



**NOTICE OF MEETING OF THE  
BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

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**Thursday, August 11, 2022**

**5:00 PM**

**IN-PERSON**

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Notice is given that a **Regular Meeting** of the Board of Directors (Board) of the Barton Springs/Edwards Aquifer Conservation District will be held on **Thursday, August 11, 2022** commencing at **5:00 p.m.** at the **District office, located at 1124 Regal Row, Austin, Texas**. This meeting will be audio recorded and the recording will be available on the District's website after the meeting.

Public Comments at the Board Meeting – Please complete a comment card prior to the start of the meeting. Each registered person will be recognized and identified by the Presiding Officer or staff moderating the communications when it is their turn to speak. **Public comment is limited to 3 minutes per person.**

**AGENDA**

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. 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.)*
  - a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **Pg. 4**
  - b. Approval of minutes of the Board's July 14, 2022 Regular Meeting & Public Hearing.  
**Not for public review at this time**
- 4. General Manager's Report. Discussion and possible action.**

## **Topics**

- a. Review of key team activities/projects. **Pg. 25**
- b. Aquifer status update.
- c. Upcoming events of possible interest.

### **5. Presentation.**

Presentation by Dr. Tim Loftus on Desired Future Conditions DFCs. **NBU**

### **6. Discussion and possible action.**

- a. Discussion and possible action related to the renewal of annual Production Permits for FY 2023 contingent on compliance with District rules and renewal requirements. **Pg. 42**
- b. Discussion and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the General Manager. **NBU**
- c. Discussion and possible action on approval of new managed Information Technology (IT) services contract. **NBU**
- d. Discussion and possible action on approval of a Human Resources (HR) consulting services contract. **NBU**
- e. Discussion and possible action on approving Joint Election and Election Services Agreements with Caldwell County, and other matters incident and related to the Election. **Pg. 73**

### **7. Director Reports.**

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;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

### **8. Adjournment.**

**Please note:** This agenda and available related documentation, if any, have been posted on the District website, [www.bseacd.org](http://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**

### **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.)*

- a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
- b. Approval of minutes of the Board's July 14, 2022 Regular Meeting & Public Hearing.**

## **Financial Reports – July 2022**

### **August 11, 2022 Board Meeting**

#### **1. Profit and Loss Budget vs Actual**

September 1, 2021 through July 31, 2022

#### **2. Profit and Loss Previous Year Comparison**

September 1, 2021 through July 31, 2022

#### **3. Balance Sheet Previous Year Comparison**

As of July 31, 2022 (compared to July 31, 2021)

#### **4. Check Register – TRUIST Bank Account**

July 1, 2022 through July 31, 2022

**1. Profit and Loss Budget vs Actual**

September 1, 2021 - July 31, 2022

# BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT

## PROFIT AND LOSS - BUDGET VS ACTUAL

September 1, 2021 - July 31, 2022

	Sept 1, 2021 - July 31, 2022	Budget	% of Budget	Notes
<b>INCOME</b>				
4400.0 · Interest Income	3,188.29	1,000.00	318.83%	
4625.0 · MISCELLANEOUS INCOME	16,865.57	0.00	100.0%	Includes \$16,778 from conservation credit donations
4800.0 · USAGE AND PRODUCTION FEES	1,482,194.20	1,527,582.00	97.03%	Includes 4 quarters of cycle billings (44,741 cons credits reduced the %)
4810.0 · OTHER FEES	14,271.80	12,300.00	116.03%	Well development, applications, pluggings
<b>TOTAL INCOME</b>	<b>1,516,519.86</b>	<b>1,540,882.00</b>	<b>98.42%</b>	
<b>EXPENSE</b>				
6000.0 · UTILITIES	17,524.61	22,000.00	79.66%	
6005.0 · Print/Copy/Photo Services	1,450.08	2,000.00	72.5%	
6007.0 · Postage/Freight/Shipping	1,117.03	2,500.00	44.68%	
6010.0 · Office Supplies	5,577.20	6,000.00	92.95%	
6010.2 · Office Furniture	112.56	1,500.00	7.5%	
6011.0 · Comp Hardware-Plotter Supplies	4,455.26	6,000.00	74.25%	
6014.0 · Software Acquisition & Upgrades	1,273.58	6,000.00	21.23%	
6015.0 · IT Monthly Maintenance	15,817.50	19,140.00	82.64%	
6016.0 · Meeting Expense	1,353.69	2,000.00	67.69%	
6019.0 · Subscriptions/Publications	4,196.98	4,200.00	99.93%	
6020.0 · Advertising	2,445.97	4,000.00	61.15%	
6021.0 · MISCELLANEOUS EXPENSES	606.48	0.00	100.0%	
6022.0 · Accounting System Operation	4,052.35	6,600.00	61.4%	
6023.0 · MAINTENANCE	15,637.50	20,400.00	76.65%	Office and Auto
6025.4 · Facilities Repairs	4,214.72	5,000.00	84.29%	Septic System Repair
6040.0 · LEASES	8,865.72	10,650.00	83.25%	Copier and Postage Machine
6065.0 · DIRECTOR EXPENSES	810.00	2,500.00	32.4%	
6066.0 · Directors Compensation	15,350.00	25,000.00	61.4%	
6075.0 · DUES & MEMBERSHIPS	5,660.63	6,100.00	92.8%	
6080.0 · COMMUNICATIONS AND OUTREACH	13,798.21	19,011.00	72.58%	



