledge our support in the following ways:

- Participating on the stakeholder committee, attending meetings
- Sharing data and information about our current work in the watershed
- Working with project partners to align our education and outreach strategies
- Providing technical assistance and expertise.

Sincerely,

John Dupnik
General Manager

AMENDMENT NO. 2
to the
AGREEMENT
between
Barton Springs/Edwards Aquifer Conservation District
and
Alan Plummer Associates, Inc.

This is AMENDMENT Number 2, to the Phase II AGREEMENT (“Agreement”) made as of October 1st, 2015 between the Barton Springs/Edwards Aquifer Conservation District (“DISTRICT”) and ALAN PLUMMER ASSOCIATES, INC. (“Contractor”) (are jointly referred to as “PARTIES”). Provisions contained in this AMENDMENT shall be considered as though they were a part of the original AGREEMENT. This AMENDMENT No. 2 shall become effective as of the June 16, 2016 and shall have an effective date for all eligible engineering services rendered on and after the May 15, 2016. The AGREEMENT and AMENDMENT shall remain in full force until June 16, 2017 unless terminated earlier per Section II of the AGREEMENT.

The following changes are made to the original AGREEMENT:

- 1) The Scope of Services shall be modified to include the following tasks:
 - a. Continue to provide engineering and technical support in the review of the SH 45 Southwest Stormwater Management Plan and TCEQ Water Pollution Abatement Plan (WPAP).
 - b. Provide additional written technical comments as requested on the above documents.
 - c. Provide status updates to the Board and Board committee as often as necessary.
 - d. Attend meetings with the CTRMA and other stakeholders as requested by the District.

- 2) COMPENSATION by the District to the Contractor for all work performed under this AMENDMENT No. 2 is to be based on the rates provided in the original AGREEMENT. Total compensation for work performed as part of this AMENDMENT No. 2 shall not exceed \$10,000 (“Funding Limitation”) without prior approval by the DISTRICT.

This AMENDMENT may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the PARTIES have executed this AMENDMENT as of the day and year first written above.

DISTRICT:

CONTRACTOR:

Blayne Stansberry Date
President

Tom Hegemier, P.E. Date
Senior Project Manager

ATTEST:

APPROVED AS TO FORM

Blake Dorsett Date
Board Secretary

William D. Dugat III Date
General Counsel

Item 3

Routine Business

b. General Manager's Report.

Note: Topics discussed in the General Manager's Report are intended for administrative and operational information-transfer purposes. The Directors will not deliberate any issues arising from such discussions and no decisions on them will be taken in this meeting, unless the topic is specifically listed elsewhere in this as-posted 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. Review of Status Update Report – at directors' discretion**
- ii. Update on activities related to GMA and regional water planning**
- iii. Update on District grant projects and other Aquifer Science Team projects**
- iv. Update on the activities related to the SH 45 SW roadway project**
- v. Update on activities related to the HCP and the associated draft EIS**
- vi. Update on activities related to the Travis County PGMA**
- vii. Update on interim legislative activity**

STATUS REPORT UPDATE FOR JUNE 16, 2016 BOARD MEETING

Prepared by District Team Leaders

Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
GENERAL MANAGEMENT TEAM			
John Dupnik			
JD	6/2/2016	Meetings, Training, Presentations, and Conferences	External Meetings Attendee: with Brian Sledge; with Travis County PGMA workgroup; with Needmore representatives; Other Meetings: with Kirk Holland on Dripping Springs permit application. Presentations: provide testimony at Travis County PGMA work session. TGWA Drillers continuing education presentation. Conferences/Seminars: None
JD	6/2/2016	Ongoing Special Projects, Committees, and Workgroups	Ongoing Special Projects: TDS saline zone investigation, TWDB RFP grant; HB 3405 implementation; District EIS review; Employee Policy Manual Review; Trinity GAM extension support; redistricting; GMA 10 proposed DFCs; Dripping Springs TPDES Permit review; Travis county PGMA. Committees and Workgroups: Region K (voting member); GMA 10 (voting member); Regional WQ Plan workgroup; Region K Legislation and Policy committee; Region K strategy prioritization committee; Region K water supply strategy committee; Region K executive committee nomination committee; TAGD legislative committee (regional planning; ASR, brackish gw). TWCA groundwater committee; Travis County PGMA workgroup
JD	6/2/2016	Routine Activities and Day-to-Day operations	Routine Activities/Day-to-Day Operations: provided general oversight of staff incentive projects and activities, and oversight of day-to-day operations; approved purchase orders and expenditures; approved timesheets; prepared agendas and backup for and attended Board meetings; prepared GM report and assigned tasks in response to Board commitments; held regular one-on-one meetings with Team Leaders; presided over Planning Team meetings; serve as liaison between Board and staff; support Board subcommittees; respond to media requests; disseminate media reports and journal articles of possible interest. Consultation with Attorney on. Redistricting: draft rule comments; RTC; ASR rules; Dripping Springs TPDES application; Procurement Policy: draft contract review; recent case law updates. Other Activities: coordinate GAM extension support project; coordinate team tasks for implementing HB 3405; coordinate RFP grant project; GMA 10 2016 regional planning (including public hearing on 2016 proposed DFCs); GMA 10 Trinity analysis for ER; redistricting coordination; coordinate rule comment review and revisions for final adoption; prepare testimony for Travis County PGMA work session.
ADMINISTRATION TEAM			
Dana Christine Wilson			
DCW	6/10/2016	Permittee accounts carrying a past due balance;	Currently there are no past due accounts.
DCW	5/6/2016	Billings - June monthly and 4th quarter billings will have a statement date of May 16th.	Estimated billing total is \$343,701.
DCW	6/10/2016	FY 2016 Budget Revision 2	Current agenda item.
DCW	6/10/2016	FY 2017 Budget in process	Working on the 2 memos to be sent out with RFQ.
TR/DCW	6/10/2016	MSC/IDD renewals and additions.	Current agenda item.
DCW	6/10/2016	Revisions / clean-up / rearrangement coming soon.	
DCW	6/10/2016	Most current, available financial reports are posted.	Profit and Loss Statement, and Balance Sheet through March 2016.
DCW	6/10/2016	Time to begin tracking labor hours given as in-kind support to Southwest Research Institute. This donation of time to the project requires an administrative collaboration also for Dana and SWRI. Current request from SWRI for several documents are in process (Audit Access Certification, Import/Export Certification, Financial Certification, and more)	\$10,000 over the next 2 years. This is a collaboration with a SWRI proposal to the TWDB project entitled "Evaluation of the Brackish Groundwater Resources of the Trinity Aquifer." For more information, see Brian Smith.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Grants and Projects - TWDB Regional Facilities Planning	DCW	6/10/2016	Working on first quarterly invoice submittal	
Records Management, Storage, and Retention	DCW	6/10/2016	Working on updating our records management retention schedule to reflect our changing times (technology).	This will need to be approved by the TSLAC (Texas State Library and Archives Commission). Our most recent/current version was approved back in 1994.
The Standard (third-party administrator for the BSEACD Retirement Plan and Trust)	DCW	6/10/2016	Changing out four poorly performing funds that failed the Standard's investment screening process.	As the investment fiduciary for the District's "Plan," John and I, along with Eddie Garza, the relationship manager with the Standard, will discuss the potential replacement options for the failing funds that need to be removed. (John and I have selected the replacement funds, and in the near future will consider adding some tiered-rate funds.) Next meeting is scheduled for August.
REGULATORY COMPLIANCE TEAM Vanessa Escobar				
Temporary/ Regular Permits	KBE, VE	6/9/2016	Conversion of a Temporary Permit to a Regular Permit	On 4/28/16 the Board approved 14 Temporary Permits for conversion to Regular Production Permits. There are 4 remaining temporary permits awaiting Board approval for conversion. Texas Old Town was approved on 5/26/16. Aqua Texas (scheduled for Board Action 6/16/16), Electro Purification (Withdrawn), Needmore Water LLC (Review in Process), Texas Old Town has already been noticed and no comments or protests were received. Notice publications have not yet been issued for Aqua Texas or Needmore. Public hearings will be scheduled at a future date.
Goforth WSC	KBE, VE	6/9/2016	Replacement Well	The PWS has submitted an application to drill a new Edwards well to replace a non functioning well. The non functioning well had issues with an obstruction during the replacement of a pump. Goforth plans to plug the old well once the new well has been successfully completed.
Aqua Texas	KBE, VE	6/9/2016	Replacement Well	The PWS has submitted an application to drill one new Edwards well to replace two non functioning wells in the offline Hummingbird System. The non functioning well had issues with low production and water quality. Aqua plans to plug the old wells once the new well has been successfully completed. They also plan to conduct an abbreviated A-furifer Test and Hydrogeological Report.
Electro Purification	KBE, VE	6/16/2016	Test Well Permit - General Permit	On 3/15/16 Electro Purification withdrew its Temporary/ Regular Permit application for 30,000,000 gal/yr and submitted a contemporaneous filing of 6 test well permit applications. Staff is reviewing these submittals. On 6/13/16 a 90 application extension will be automatically granted.
Mike Rutherford	KBE, VE	6/9/2016	Test Well Permit - General Permit	On 3/15/16 Mike Rutherford submitted a test well application to drill a Lower Trinity test well to evaluate production potential of the aquifer. The test well will be located on the Rutherford Ranch west of Buda on FM 967. Staff is currently reviewing the application. On 6/13/16 a 90
Rick Sieders	KBE, VE	6/9/2016	Well Drilling Authorization	The residential property is located in Rollingwood and the applicant is seeking to drill a Middle Trinity Irrigation well. The volume being requested is less than 2 million gallons a year.
Trinity Episcopal School	KBE, VE	6/9/2016	Well Drilling Authorization	The Trinity Episcopal School is located on Bee Caves Rd in the Westlake area. The school has submitted a drilling authorization application requesting to drill a new Lower Trinity well for the purposes of athletic field irrigation. The anticipated volume will be approximately 4,000,000 gal/yr. Staff is currently reviewing the application request.
Drought Statue - No-Drought	KBE, VE	6/9/2016	Drought Compliance Monitoring and Enforcement	No new update. No-drought was declared on January 29, 2015. Staff sent out email and letter to all permittees notifying them of no-drought status.
EDUCATION & OUTREACH Robin Gary				
Groundwater to the Gulf	RG	6/9/2016	Planning	The schedule has been finalized and the team is working on recruitment and logistics. Days 1 and 2 will cover basics of groundwater, surface water, and coastal systems, and discuss major challenges such as development, population growth, and resource management. Day 3 this year will take teachers to Canyon Lake Gorge where they will hike through portions of the Upper and Middle Trinity Aquifers, view the flood challenges, and visit the Meadows Center.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
ARM Site Visit	RG	6/9/2016	Penny's Cave	Penny's Cave is a BCCP permitted cave because of rare or threatened biota. The cave is fenced and gated. Robin was contacted by a Green Team member of ARM (a business in the office park on the property where Penny's Cave is located) to find out more about the cave and what workers can do to help protect the cave and water quality. Robin coordinated a site visit with City biologist Mark Sanders and the property manager. The group discussed the purpose of biological cave monitoring, threats to cave biota and water quality, and steps the property management could take to help protect the cave.
Travis County PGMA	RG, KH, JD	6/9/2016	Planning, collaboration	Robin, Kirk, and John met with HTGCD and Travis Co staff to discuss ways to estimate annual pumping estimates for the SW Travis Co PGMA. Robin has made a public information request from TCEQ to receive a custom data pull from the water utilities database that would show annual volumes, number of connections, and water source type. Additionally, Robin has analyzed ownership info, proposed use, well bore size, and CCN data to estimate the number of non-exempt wells in the area. Travis Co staff presented to the Commissioners Court on 6/7/2016, and Commissioners seem to favor a production fee based GCD. Other points of discussion were powers of eminent domain and access to inspect exempt wells.
GIS	RG	6/9/2016	Mapping	A new interactive, online Director Precinct map is now available. Users can search by address and readily identify the precinct, director information, and link to the associated Directors' profile page. The Map Gallery on the website has also been updated with a Director precinct map, map of the exclusive and shared territories, and the Travis Co. PGMA analysis. A Google Earth kmz is also available on the Maps page for the District boundary and Directors' precincts.
Enews Blast	RG	6/9/2016	June eNews	The June eNews was released on June 3, 2016. After about a week it has been opened over 962 times. The articles included info on the near record high levels in the Edwards Aquifer, Groundwater to the Gulf info, GMA 10 DFCs, Scholarship Winners announcements, and Director precincts redistricting notice.
Internet Traffic Report	RG	6/9/2016	Page views and visits to the District Website	The shift to the new District website is complete. All elements are functional, however minor improvements will continue to be made over the next month or so. Analytics are not available at this time due to the domain shift. The District Facebook page now has 468 'Likes' and responses to posts have been very positive.
AQUIFER SCIENCE				
Dye Tracing	BS, BH	6/8/2016	Dye tracing	Discussions are underway with the EAA and CoA about potential dye tracings in the upcoming months. The City has injected at various locations along SH45, and still has two sites to do.
Central Hays County Groundwater Evaluation	BH, BS, JC	6/8/2016	Well and hydrogeology characterization	District staff are establishing a monitoring network of nearby wells to collect data during the EP aquifer test. Revisions have been made to the aquifer test guidelines and a definition for unreasonable impacts has been developed.
Antioch Cave	BS, BH, JC	6/8/2016	Onton Creek Recharge Enhancement Project	The Antioch system is open to allow recharge, and there is flow in Onton Creek due to heavy rains in March, April, and May.
Water-Quality Studies	BS, BH, JC	6/8/2016	Sampling and analysis of groundwater and surface water	District staff started work with a geochemist to evaluate the years of data we have collected on behalf of the TWDB. Staff have completed sampling wells and springs as part of the Magellan Pipeline monitoring effort.
Saline Zone Studies	BS, BH	6/8/2016	Installation of multipoint monitor well	Plans are moving forward for installation of a saline Edwards multipoint well in conjunction with a test well installed by TDS. On July 8, 2015, the District was officially notified of an award of a regional planning grant for work on the saline Edwards, and a contract with TWDB was signed on Aug. 27. On January 5, a contract between BSEACD and Carollo Engineers was signed. A project kickoff meeting was held on February 25.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Drought and Water-Level Monitoring	BH, BS, JC	6/8/2016	Drought status, monitor wells, and synoptic water level events	January 30, 2015, the District Board declared non-drought conditions. The District had been in drought since August 15, 2014. Because of heavy rains in October and more moderate rains in November and December, and now March, April, and May 2016, the water level in the Lovelady well is rising at a relatively rapid rate. As of June 8, the water level in the Lovelady well was at 538.0 ft above msl and Barton Springs was flowing at 103 cfs. On May 31, the water level rose above a peak from 2003. The only higher peak in water level was in 1992, with an elevation of 547 ft msl.
Information Transfer	BS, BH, JC	6/8/2016	Presentations, conferences, reports, and publications	Brian Smith attended a conference in San Juan in late January on contamination in karst and public health and is working on a paper to be published in a journal. Staff are working on the results of the Onion Creek gain-loss study from 2015 to be published at the CCAGS conference (Fall 2016). Staff are also working on finalizing some other technical reports and documents.
Aquifer Testing	BS, BH, JC	6/8/2016	Planning, participation, and review of aquifer tests	AS staff were involved in the Needmore aquifer test in January 2016, and are currently evaluating the report submitted by Wetrock. We are also working with Buda on their planned aquifer test of the new well field, scheduled to potentially occur in late March or early April. Staff continue to have discussions with EP regarding their planned aquifer test.
AD-HOC TEAMS				
Technical Team	BAS	6/8/2016	Current areas of discussion	Topics of discussion at the technical team meeting in June were the RFP grant, update to the Trinity model, Needmore permitting, and aquifer conditions.
Planning Team	JD	6/2/2016	Strategic and tactical planning and discussion topics	New Business: Staffing support options, budgeting, New PT meeting format, IDD contractor list, Travis County PGMA, Dripping Springs TPDES permit
UPCOMING ITEMS OF INTEREST				
Travis County Commissioners Court		6/7/2016	Considering position on PGMA	
1st June Board Meeting		6/16/2016	Need to consider possible rescheduling 6/23 meeting	
2nd Senate Committee on Ag., Water, and Rural Affairs		6/20/2016	9am, Capital, E1.0.12 (Hearing Room)	
GMA 10		6/13/2016	11:30, EAA offices	
CTRMA Board meeting		6/15/2016	9:00am, CTRMA offices	
TWCA Mid-year Conference, Legislative Committee Meetings		6/16/2016	Horseshoe Bay	
2nd June Board Meeting		6/23/2016	may consider alternate dates	
Independence Day		7/4/2016	District Holiday - Offices Closed	
Region K		7/13/2016	LCRA offices, Montopolis Drive, Austin	
1st July Board Meeting		7/14/2016		
3rd Senate Committee on Ag., Water, and Rural Affairs		7/25/2016	9am, Capital, E1.0.12 (Hearing Room)	
2nd July Board Meeting		7/28/2016		
4th Senate Committee on Ag., Water, and Rural Affairs		8/15/2016	9am, Capital, E1.0.12 (Hearing Room)	