	Sept 1, 2021 - July 31, 2022	Budget	% of Budget	Notes
6081.0 · REGULATORY COMPLIANCE	2,672.22	21,000.00	12.73%	
6084.92 · GENERAL MANAGEMENT	4,889.01	34,523.00	14.16%	
6089.0 · AQUIFER SCIENCE	14,126.69	34,800.00	40.59%	
6090.0 · Conservation Credits	0.00	20,184.00	0.0%	Actual credits \$44,741 (with 16,778 donated back)
6100.0 · INSURANCE - DISTRICT	5,803.61	7,047.00	82.36%	Property, Liability, Auto, E&O
6150.0 · INSURANCE - GROUP	106,846.49	173,900.00	61.44%	Health, Dental, Life, Vision, STD and LTD
6160.0 · LEGAL SERVICES	48,284.59	85,000.00	56.81%	General Matters, Personnel, Redistricting
6170.0 · PROFESSIONAL SERVICES	51,384.61	106,150.00	48.41%	Audit, Elections, Retirement Fees
6179.0 · LEGISLATION	10,000.00	12,000.00	83.33%	Currently not in session
6180.0 · PROFESSIONAL DEVELOPMENT	7,777.22	19,000.00	40.93%	
6199.0 · SALARIES AND WAGES	741,062.83	951,668.00	77.87%	
6203.0 · TAXES & BENEFITS	104,630.12	133,527.00	78.36%	
6800.0 · PROJECTS	70,325.91	83,000.00	84.73%	
<b>TOTAL EXPENSE</b>	<b>1,292,123.37</b>	<b>1,852,400.00</b>	<b>69.75%</b>	
<b>NET ORDINARY INCOME</b>	<b>224,396.49</b>	<b>-311,518.00</b>		Negative effect (shortfall) to budget before accounting for the transfers to balance the budget, shown below.
<b>OTHER INCOME</b>				
9000.00 · Transfer from Reserves	0.00	311,868.00		\$175,000 from Cash Flow Reserve; \$3361 scholarship donations;
<b>TOTAL OTHER INCOME</b>	<b>0.00</b>	<b>311,868.00</b>		\$83,000 Jacobs Well project; \$50,507 from General.
<b>NET INCOME</b>	<b>224,396.49</b>	<b>350.00</b>		This is the difference between the negative amount in Net Ordinary Income before the transfers in from other accounts, needed to balance the budget.