Item 4

Public Hearing

The Board will hold a public hearing on the conversion of a Temporary Production Permit issued to Aqua Texas Inc. (Sierra West) to a Regular Production Permit pursuant to the HB 3405 permit process. The Regular Permit would authorize continued operation of the existing well located at 235 Marigold Court, Driftwood, TX 78619 and withdrawal of an annual permitted volume of approximately 30,000,000 gallons of groundwater from the Trinity Aquifer for Public Water Supply Use for the Sierra West neighborhood. (6:15)

Item 5

Presentations

Presentation by the District Aquifer Science Team of the preliminary results of the Aquifer Science Onion Creek Study.

Item 6

Board Discussions and Possible Actions

- a. Discussion and possible action related to approval of the conversion of a Temporary Production Permit issued to Aqua Texas Inc. (Sierra West) to a Regular Production Permit pursuant to the HB 3405 permit process that would authorize continued operation of the existing well and withdrawal of an annual permitted volume of approximately 30,000,000 gallons of groundwater from the Trinity Aquifer for Public Water Supply Use for the Sierra West neighborhood.**

Application Summary and Staff Recommendations

DESCRIPTION OF APPLICATION

Applicant: Aqua Texas Inc. (Sierra West)

Type of Application: Production Permit in Middle Trinity Management Zone

Request: Temporary Permit Conversion to a Regular Production Permit.
Applicant requests approval of a Historical Middle Trinity Production Permit to withdraw up to 30,000,000 gallons/year for Public Water Supply use.

REASON FOR REQUEST

The Barton Springs/ Edwards Aquifer Conservation District's (District) territory was expanded on June 19, 2015 through the passage of H.B. 3405. This act requires all nonexempt, non-Edwards wells to be permitted and the act provides a three-month period to apply for a Temporary Permit, which expired on September 19, 2015. Aqua Texas Inc. (Sierra West) filed an administratively complete application with the District and was issued a Temporary Production Permit on October 16, 2015. The Temporary Permit provided Aqua Texas Inc. with an interim authorization to continue operating the well for the existing use types.

The District has further processed the application for conversion to a Regular Historical Production Permit to authorize withdrawal of an annual permitted volume of approximately 30,000,000 gallons of groundwater from the Trinity Aquifer. Aqua Texas Inc. will continue to operate the existing well for Public Water Supply Use for the Sierra West neighborhood. If approved by the Board, the permittee will be required to comply with the drought curtailments and provisions of a Historical Middle Trinity Production Permit.

WELL/RECEIVING AREA LOCATION

The Aqua Texas Trinity well is located at 235 Marigold Court, Driftwood, TX 78619 and serves the Sierra West Subdivision. (Appendix A).

WATER DEMAND AND PERMIT VOLUME CALCULATIONS

The total estimated public water supply demand for the for the Aqua Texas service area is approximately 30,000,000 gallons/year. The demand volume was based on the 4 year average (16,879,250 gallons) and an annual 2 percent growth rate.

USER CONSERVATION PLAN (UCP)/USER DROUGHT CONTINGENCY PLAN (UDCP)

Aqua Texas (Sierra West) submitted a UCP and UDCP which contain the required elements in accordance with applicable District Rule 3-6.3 and is consistent with District guidelines.

AQUIFER TEST AND HYDROGEOLOGICAL REPORT

An aquifer test for the well (previously known as Running Rope Estates) was conducted in May 2000. The well is approx. 940 feet deep and completed into the Cow Creek formation in the Middle Trinity Aquifer. The well was pumped at 235 gpm for 25 hrs. The pumping well showed 236 ft maximum drawdown (it's important to note the top of the Cow Creek formation is 860 ft

in this location) and the observation well showed 37.4 ft maximum drawdown. Theoretical drawdown for the full build out of 195 homes at 20 years would be 145 ft within 1 foot of the well and 60 ft at 1-mile. Currently the well has a pumping rate of 100 gpm.

The Aquifer Science Staff reviewed the hydrogeologic report and aquifer test for the Sierra West subdivision (dated May 19, 2000) performed by Geos Consulting and determined that the aquifer tests and hydrogeologic report satisfy the aquifer test and hydrogeologic report requirement for permitting within the District. The primary reason for not requiring a new aquifer test and hydrogeologic report is:

- The previously conducted aquifer test was adequate in that the test satisfied the District guidelines and allows for the estimation of drawdown and impacts. Results indicate very low risk of impacts.
- The requested volume of 30,000,000 gals/yr, (equivalent to a 57 gpm pumping rate) is a relatively low volume and pumping rate. Accordingly, this presents a low potential for negative impacts in the surrounding 1-2 mile radius.
- The system has been in operation for more than 15 years, without negatively impacting surrounding wells. This empirically demonstrates the conclusions from the first two bullets above.

Aquifer Science staff recommend approval of the requested permit for the Sierra West Subdivision.

APPLICATION REVIEW

- Staff has reviewed the above referenced application and has determined that the application has satisfied all the requirements pursuant to District Rules 3-1.4.A and 3-1.55 and that the required documentation and payment of fees have been satisfied.
- Staff has determined that the applicant has sufficiently addressed the criteria and considerations for Board action in accordance with District Rule 3-1.6(A).
- Staff has confirmed that the applicant provided proper notice in accordance with District Rule 3-1.4.B. The required 20-day public comment period expired on June 7, 2016 (Attachment B). The application was noticed for 30,000,000 gallons/year.

STAFF RECOMMENDATIONS

Staff recommends conversion of the Temporary Permit into a Regular Permit pursuant to the HB 3405 permit process and **approval** of the associated Middle Trinity Historical Production Permit for a maximum annual volume of 30,000,000 gallons/year.

Attachment A
Well Location Map



Attachment B
Copy of Posted Notice

Public Notice - San Marcos Record

Aqua Texas Inc (Sierra West), 1106 Clayton Lane, Suite 400W Austin, TX 78723, filed an administratively complete application with the Barton Springs/Edwards Aquifer Conservation District and was issued a Temporary Production Permit on October 16, 2015. The District has further processed the application for conversion to a Regular Historical Production Permit to authorize withdrawal of an annual permitted volume of approximately 30,000,000 gallons of groundwater from the Trinity Aquifer. Aqua Texas Inc. will continue to operate the existing well for Public Water Supply Use for the Sierra West neighborhood.

The General Manager has made a preliminary decision that the permit application satisfies all District requirements for issuance of a Regular Historical Production Permit and recommends approval by the Board of Directors (Board) of the requested annual permit volumes for continued groundwater production for the existing use. If approved by the Board, the permittee will be required to comply with the drought curtailments and provisions of a Historical Trinity Production Permit.

The well is located at 235 Marigold Court, Driftwood, TX 78619. Publication of this notice begins a 20-day public response period for which comments, written formal protests and requests for a public hearing will be accepted by the District. Parties interested in formally participating in a hearing on a contested application should refer to District Rule 4 § 13. For further information, please contact the District: 1124 Regal Row, Austin, Texas 78748, (512) 202-8441, ds@acd@usaacc.org. You may also contact the applicant, Aqua Texas Inc. at 512-333-8904.