## **2. Profit and Loss - Previous Year Comparison**

September 1, 2021 - July 31, 2022

# BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT

## PROFIT AND LOSS - PREVIOUS YEAR COMPARISON

September 1, 2021 - July 31, 2022

	Sept 1, 2021 - July 31, 2022	Sept 1, 2020 - July 31, 2021	\$ Change	% Change
<b>INCOME</b>				
4400.0 · Interest Income	3,188.29	868.41	2,319.88	267.14%
4625.0 · MISCELLANEOUS INCOME (includes \$16,778 conservation credits donation)	16,865.57	2,641.53	14,224.04	538.48%
4800.0 · USAGE AND PRODUCTION FEES *	1,482,194.20	1,696,714.12	-214,519.92	-12.64%
4810.0 · OTHER FEES (well development, applications, pluggings)	14,271.80	19,838.43	-5,566.63	-28.06%
<b>TOTAL INCOME</b>	<b>1,516,519.86</b>	<b>1,720,062.49</b>	<b>-203,542.63</b>	<b>-11.83%</b>
<b>EXPENSE</b>				
6000.0 · UTILITIES	17,524.61	17,093.92	430.69	2.52%
6005.0 · Print/Copy/Photo Services	1,450.08	836.60	613.48	73.33%
6007.0 · Postage/Freight/Shipping	1,117.03	1,383.12	-266.09	-19.24%
6010.0 · Office Supplies	5,577.20	4,436.92	1,140.28	25.7%
6010.2 · Office Furniture	112.56	0.00	112.56	100.0%
6011.0 · Comp Hardware-Plotter Supplies	4,455.26	5,482.45	-1,027.19	-18.74%
6014.0 · Software Acquisition & Upgrades	1,273.58	4,749.85	-3,476.27	-73.19%
6015.0 · IT Monthly Maintenance	15,817.50	11,000.00	4,817.50	43.8%
6016.0 · Meeting Expense	1,353.69	718.53	635.16	88.4%
6019.0 · Subscriptions/Publications	4,196.98	1,939.04	2,257.94	116.45%
6020.0 · Advertising	2,445.97	8,500.22	-6,054.25	-71.23%
6021.0 · MISCELLANEOUS EXPENSES	606.48	55,538.69	-54,932.21	-98.91%
6022.0 · Accounting System Operation	4,052.35	4,344.60	-292.25	-6.73%
6023.0 · MAINTENANCE (Office and Auto)	15,637.50	10,239.15	5,398.35	52.72%
6025.4 · Facilities Repairs	4,214.72	2,611.00	1,603.72	61.42%
6040.0 · LEASES (Copier and Postage Machine)	8,865.72	8,666.95	198.77	2.29%
6065.0 · DIRECTOR EXPENSES	810.00	33.77	776.23	2,298.58%
6066.0 · Directors Compensation	15,350.00	20,500.00	-5,150.00	-25.12%
6075.0 · DUES & MEMBERSHIPS	5,660.63	5,685.12	-24.49	-0.43%
6080.0 · COMMUNICATIONS AND OUTREACH	13,798.21	3,393.79	10,404.42	306.57%
6081.0 · REGULATORY COMPLIANCE	2,672.22	5,397.74	-2,725.52	-50.49%

	Sept 1, 2021 - July 31, 2022	Sept 1, 2020 - July 31, 2021	\$ Change	% Change
6084.92 · GENERAL MANAGEMENT	4,889.01	13,694.80	-8,805.79	-64.3%
6089.0 · AQUIFER SCIENCE	14,126.69	10,875.40	3,251.29	29.9%
6100.0 · INSURANCE - DISTRICT (Property, Liability, Auto, E&O)	5,803.61	5,429.68	373.93	6.89%
6150.0 · INSURANCE - GROUP (Employee Health, Dental, Life, Vision)	106,846.49	119,179.83	-12,333.34	-10.35%
6160.0 · LEGAL SERVICES	48,284.59	89,623.95	-41,339.36	-46.13%
6168.11 · SOAH - EP	0.00	1,171.88	-1,171.88	-100.0%
6170.0 · PROFESSIONAL SERVICES	51,384.61	127,100.81	-75,716.20	-59.57%
6179.0 · LEGISLATION	10,000.00	34,000.00	-24,000.00	-70.59%
6180.0 · PROFESSIONAL DEVELOPMENT	7,777.22	4,923.99	2,853.23	57.95%
6199.0 · SALARIES AND WAGES	741,062.83	763,683.61	-22,620.78	-2.96%
6203.0 · TAXES & BENEFITS	104,630.12	113,310.44	-8,680.32	-7.66%
6800.0 · PROJECTS (Jacob's Well Project)	70,325.91	0.00	70,325.91	100.0%
<b>TOTAL EXPENSE</b>	<b>1,292,123.37</b>	<b>1,455,545.85</b>	<b>-163,422.48</b>	<b>-11.23%</b>
<b>NET INCOME</b>	<b>224,396.49</b>	<b>264,516.64</b>	<b>-40,120.15</b>	<b>-15.17%</b>

**CAPITALIZATION INDICATES ACCOUNTS THAT HAVE SUB-CATEGORIES.**

Those sub-categories have been collapsed.