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Item 6

Board Discussions and Possible Actions

- b. Discussion and possible action related to amending the FY16 Budget.**

Items for FY 2016 Budget Revision 2

Balance Sheet

Profit and Loss Statement

List of Changes to Income and Expense Accounts

Budget Revision 2

Balance Sheet

Barton Springs Edwards Aquifer

Balance Sheet

As of June 10, 2016

06/10/16

Accrual Basis

	<u>Jun 10, 16</u>
ASSETS	
Current Assets	
Checking/Savings	
1000.0 · Cash in Bank-Checking BB&T	44,891.78
1010.0 · Cash in Bank - Payroll BB&T	7,968.14
1030.0 · TexPool Funds - General	
1040.1 · Special Drought Reserve	52,050.00
1030.0 · TexPool Funds - General - Other	469,877.02
Total 1030.0 · TexPool Funds - General	521,927.02
1040.0 · TexPool Funds - Contingency	732,165.43
1045.0 · TexPool Funds - Reserve	45,275.61
Total Checking/Savings	1,352,227.98
Accounts Receivable	
1200.0 · Accounts Receivable	
1200.1 · A/R DMF	-8,431.49
1200.0 · Accounts Receivable - Other	463,509.76
Total 1200.0 · Accounts Receivable	455,078.27
Total Accounts Receivable	455,078.27
Other Current Assets	
1100.0 · Petty Cash	300.00
1300.0 · Pre-paid Expenses	4,330.25
1499.0 · Undeposited Funds-A/R payments	17,628.24
Total Other Current Assets	22,258.49
Total Current Assets	1,829,564.74
Fixed Assets	
1400.0 · Field Equipment	376,487.89
1410.0 · Office Equipment & Furniture	19,722.90
1410.1 · Computer Hardware & Software	13,529.69
1420.0 · Vehicles	78,339.03
1430.0 · Accumulated Depreciation	-564,745.24
1440.0 · Land (Antioch Cave)	165,415.00
1445.0 · Office Building	268,588.04
Total Fixed Assets	357,337.31
Other Assets	
1500.0 · Organizational Costs	300,783.26
1510.0 · Accumulated Amortization	-300,783.26
1600.0 · Deposits Paid (Utilities)	71.00
Total Other Assets	71.00
TOTAL ASSETS	<u>2,186,973.05</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2010.0 · Rebates Payable - Cons Credits	38,190.11
2250.0 · TWC Payable	85.04
2270.0 · Payroll Liabilities	1,057.80
2300.0 · Accrued Vacation Payable	51,549.03
Total Other Current Liabilities	90,881.98
Total Current Liabilities	90,881.98
Total Liabilities	90,881.98

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06/10/16

Accrual Basis

Barton Springs Edwards Aquifer

Balance Sheet

As of June 10, 2016

	<u>Jun 10, 16</u>
Equity	
3000.0 · Fund Balance	1,062,239.51
3000.3 · Invested in Capital Assets	365,127.26
3110.0 · Reserve for Petty Cash	300.00
Net Income	668,424.30
	<hr/>
Total Equity	2,096,091.07
	<hr/>
TOTAL LIABILITIES & EQUITY	2,186,973.05
	<hr/> <hr/>

Profit and Loss Statement

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4250.0 · GRANT INCOME	0.00	240,000.00	-240,000.00	0.0%
4400.0 · Interest Income	1,980.27	400.00	1,580.27	495.1%
4625.0 · MISCELLANEOUS INCOME	1,512.30	0.00	1,512.30	100.0%
4626.1 · Other Income	0.00			
4626.2 · Camp Scholarship Program-EARDAC				
Total 4625.0 · MISCELLANEOUS INCOME	1,512.30	0.00	1,512.30	100.0%
4800.0 · USAGE AND PRODUCTION FEES				
4801.0 · Permittees Water Production Fee	664,856.56	727,000.00	-62,143.44	91.5%
4803.0 · CoA Water Use Fee Assessment	1,000,000.00	831,047.00	168,953.00	120.3%
4805.0 · Permittees Annual Permit Fee	5,350.00	5,250.00	100.00	101.9%
4807.0 · Permittees Water Transport Fees	124,000.00	124,000.00	0.00	100.0%
4800.0 · USAGE AND PRODUCTION FEES - Other	-38,190.11	0.00	-38,190.11	100.0%
Total 4800.0 · USAGE AND PRODUCTION FEES	1,756,016.45	1,687,297.00	68,719.45	104.1%
4810.0 · OTHER FEES				
4806.0 · Permittees Late Payment Fees	63,314.44	0.00	63,314.44	100.0%
4815.0 · Well Develop Application Inspec	11,000.00	10,000.00	1,000.00	110.0%
4816.0 · Meter Reading Fees/Pluggings	1,225.00	0.00	1,225.00	100.0%
4818.0 · Drought Management Fees	0.00	0.00	0.00	0.0%
Total 4810.0 · OTHER FEES	75,539.44	10,000.00	65,539.44	755.4%
Total Income	1,835,048.46	1,937,697.00	-102,648.54	94.7%
Gross Profit	1,835,048.46	1,937,697.00	-102,648.54	94.7%
Expense				
6000.0 · UTILITIES				
6001.0 · Electricity & Water Service	3,933.43	7,000.00	-3,066.57	56.2%
6002.0 · Phone, Internet, Telemetry	8,551.26	11,800.00	-3,248.74	72.5%
6003.0 · Smartphone Reimbursements	6,175.00	7,700.00	-1,525.00	80.2%
Total 6000.0 · UTILITIES	18,659.69	26,500.00	-7,840.31	70.4%
6005.0 · Print/Copy/Photo Services	863.62	2,000.00	-1,136.38	43.2%
6007.0 · Postage Freight Shipping	3,035.73	3,000.00	35.73	101.2%
6010.0 · Office Supplies	6,077.53	10,500.00	-4,422.47	57.9%
6010.1 · Canteen	1,815.03			
6010.2 · Office Furniture	1,510.87	2,000.00	-489.13	75.5%
6011.0 · Comp Hardware-Plotter Supplies	3,220.43	7,000.00	-3,779.57	46.0%
6014.0 · Software Acquisition & Upgrades	1,120.00	2,400.00	-1,280.00	46.7%
6015.0 · IT Monthly Maintenance	10,000.00	12,000.00	-2,000.00	83.3%
6016.0 · Meeting Expense	3,684.65	5,600.00	-1,915.35	65.8%

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
6017.0 · EXTERNAL MTGS & SPONSORSHIPS				
6017.1 · Travel & Meals	16.00	0.00	16.00	100.0%
6017.2 · Registration Fees	840.00	0.00	840.00	100.0%
6017.3 · Sponsorships and Contributions	1,737.48	0.00	1,737.48	100.0%
6017.0 · EXTERNAL MTGS & SPONSORSHIPS - Other	0.00	7,500.00	-7,500.00	0.0%
Total 6017.0 · EXTERNAL MTGS & SPONSORSHIPS	2,593.48	7,500.00	-4,906.52	34.6%
6019.0 · Subscriptions/Publications	2,282.51	4,200.00	-1,917.49	54.3%
6020.0 · Advertising	9,770.46	6,000.00	3,770.46	162.8%
6021.0 · MISCELLANEOUS EXPENSES				
6021.2 · General	1,130.31	0.00	1,130.31	100.0%
6021.3 · Bank Charges	0.00	0.00	0.00	0.0%
Total 6021.0 · MISCELLANEOUS EXPENSES	1,130.31	0.00	1,130.31	100.0%
6022.0 · Accounting System Operation	1,194.45	0.00	1,194.45	100.0%
6022.1 · Timekeeping Service-prepaid	1,258.60	3,500.00	-2,241.40	36.0%
6022.0 · Accounting System Operation - Other				
Total 6022.0 · Accounting System Operation	2,453.05	3,500.00	-1,046.95	70.1%
6023.0 · MAINTENANCE				
6024.0 · Auto Maintenance	2,444.09	7,000.00	-4,555.91	34.9%
6025.0 · Office Complex Maintenance	0.00	0.00	0.00	0.0%
6025.2 · Special Projects Office Shuffie	359.55	0.00	359.55	100.0%
6025.3 · Security System Monitoring	10,713.10	10,600.00	113.10	101.1%
6025.0 · Office Complex Maintenance - Other				
Total 6025.0 · Office Complex Maintenance	11,072.65	10,600.00	472.65	104.5%
Total 6023.0 · MAINTENANCE	13,516.74	17,600.00	-4,083.26	76.8%
6025.1 · Facilities Upgrades	5,000.00	0.00	5,000.00	100.0%
6025.21 · Special Projects	0.00	0.00	0.00	0.0%
6025.4 · Facilities Repairs	4,948.89	5,000.00	-51.11	99.0%
6030.0 · CAPITAL OUTLAY-over 5,000	0.00	0.00	0.00	0.0%
6035.0 · Vehicles - Capital				
Total 6030.0 · CAPITAL OUTLAY-over 5,000	0.00	0.00	0.00	0.0%
6040.0 · LEASES				
6040.2 · Copier Lease & Maintenance	11,749.73	10,500.00	1,249.73	111.9%
6040.3 · Postage Machine Lease - Pre-Pd	846.00	1,104.00	-258.00	76.6%
Total 6040.0 · LEASES	12,595.73	11,604.00	991.73	108.5%

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
6065.0 · DIRECTOR EXPENSES				
6065.1 · Directors Travel/Meals	477.91	0.00	477.91	100.0%
6065.2 · Directors Registration Fees	1,195.00	0.00	1,195.00	100.0%
6065.0 · DIRECTOR EXPENSES - Other	0.00	5,000.00	-5,000.00	0.0%
Total 6065.0 · DIRECTOR EXPENSES	1,672.91	5,000.00	-3,327.09	33.5%
6066.0 · Directors Compensation				
6075.0 · DUES & MEMBERSHIPS	31,100.00	45,000.00	-13,900.00	69.1%
6076.0 · District Dues & Memberships	3,468.11	0.00	3,468.11	100.0%
6077.0 · Staff Dues & Memberships	1,288.50	0.00	1,288.50	100.0%
6075.0 · DUES & MEMBERSHIPS - Other	0.00	6,500.00	-6,500.00	0.0%
Total 6075.0 · DUES & MEMBERSHIPS	4,756.61	6,500.00	-1,743.39	73.2%
6080.0 · EDUCATION AND OUTREACH				
6080.01 · PUBLICATIONS	710.47	1,500.00	-789.53	47.4%
6080.20 · OUTREACH				
6080.22 · Cleanups	127.54			
6080.23 · Media and PR	356.12			
6080.31 · Conservation Awards	1,037.00	0.00	1,037.00	100.0%
6080.33 · Neighborhoods and Schools	1,075.07	0.00	1,075.07	100.0%
6080.34 · Scholarships	2,500.00	0.00	2,500.00	100.0%
6080.20 · OUTREACH - Other	0.00	10,750.00	-10,750.00	0.0%
Total 6080.20 · OUTREACH	5,095.73	10,750.00	-5,654.27	47.4%
6080.27 · Conferences and Seminars	0.00	1,250.00	-1,250.00	0.0%
6080.28 · Contracted Support	13.25	5,000.00	-4,986.75	0.3%
6080.29 · Equipment and Supplies	2,294.35	4,250.00	-1,955.65	54.0%
6080.35 · GENERAL SUPPORT	512.33	3,000.00	-2,487.67	17.1%
Total 6080.0 · EDUCATION AND OUTREACH	8,626.13	25,750.00	-17,123.87	33.5%
6081.0 · REGULATORY COMPLIANCE				
6081.1 · Projects & Investigations	0.00	5,000.00	-5,000.00	0.0%
6081.2 · Well Sampling and Services	4,169.07	10,000.00	-5,830.93	41.7%
6081.4 · Conferences and Seminars	1,849.52	2,500.00	-650.48	74.0%
6081.5 · Contracted Support	125.00	15,000.00	-14,875.00	0.8%
6081.6 · Equipment and Supplies	1,447.37	4,000.00	-2,552.63	36.2%
Total 6081.0 · REGULATORY COMPLIANCE	7,590.96	36,500.00	-28,909.04	20.8%
6084.92 · GENERAL MANAGEMENT				
6085.0 · Elections	0.00	0.00	0.00	0.0%

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
6086.0 · GMA Joint Planning	3,069.44	35,550.00	-32,480.56	8.6%
6086.3 · Contracted Support	14,469.18	30,000.00	-15,530.82	48.2%
6087.0 · HCP-Completion Project	10,840.00	30,000.00	-19,160.00	36.1%
6088.0 · HCP-Hicks-Project 11047	0.00	0.00	0.00	0.0%
6088.1 · Mgmt Consultant Contract	360.00			
6088.6 · Conferences and Seminars	2,769.79	3,000.00	-230.21	92.3%
6084.92 · GENERAL MANAGEMENT - Other	801.04			
Total 6084.92 · GENERAL MANAGEMENT	32,309.45	98,550.00	-66,240.55	32.8%
6089.0 · AQUIFER SCIENCE				
6089.1 · Hydrogeologic Characterization	0.00	5,000.00	-5,000.00	0.0%
6089.2 · Water Chemistry Studies	1,930.22	8,000.00	-6,069.78	24.1%
6089.3 · Monitor Wells, Equipment /Suppl	11,161.08	15,000.00	-3,838.92	74.4%
6089.5 · Conferences and Seminars	4,618.42	5,000.00	-381.58	92.4%
6089.6 · Contracted Support	13,275.00	20,000.00	-6,725.00	66.4%
6089.7 · Westbay Project	23.11	0.00	23.11	100.0%
Total 6089.0 · AQUIFER SCIENCE	31,007.83	53,000.00	-21,992.17	58.5%
6090.0 · Conservation Credits	0.00	38,284.00	-38,284.00	0.0%
6100.0 · INSURANCE - DISTRICT				
6101.0 · Liability & Property - Pre-paid	3,485.92	6,250.00	-2,764.08	55.8%
6102.0 · Insurance not pre-paid (bonds)	256.47	0.00	256.47	100.0%
Total 6100.0 · INSURANCE - DISTRICT	3,742.39	6,250.00	-2,507.61	59.9%
6150.0 · INSURANCE - GROUP				
6151.1 · Health Insurance Employee	53,711.00	86,500.00	-32,789.00	62.1%
6151.11 · Health Insurance Dependents	6,627.72	10,000.00	-3,372.28	66.3%
6151.2 · Dental Insurance Family	10,485.10	14,325.00	-3,839.90	73.2%
6151.3 · Life Insurance Employee	8,739.00	11,250.00	-2,511.00	77.7%
6151.4 · Vision Reimbursement Employee	932.76	2,000.00	-1,067.24	46.6%
Total 6150.0 · INSURANCE - GROUP	80,495.58	124,075.00	-43,579.42	64.9%
6160.0 · LEGAL SERVICES				
6161.0 · General Matters / Personnel	38,213.65	80,000.00	-41,786.35	47.8%
6164.0 · Redistricting	24,105.70	35,000.00	-10,894.30	68.9%
6166.0 · City of Kyle	0.00	0.00	0.00	0.0%
6167.0 · Rules & ByLaws Issues	15,372.00	0.00	0.00	0.0%
6168.0 · Jeremiah Ventures	0.00	0.00	0.00	0.0%
6168.1 · Hill Country PGMA	0.00	0.00	0.00	0.0%
6168.3 · De-Annexation	0.00	0.00	0.00	0.0%
6168.4 · SH 45 SW	840.00			
6168.7 · Annexation	1,134.00			