- \* Difference attributed to the decreased CoA fees in 2022 and the higher conservation credits in 2022 (\$44,741).

### **3. Balance Sheet - Previous Year Comparison**

As of July 31, 2022  
(compared to July 31, 2021)

**BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT**  
**BALANCE SHEET - PREVIOUS YEAR COMPARISON**

As of July 2022

	July 31, 2022	July 31, 2021	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
1000.0 · Cash in Bank-Checking Trust	57,405.89	53,214.96	4,190.93	7.88%
1010.0 · Cash in Bank - Payroll Trust	10,741.65	10,109.31	632.34	6.26%
1030.0 · TexPool Funds - General				
1030.1 · Aquifer Protection Reserve	56,750.00	52,050.00	4,700.00	9.03%
1030.21 · Cash Flow Reserve (\$175,000 approved usage for operational budget)	175,000.00	350,000.00	-175,000.00	-50.0%
1030.3 · Hays Co/HTGCD Jacobs Well (funds are now in operational budget)	0.00	83,000.00	-83,000.00	-100.0%
1030.0 · TexPool Funds - General Operational	770,691.62	462,794.73	307,896.89	66.53%
Total 1030.0 · TexPool Funds - General	1,002,441.62	947,844.73	54,596.89	5.76%
1040.0 · TexPool Funds - Contingency	505,744.97	504,761.02	983.95	0.2%
1045.0 · TexPool Funds - Reserve (Vacation and Comp Payable)	64,682.88	61,059.15	3,623.73	5.94%
<b>Total Checking/Savings</b>	<b>1,641,017.01</b>	<b>1,576,989.17</b>	<b>64,027.84</b>	<b>4.06%</b>
<b>Accounts Receivable</b>				
1200.0 · Accounts Receivable				
1200.1 · A/R DMF (Drought Management Fees)	0.00	1,200.00	-1,200.00	-100.0%
1200.0 · Accounts Receivable (billed invoices not yet received)	31,183.18	25,589.55	5,593.63	21.86%
Total 1200.0 · Accounts Receivable	31,183.18	26,789.55	4,393.63	16.4%
<b>Total Accounts Receivable</b>	<b>31,183.18</b>	<b>26,789.55</b>	<b>4,393.63</b>	<b>16.4%</b>
<b>Other Current Assets</b>				
1100.0 · Petty Cash	300.00	300.00	0.00	0.0%
1300.0 · Pre-paid Expenses	3,533.85	2,352.14	1,181.71	50.24%
1499.0 · Undeposited Funds-A/R payments (received, posted, not yet deposited)	4,843.84	5,004.91	-161.07	-3.22%
<b>Total Other Current Assets</b>	<b>8,677.69</b>	<b>7,657.05</b>	<b>1,020.64</b>	<b>13.33%</b>
<b>Total Current Assets</b>	<b>1,680,877.88</b>	<b>1,611,435.77</b>	<b>69,442.11</b>	<b>4.31%</b>

	July 31, 2022	July 31, 2021	\$ Change	% Change
<b>Fixed Assets</b>				
1400.0 · Field Equipment	376,487.89	376,487.89	0.00	0.0%
1410.0 · Office Equipment & Furniture	19,722.90	19,722.90	0.00	0.0%
1410.1 · Computer Hardware & Software	19,329.69	19,329.69	0.00	0.0%
1420.0 · Vehicles	52,363.03	52,363.03	0.00	0.0%
1430.0 · Accumulated Depreciation	-608,852.24	-608,852.24	0.00	0.0%
1440.0 · Land (Antioch Cave)	165,415.00	165,415.00	0.00	0.0%
1445.0 · Office Building	268,588.04	268,588.04	0.00	0.0%
<b>Total Fixed Assets</b>	<b>293,054.31</b>	<b>293,054.31</b>	<b>0.00</b>	<b>0.0%</b>
<b>Other Assets</b>				
1500.0 · Organizational Costs	300,783.26	300,783.26	0.00	0.0%
1510.0 · Accumulated Amortization	-326,324.26	-326,324.26	0.00	0.0%
1600.0 · Deposits Paid (Utilities)	71.00	71.00	0.00	0.0%
<b>Total Other Assets</b>	<b>-25,470.00</b>	<b>-25,470.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>TOTAL ASSETS</b>	<b>1,948,462.19</b>	<b>1,879,020.08</b>	<b>69,442.11</b>	<b>3.7%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Other Current Liabilities</b>				
2010.0 · Rebates Payable - Conservation Credits	44,741.10	20,183.63	24,557.47	121.67%
2100.0 · Deferred Revenue	75,741.00	75,741.00	0.00	0.0%
2110.0 · Direct Deposit Liabilities	1,035.01	1,035.00	0.01	0.0%
2200.0 · Fica & Medicare Withheld	-11.31	35.52	-46.83	-131.84%
2220.0 · Federal Income Tax Withheld	-1,065.01	-1,035.01	-30.00	-2.9%
2230.0 · Employer Fica & Med Payable	-150.56	-103.73	-46.83	-45.15%
2250.0 · TWC Unemployment Tax Payable	0.00	1,433.57	-1,433.57	-100.0%
2270.0 · Payroll Liabilities	0.09	1,516.49	-1,516.40	-99.99%
2300.0 · Accrued Vacation Payable	57,161.22	59,323.07	-2,161.85	-3.64%
<b>Total Other Current Liabilities</b>	<b>177,451.54</b>	<b>158,129.54</b>	<b>19,322.00</b>	<b>12.22%</b>
<b>Total Current Liabilities</b>	<b>177,451.54</b>	<b>158,129.54</b>	<b>19,322.00</b>	<b>12.22%</b>
<b>Total Liabilities</b>	<b>177,451.54</b>	<b>158,129.54</b>	<b>19,322.00</b>	<b>12.22%</b>

	July 31, 2022	July 31, 2021	\$ Change	% Change
<b>Equity</b>				
3000.0 - Fund Balance	1,181,186.90	1,090,946.64	90,240.26	8.27%
3000.3 - Invested in Capital Assets	365,127.26	365,127.26	0.00	0.0%
3110.0 - Reserve for Petty Cash	300.00	300.00	0.00	0.0%
Net Income	224,396.49	264,516.64	-40,120.15	-15.17%
<b>Total Equity</b>	<b>1,771,010.65</b>	<b>1,720,890.54</b>	<b>50,120.11</b>	<b>2.91%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,948,462.19</b>	<b>1,879,020.08</b>	<b>69,442.11</b>	<b>3.7%</b>