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
6168.8 · Amicus Brief	1,844.28			
6160.0 · LEGAL SERVICES - Other	0.00	0.00	0.00	0.0%
Total 6160.0 · LEGAL SERVICES	81,509.63	115,000.00	-33,490.37	70.9%
6170.0 · PROFESSIONAL SERVICES				
6173.0 · Financial Annual Audit	9,000.00	12,000.00	-3,000.00	75.0%
6176.0 · Website and Database	4,432.50	5,000.00	-567.50	88.7%
6177.0 · The Standard Ret Plan Admin	12,111.37	19,000.00	-6,888.63	63.7%
6178.0 · Elections	0.00	20,000.00	-20,000.00	0.0%
Total 6170.0 · PROFESSIONAL SERVICES	25,543.87	56,000.00	-30,456.13	45.6%
6179.0 · LEGISLATION	0.00	0.00	0.00	0.0%
6180.0 · PROF DEVELOPMENT & SUPPORT				
6182.0 · Travel & Meals	2,807.13	0.00	2,807.13	100.0%
6183.0 · Registration Fees	3,901.20	0.00	3,901.20	100.0%
6180.0 · PROF DEVELOPMENT & SUPPORT - Other	0.00	16,500.00	-16,500.00	0.0%
Total 6180.0 · PROF DEVELOPMENT & SUPPORT	6,708.33	16,500.00	-9,791.67	40.7%
6184.0 · DISCRETIONARY FUNDS				
6184.1 · Principal BS	107.17	3,000.00	-2,892.83	3.6%
6184.2 · Senior BH	336.58	1,500.00	-1,163.42	22.4%
6184.3 · GM JD	1,200.00	3,000.00	-1,800.00	40.0%
6184.4 · Senior DCW	1,059.95	1,500.00	-440.05	70.7%
6184.5 · Senior RHG	0.00	1,500.00	-1,500.00	0.0%
Total 6184.0 · DISCRETIONARY FUNDS	2,703.70	10,500.00	-7,796.30	25.7%
6199.0 · SALARIES AND WAGES				
6200.0 · Salaries	613,437.72	775,382.00	-161,944.28	79.1%
Total 6199.0 · SALARIES AND WAGES	613,437.72	775,382.00	-161,944.28	79.1%
6202.0 · Payroll Direct Deposit Expenses	499.26	0.00	499.26	100.0%
6203.0 · TAXES & BENEFITS				
6203.1 · Workers Comp Insurance Pre-p	2,263.76	4,100.00	-1,836.24	55.2%
6203.2 · Payroll Tax Expenses-FICA-Med	47,732.41	64,759.00	-17,026.59	73.7%
6203.3 · Retirement-District Contributio	43,057.37	55,000.00	-11,942.63	78.3%
6203.4 · Texas Workforce C3 Taxes	1,881.00	108.00	1,773.00	1,741.7%
6203.7 · Accrued Vacation and Comp	12,714.47	0.00	12,714.47	100.0%
Total 6203.0 · TAXES & BENEFITS	107,649.01	123,967.00	-16,317.99	86.8%
6301.0 · Depreciation Expense	0.00	0.00	0.00	0.0%
6690.0 · Reconciliation Discrepancies	1,797.12			

**Barton Springs Edwards Aquifer
Profit & Loss Budget vs. Actual
September 2015 through August 2016**

9:15 AM
06/10/16
Accrual Basis

	Sep '15 - Aug 16	Budget	\$ Over Budget	% of Budget
6800.0 · PROJECTS				
6803.0 · Annexation West Bay	0.00	0.00	0.00	0.0%
6804.0 · Annexation Trinity Modeling	0.00	5,000.00	-5,000.00	0.0%
Total 6800.0 · PROJECTS	0.00	5,000.00	-5,000.00	0.0%
7001.0 · GRANT EXPENSE				
7010.0 · TWDB Region Facilities Planning	21,194.94	0.00	21,194.94	100.0%
7020.0 · Multiport Well	0.00	0.00	0.00	0.0%
7001.0 · GRANT EXPENSE - Other	0.00	428,000.00	-428,000.00	0.0%
Total 7001.0 · GRANT EXPENSE	21,194.94	428,000.00	-406,805.06	5.0%
Total Expense	1,166,624.16	2,095,662.00	-929,037.84	55.7%
Net Ordinary Income	668,424.30	-157,965.00	826,389.30	-423.1%
Other Income/Expense				
Other Income	0.00	163,000.00	-163,000.00	0.0%
9000.00 · Transfer from Reserves		163,000.00	-163,000.00	0.0%
Total Other Income	0.00	163,000.00	-163,000.00	0.0%
Other Expense				
9001.00 · Transfer to Reserves	0.00	0.00	0.00	0.0%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	163,000.00	-163,000.00	0.0%

List of Changes To Income and Expense Accounts

CHANGES TO INCOME

- | | | |
|----------|----------------------|---|
| 1 | (\$124,200) | <p>Known Potential/Pending Permit Increase (270,000,000 gallons)
Loss of \$124,200 for TJH permit.</p> |
| 2 | \$168,953 | <p>COA Contribution - Water Use Fee
Increase of \$168,953 (capped at 1,000,000).</p> |
| 3 | \$1,000 | <p>Administration Fees
Showing current actual fees earned.</p> |
| 4 | \$2,800 | <p>Interest Income
Showing current actual fees earned.</p> |

CHANGES TO EXPENSES

- | | | |
|-----------|---------------------|---|
| 5 | (\$46,300) | <p>General Account Funds for Core Budget
In Budget Revision 1 - \$163,000 was being utilized from the General Fund.
That has been decreased by \$46,300.</p> |
| 6 | \$500 | <p>Postage/Freight/Shipping</p> |
| 7 | \$3,000 | <p>Computer Hardware/ Supplies/AV Equipment
New server purchase is necessary for approximately \$6000.
Currently have \$3800 in account.</p> |
| 8 | \$6,000 | <p>Advertising/Notices
Extraordinary circumstances for publishing notices this year. Expenses have doubled.</p> |
| 9 | \$3,200 | <p>Office Complex Maintenance / Offices / Lawn
Necessary vine removal (\$3500) was an unexpected expense.</p> |
| 10 | \$5,000 | <p>Remodeling Projects
Library remodel was a small job using repurposed funds from the GM Team Budget.</p> |
| 11 | \$10,000 | <p>Performance Bonuses
New Category.</p> |
| 12 | \$765 | <p>Payroll Taxes
Increase as a direct result attached to Performance Bonuses mentioned above (7.65%).</p> |

- 13** \$1,892 **Texas Workforce Commission Annual Tax Rate Change**
 A governmental employer's annual contribution rate is computed in accordance with Chapter 204, Subchapter F of the Texas Unemployment Compensation Act. The annual contribution rate for the group is a percentage computed by dividing the adjusted amount of all unemployment benefits attributable in the group by the amount of the total wages paid by those employers.
 The adjusted amount of benefits paid to all claimant \$16,443,548.41
 The amount of total wages paid by all Taxed Politic \$ 908,162,820,22
- 14** \$750 **Employee Pension Plan Contribution**
 Increase as a direct result attached to Performance Bonuses mentioned above (7.5%).
- 15** (\$3,000) **Auditor**
 Actual FY 2016 rate.
- 16** \$6,845 **Legal - General Services**
 Includes Board-approved amicus brief, and Sledge rules' review.
- 17** \$5,000 **Legislative Support**
 New Category per pending contract.
- 18** (\$15,000) **Election - including Legal**
 Expenses to be primarily in FY 2017.
- 19** (\$5,000) **Regulatory Compliance Contracted Support**
 Repurposing \$5000.
- 20** (\$5,000) **General Management Contracted Support**
 Repurposing \$5000 towards Library Remodel.
- 21** (\$15,000) **HCP-Completion Project**
 Initial budget included \$15,000 for HCP Contractor expense.
- 22** (\$18,000) **Rider 25 Grant / TWDB**
 Funds moved to Special Projects.
- 23** \$18,000 **NEW Annexation - Joint Funded Trinity Aquifer Characterization**
 Additional funds for this project coming from the Rider Grant money above.