**4. Check Register**

TRUIST BANK  
July 1 – July 31, 2022

# BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT

## MONTHLY CHECK REGISTER

July 1 - July 31, 2022

Type	Date	Numb	Name	Memo	Amount	Balance
Check	07/05/2022	26377	Bickerstaff	Legal Services - General Matters, Personnel, Election	-3,585.00	95,905.06
Transfer	07/05/2022			Funds Transfer - Payroll	-28,000.00	92,320.06
Check	07/06/2022	26378	Jan-Pro of Austin	July Cleaning Service	-270.00	64,320.06
Check	07/06/2022	26379	Charter Communications	July Internet Service	-231.19	64,050.06
Check	07/07/2022	26380	Fannin Professional Services	Power wash, window and gutter clean	-1,354.92	63,818.87
Liability Check	07/08/2022	7082022	United States Treasury	74-2488641 Director Compensation Liabilities BS	-198.90	62,463.95
Check	07/08/2022	26381	Tammy Raymond	To replenish the petty cash fund	-202.50	62,062.55
Deposit	07/08/2022			Deposit (permittee production fees and two well applications)	20,380.47	82,443.02
Check	07/11/2022	26382	Integritek	IT Service - July	-1,492.50	80,950.52
Check	07/11/2022	26383	IntegrITALK c/o Telco Experts	Telephone Service 7/1 - 7/31/2022	-456.03	80,494.49
Check	07/11/2022	26384	Pitney Bowes Global Financial Svcs, LLC	Postage Meter Replenishment	-300.00	80,194.49
Check	07/11/2022	26385	The Standard	Quarterly Retirement Fees 4/1 - 6/31/2022	-7,364.35	72,830.14
Liability Check	07/14/2022	7142022	Reliance Trust Company	Employee Bi-weekly Retirement	-4,587.55	68,242.59
Check	07/14/2022	26386	Hays Free Press	Public Hearing Ad for Budget and Fee Schedule	-65.50	68,177.09
Check	07/14/2022	26387	SledgeLaw Group	Legislative Consulting - June 2022	-1,000.00	67,177.09
Check	07/14/2022	26388	Quill Corporation	Office Supplies - binders, copy paper, folders	-680.48	66,496.61
Check	07/14/2022	26389	Ready Refresh	Water Cooler Rental	-13.00	66,483.61
Check	07/14/2022	26390	CIT Technology Fin Serv, Inc	Copier Lease - August	-675.00	65,808.61
Liability Check	07/15/2022	7152022	United States Treasury	74-2488641 Employee Bi-weekly Payroll Liabilities	-8,305.81	57,502.80
Check	07/15/2022	26391	Sam's Club	Coffee cups	-34.94	57,467.86
Liability Check	07/15/2022	26392	AFLAC	July Employee-paid Insurance	-107.30	57,360.56
Liability Check	07/15/2022	26393	Sun Life Assurance	August Life/Dental/Vision Insurance	-1,157.35	56,203.21
Liability Check	07/15/2022	26394	United Healthcare	August Health Insurance	-8,451.52	47,751.69
Check	07/15/2022	26395	Fidelity Security Life Insurance Company	August Gap Insurance	-805.86	46,945.83
Transfer	07/18/2022			Funds Transfer - Payroll	-20,000.00	26,945.83
Transfer	07/18/2022			Funds Transfer (to replenish low balance)	50,000.00	76,945.83
Check	07/19/2022	26396	In-Situ Inc.	Cable extender	-282.50	76,663.33
Check	07/19/2022	26397	Quill Corporation	Postage meter ink	-159.98	76,503.35

Check	07/19/2022	26398	City of Austin	Water service 6/9 - 7/11/22	-25.38	76,477.97
Check	07/20/2022	26399	Watson, Jeffery A.	TX Prof. Geologist License Renewal	-223.00	76,254.97
Check	07/21/2022	26400	LCRA	Magellan Pipeline Sampling	-981.00	75,273.97
Check	07/21/2022	26401	Orsak Landscape Services	July Lawn Maintenance	-135.00	75,138.97
Check	07/26/2022	26402	Stanford University	Weston Kirk ID# 06648886 Scholarship	-1,000.00	74,138.97
Check	07/26/2022	26403	Harvard College	Asee Rawashdeh ID # 91594676 Scholarship	-2,500.00	71,638.97
Liability Check	07/27/2022	7222022	United States Treasury	74-2488641 Directors Compensation Liabilities	-91.80	71,547.17
Liability Check	07/28/2022	7282022	Reliance Trust Company	Employee Bi-weekly Retirement	-4,402.17	67,145.00
Liability Check	07/29/2022	7292022	United States Treasury	74-2488641 Employee Bi-weekly Payroll Liabilities	-8,046.65	59,098.35
					<u>-36,806.71</u>	<u>59,098.35</u>

Barton Springs - Edwards Aquifer Conservation  
District

22SJFATX101000

Description	Code	Site Information		USGS Funds	Customer Funds	Total
		Units	Diff. Factor			
Task 2 - Ground Water Data Collection						
Site 301237097464801 Lovelady Well near Austin, TX						
Operation and Maintenance	GWCONT	1.00	1.00	\$0	\$13,500	\$13,500
Site Totals:				\$0	\$13,500	\$13,500
1 total site(s) under the Task Totaling:				\$0	\$13,500	\$13,500
1 total site(s) under the Agreement Totaling:				\$0	\$13,500	\$13,500

PROJECT	USGS FUNDS	CUSTOMER FUNDS	TOTAL COST
<u>First Year Ground Water Data Collection</u>	\$0	\$6,750	<u>\$6,750</u>
Second Year Ground Water Data Collection	\$0	\$6,750	\$6,750
AGREEMENT TOTAL:	\$0	\$13,500	\$13,500

Agreement approved at July meeting.  
need approval of check in the amt. of  
\$6750.00 for FY 23 payment.