Budget Revision 2

Barton Springs/Edwards Aquifer Conservation District
DRAFT Fiscal Year 2016 Budget Revision 2

Revision 1 Board-
approved 11.19.2015

Budgeted Permitted Pumpage (Gallons) **new 2,989,008,423**

DRAFT Revision 2

I. INCOME					
A. Water Use and Production Fees:					
Actual Authorized Pumpage Revenue (@ 17¢ per 1,000 gallons)		GALLONS		\$419,906	\$419,906
Actual Authorized Pumpage Revenue (@ 46¢ per 1,000 gallons)		2,470,036,038		\$148,777	\$148,777
Total Actual Authorized Pumpage		323,427,748		\$568,683	\$568,683
Growth @1% based on Total Actual Authorized Pumpage (@ 17¢ per 1,000 gallons)		2,793,463,786		4,199	4,199
Growth @1% based on Total Actual Authorized Pumpage (@ 46¢ per 1,000 gallons)		24,700,360		1,488	1,488
Known Potential / Pending Permit Increases (@ 8¢ per 1,000 gallons)		3,234,277		56	56
Known Potential / Pending Permit Increases (@ 17¢ per 1,000 gallons)		700,000		13,984	13,984
Known Potential / Pending Permit Increases (@ 46¢ per 1,000 gallons)		82,260,000		\$124,200	\$0
Temporary Permits (@ 17¢ per 1,000 gallons)		270,000,000		\$14,391	\$14,391
Total Projected Permitting Revenue		84,650,000		\$727,000	\$602,800
		3,259,008,423		\$831,047	\$1,000,000
		(becomes 2,989,008,423)			\$1,602,800
2 COA Contribution (Water Use Fee Assessment)					124,000
Water Transport Fees (\$0.31/1,000 gallons)		400,000,000		\$1,682,048	\$1,726,800
Total Water Use Fees and Production Fees					
B. Other Fees:					
Annual Permit Fees				\$5,250	\$5,250
Administrative Fees		Permit Application and Development		\$10,000	\$11,000
Total Other Fees				\$15,250	\$16,250
C. Other Income:					
4 Interest Income				\$400	\$3,200
Total Other Income				\$400	\$3,200

Budgeted Permitted Pumpage (Gallons)		new 2,989,008,423	Revision 1 Board- approved 11.19.2015	DRAFT Bud	DRAFT Revision 2
D. Grant Income:					
Regional Facilities Planning Grant / TWDB			\$240,000		\$240,000
Total Grant Income			\$240,000		\$240,000
E. Transfers Into and Out of Restricted Funds					
General Account Funds for Core Budget			\$163,000	(46300)	\$116,700
5			\$2,100,698		\$2,102,950
TOTAL PROJECTED INCOME					
II. EXPENDITURES					
A. Operational Expenses					
Electricity & Water			\$7,000		\$7,000
Telecommunications Services		Phone, Internet, Telemetry, Smartphone	\$19,500		\$19,500
Printing / Copying / Photo Processing			\$2,000		\$2,000
Postage / Freight / Shipping			\$3,000	500	\$3,500
Office Supplies / Canteen			\$10,500		\$10,500
Office Furniture			\$2,000		\$2,000
7	Computer Hardware / Supplies / AV Equipment	Non-Capital	\$7,000	3000	\$10,000
Computer Software Maintenance/Upgrades/Acquisitions			\$2,400		\$2,400
Information Technology Monthly Maintenance			\$12,000		\$12,000
Board Meetings and Staff Meetings			\$5,600		\$5,600
External Meetings and Sponsorships			\$7,500		\$7,500
Subscriptions / Publications			\$4,200		\$4,200
8	Advertising and Notices	QB/Jourmyx	\$6,000	6000	\$12,000
Accounting System Operation and Maintenance			\$3,500		\$3,500
Upgrades, and Repair and Maintenance					
Fleet Maintenance / Repair		Vehicles	\$7,000		\$7,000
9	Office Complex Maintenance / Offices / Lawn		\$10,600	3200	\$13,800
Facilities Repair & Maintenance		General R & M	\$5,000		\$5,000
10	Remodeling Projects		\$0	5000	\$5,000
Leases					
t6 Budget REV 2 DRAFT 6.10.16.xls					2

Budgeted Permitted Pumpage (Gallons)		Revision 1 Board-approved 11.19.2015	DRAFT Budget	DRAFT Revision 2
	Postage Meter Lease	Quarterly Lease	\$1,104	\$1,104
	Copier Lease and Maintenance	GE Capital / Dahill / CIT	\$10,500	\$10,500
	Directors Conferences / Travel		\$5,000	\$5,000
	Organizational / Staff Professional Dues		\$6,500	\$6,500
	Insurance (Auto, Liability, Property, E&O, Public Bonds)		\$6,250	\$6,250
	Professional Development	1500 x 11	\$16,500	\$16,500
	Senior Staff Discretionary Funds		\$10,500	\$10,500
	Conservation Credits	Revenue Deduction	\$38,284	\$38,284
	Total Operational Expenses		\$209,438	\$227,138
B.	Salaries and Wages			
	Salary & Wages		\$702,866	\$702,866
	Salary and Wages Cost of Living Increases	COLA	\$9,193	\$9,193
	Salary and Wage Increases		\$5,500	\$5,500
	Salary Merit Adjustments		\$5,500	\$5,500
11	Performance Bonuses		\$0	\$10,000
	Goal-based Incentive Compensation		\$41,323	\$41,323
	Interns / Temporary Employee		\$11,000	\$11,000
	Directors' Fees of Office	9000 Annual Legislative Cap	\$45,000	\$45,000
	Total Salaries, Wages and Compensation		\$825,382	\$835,382
C.	Employment Taxes, Insurance and Benefits			
12	Payroll Taxes	7.65%	\$64,759	\$65,524
13	Texas Workforce Commission Taxes		\$108	\$2,000
	Group Health Insurance (Employee only)	United and SISlink	\$86,500	\$86,500
	Group Health Insurance (Dependent Coverage)	25% of United premium District-paid	\$10,000	\$10,000
	Dental Insurance (Employee & Dependent Coverage)	MetLife	\$14,325	\$14,325
	Life Insurance (Employee Coverage)	Unum	\$11,250	\$11,250

Budgeted Permitted Pumpage (Gallons)		Revision 1 Board-approved 11.19.2015	DRAFT Budget	DRAFT Revision 2
Vision Insurance (Employee Coverage)		\$2,000		\$2,000
Workers Compensation Insurance		\$4,100		\$4,100
Employee Pension Plan Contribution		\$55,000	750	\$56,000
Total Employment Taxes, Insurance and Benefits		\$248,042		\$251,695
D. Professional Services				
15 Auditor (Annual)		\$12,000	(3000)	\$9,000
Retirement Plan (Third Party Administration)		\$19,000		\$19,000
Website and Database		\$5,000		\$5,000
16 Legal - General Services		\$80,000	6845	\$86,845
Legal- Redistricting for Annexation		\$35,000		\$35,000
17 Legislative Support		\$0	5000	\$5,000
18 Election - including Legal		\$20,000	(15000)	\$5,000
Total Professional Services		\$171,000		\$164,845
E. Team Expenditures				
Aquifer Science Team				
Hydrogeologic Characterization		\$5,000		\$5,000
Water Chemistry Studies		\$8,000		\$8,000
Monitor Well, Equipment and Supplies		\$15,000		\$15,000
Contracted Support		\$20,000		\$20,000
Conferences and Seminars		\$5,000		\$5,000
Total Aquifer Science Team		\$53,000		\$53,000
Education and Outreach Team				
Publications		\$1,500		\$1,500
Outreach		\$10,750		\$10,750
General Support		\$3,000		\$5,000
Equipment and Supplies		\$4,250		\$4,250
Contracted Support		\$5,000		\$5,000
Conferences and Seminars		\$1,250		\$1,250

Budgeted Permitted Pumpage (Gallons)		Revision 1 Board-approved 11.19.2015	DRAFT Budget	DRAFT Revision 2
Budgeted Permitted Pumpage (Gallons)		new 2,989,008,423		
Total Education and Outreach Team				
Regulatory Compliance Team				
	Special Projects and Investigations	\$5,000		\$5,000
	Well Sampling and Services	\$10,000		\$10,000
	Equipment and Supplies	\$4,000		\$4,000
19	Contracted Support	\$15,000	(5000)	\$10,000
	Conferences and Seminars	\$2,500		\$2,500
	Total Regulatory Compliance Team	\$36,500		\$31,500
General Management Team & Administrative Team				
20	Contracted Support	\$30,000	(5000)	\$25,000
	GMA Joint Planning	\$35,550		\$35,550
21	HCP-Completion Project	\$30,000	(15000)	\$15,000
	Conferences and Seminars	\$3,000		\$3,000
	Total General Management & Administrative Team	\$98,550		\$78,550
	Total Team Expenditures	\$213,800		\$190,800
F. Grant Expenses and Special Project Expenses				
Grants:				
	Regional Facilities Planning Grant / TWDB	\$20,000		\$20,000
	Multi-port Well Project for RegFacPlanGrant	\$150,000		\$150,000
	Consultant	\$240,000		\$240,000
22	Rider 25 Grant / TWDB	\$18,000	(18000)	\$0
	Total Grant Expenses	\$428,000		\$410,000
Special Projects:				
23	NEW Annexation - Joint Funded Trinity Aquifer Characterization	\$5,000	18000	\$23,000
	OLD Annexation - Contracted Support Trinity Modeling (GAM Project)			

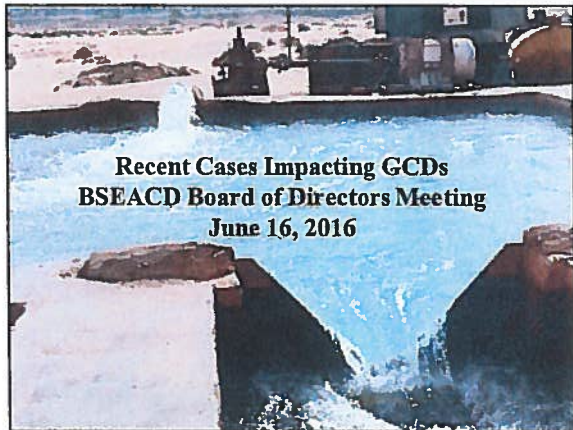
Budgeted Permitted Pumpage (Gallons)		Revision 1 Board- approved 11.19.2015	DRAFT Bud	DRAFT Revision 2
Total Special Projects Expenses		\$5,000		\$23,000
Total Grant Expenses and Special Projects Expenses		\$433,000		\$433,000
G. Capital Expenses		\$0		\$0
TOTAL EXPENSES		\$2,100,662		\$2,102,864
III. BANK ACCOUNTS				
Available Funds				
BB&T (Checking / Payroll)		\$62,000		\$52,860
TexPool General		\$506,092		\$521,927
Total Available Funds (Excludes Limited Use Funds)		\$568,092		\$574,787
Limited Use Funds				
TexPool - Contingency Account		\$731,175		\$732,165
TexPool - Reserve Account		\$45,214		\$45,276
Total Limited Use Funds		\$776,389		\$777,441
IV. NON-CASH DISBURSEMENTS				
Depreciation Expense		\$50,000		\$50,000
Accrued Benefits Payable (Earned Vacation)		\$20,000		\$20,000
Total Non-Cash Disbursements		\$70,000		\$70,000
V. PROJECTED POSITION				
a. Total District Expenditures		\$2,100,662		\$2,102,864
b. Total District Revenue		\$2,100,698		\$2,102,950
c. Current Net Gain / (Loss)		\$35		\$86
d. Total Revenue & Cash Funds (excluding Limited Use Funds)		\$2,668,790		\$2,677,737

Budgeted Permitted Pumpage (Gallons)		Revision 1 Board- approved 11.19.2015	DRAFT Revision 2
e. Contingency Fund		\$731,006	\$731,006
f. Total Revenue & Cash Funds (w/ Contingency & excluding Limited Use Funds)	(d + e)	\$3,399,796	\$3,408,743
g. Projected Cash Position w/o Contingency Fund	(d - a)	\$568,127	\$574,873
h. Projected Cash Position w/ Contingency Fund	(f - a) OR (g + e)	\$1,299,133	\$1,305,879

Item 6

Board Discussions and Possible Actions

c. Discussion related to a briefing by the District's attorney on recent legal cases of interest to Groundwater Conservation Districts.



Overview

- Email messages and addresses
- “Accommodation Doctrine” in Groundwater Estates
- Damages in Regulatory taking of Groundwater

Confidentiality of E-Mail Messages

- Early AG decisions found personal notes of public employees and officials were not public information because “not assembled, collected, or maintained” by government
- 2013, PIA Amended
 - “Public Information” includes:
“any *electronic communication* created, transmitted, received, or maintained on *any device* if the communication is in connection with the *transaction of official business.*”

Information in connection with the “transaction of official business” is defined as:

“information by an officer or employee in the officer’s or employee’s official capacity, or performing official business.”

2015 Austin Court of Appeals:

Information in a personal e-mail account that relates to official business is “owned” by the governmental entity and is public information.

Adkisson v. Paxton, 459 S.W.3d 761 (Tex. App. – Austin 2015, no pet.)

Take away -

- “Public information” now takes into account electronic devices and cell phones
- No distinction between personal or district-issued devices
- Focus is on nature of communication
- In connection with official business it’s public!

Confidentiality of Personal E-mail Addresses

- E-mail address of a “member of the public” provided for purpose of communicating electronically with the District is confidential, except
 - Consent to release
 - District vendor or contractor
 - Contained in RFP response
 - Provided on letterhead or other document that is public
 - Provided in public comment

Personal E-mail Addresses

- Austin City Council members and Mayor used personal e-mail to communicate City business
- News organization sought personal e-mail addresses of Austin City Council members and Mayor
- City officials asserted confidentiality under the “members of the public” provision
- Members of the public are not persons belonging to “agency”
- Personal e-mail addresses are public
 - *Austin Bulldog v. Leffingwell*

E-mail Exchange and Walking Quorum

- TOMA applies to “verbal exchange” of a “Quorum”
AG OP GA-0896 (2011):
 - Words need not be spoken in person
 - Words communicated by e-mail covered
 - Need not be physically present
 - Emails may constitute deliberations
- Violations could occur if using devices *during a formal meeting.*

Application of "Accommodation Doctrine" to severed Groundwater Rights
Coyote Lake v. City of Lubbock

- "Dominant" estate must exercise its rights with "due regard" to the rights of the surface owner. Surface Owner must show:
 - Existing use by surface owner
 - Dominant estate would substantially impair the existing surface use
 - Dominant estate has a reasonable alternative available on the premises

Coyote Lake facts:

- 26,000 acre land use for cattle ranching, farming, and hunting
- 1953 Lubbock bought all the groundwater
 - Deed reserved some groundwater to ranch
 - Deed had detail provisions on use of surface
- Sandy soil – "blow outs" when areas cleared and mowed
- 2012 7 wells, up to 60 more
- City mowed extensive paths – ranch enjoined City

Take away for *Coyote Lake*:

- Groundwater is dominant estate – maximizes production.
- Going forward, deed or lease of groundwater rights need to be specific.
- Vague terms could lead to application of accommodation doctrine.
- Burden of proof on surface owner is high.
- District continues to scrutinize permit holders ability to drill and produce groundwater if separate from surface area.

Edwards Aquifer Authority v. Bragg

- 2013 San Antonio Court of Appeals determined EAA's permit denial and permit modification constituted a takings.
- Case remanded to trial court to determine damages.
- May 17, 2016 Final Judgment: jury award of \$2.5 takings compensation and \$1.9 interest.

Facts of *Bragg*:

- Home Place -- 60 acre homestead and orchard requested 228.85 AF -- 120.2 AF.
- D'Hannis Orchard - 42 acres requested 193.12 acre-feet -- no permit (no historical use).
- Trial Court -- takings and damages based on amount of groundwater entitled and value.

Court of Appeals -

- Taking under *Penn Central*
 - Economic impact upon property owner.
 - Investment backed expectations.
 - Nature of government action.
- Valuation -- value of entire property before and after EAA action "unlimited water vs. permitted amount".

2016 Trial Court Jury :

	With Unlimited Water	Without	Difference
Home Place	\$1.67 million	\$300K	\$1.37 million
D'Hannis	\$1.18 million	\$0	\$1.18 million
			\$2.55 million
			+ \$1.92 interest
			\$4.47 million

Take away:

Difficult position for GCDs

Item 6

Board Discussions and Possible Actions

d. Discussion and possible action related to consideration of 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 7

Adjournment