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

Customer #: 6000000639  
Agreement #: 22SIJFATX101010  
Project #: SJ009ME  
TIN #: 74-2488641

Copy

Fixed Cost Agreement YES[ X ] NO[ ]

THIS AGREEMENT is entered into as of the September 1, 2022, by the U.S. GEOLOGICAL SURVEY, Oklahoma-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, 2022 to August 31, 2024
- (b) \$13,500 by the party of the second part during the period  
September 1, 2022 to August 31, 2024
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs,  
in the amount of: \$0

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. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>)

BS/EACD 7/14/2022  
Date Received: 7/14/2022  
Acct# 6750 -  
Date Paid: 8/11/22 Amt 26404  
Verified by: dana Ck # Approved by:

## **Item 4**

### **General Manager's Report Discussion and possible action topics**

#### **Topics**

- a. Review of Status Report and update on team activities/projects.**
- b. Aquifer status update.**
- c. Upcoming events of possible interest.**

## **Summary of August Team Activities and On Deck for September/October**

### **Aquifer Science Team**

#### August Activities:

- Verifying USGS reported data for Lovelady and Barton Springs with field measurements.
- Further calibration of the in-house model and consulting with GSI.
- Reconnecting fence at JWNA monitor well.
- Hydraulic conductivity testing of monitor wells at Jacob's Well.

#### On Deck:

- Assessing potential entry to Stage 3 (Critical) Drought.
- Compiling data and writing memo for Needmore Special Provisions Compliance Level 1.
- Continue running the in-house model with various drought scenarios. Meeting with Technical Advisory Committee in mid to late August to present model construction and initial results.

### **Administration Team**

#### August Activities:

- September annual/quarterly/monthly billings for the onset of new fiscal year
- Election Activities

#### On Deck: (September/October)

- End-of-year Closing Books, Files, Beginning-of-year Opening Books, etc.
- Drought Management Fees \* Election Activities \* Audit Preparation

### **Regulatory Compliance Team**

#### August Activities:

- Staff continues to work on new applications and assisting permittees with drought compliance.
- Staff will onboard the new Regulatory Compliance Specialist Alyssa Gilbert.
- Staff will begin analyzing monthly pumpage to confirm compliance of drought curtailments.
- Continue to participate in TWCA and TAGD legislative committees
- Ongoing: database/Intera; EP/landowner wells disposition; sustainable yield; drought FAQs

#### On Deck:

- Staff will begin end of the fiscal year tasks (final actual pumpage volumes, etc.)
- Ongoing TWCA and TAGD legislative committees and TAGD summit
- Ongoing sustainable yield data compilation, research, and ongoing internal discussions
- City of Buda ASR pilot project – waiting on tech memo

### **Communications and Outreach Team**

#### August Activities:

- Continue preparing Stage III Drought Materials/press release
- Record/Edit August 6 Community Meeting
- Send out monthly drought update via iconcontact
- Shoot drought video with Brian Smith
- Attend TAGD Meeting in late August
- Order District swag

#### On Deck

- Drought: monitoring, drought signs distribution
- Science in 60 Seconds

**STATUS REPORT UPDATE  
FOR THE AUGUST 11, 2022 BOARD MEETING**

**Summary of Significant Activities – Prepared by Staff Leads**

**Upcoming Dates of Interest**

- Texas Groundwater Summit – Aug. 30-Sept. 1 (San Antonio)
- Texas Desal Annual Conference – Sept. 14-17 (Austin)
- Texas Rainmaker Award Dinner – Sept. 20 (Austin)
- Hill County Alliance, 2022 Hill Country Leadership Summit – Sept. 29 (Dripping Springs)
- TWCA Fall Conference – Oct. 5-7 (San Antonio)
- Water, Texas Film Festival – Oct. 25
- Water for Texas – January 23-25 (Austin) - 2023



## **DROUGHT MANAGEMENT**

### **Drought Status and Water-Level Monitoring (Justin)**

We are currently in a status of Stage 2 Alarm Drought since it was officially declared at the June 9, 2022 Board meeting.

2022 continues to challenge and break records for incredible heat and low rainfall in Central Texas. La Nina conditions (declared by NOAA on 10/14/21) have strengthened through the first half of the year and are favored to continue into the fall and winter. NOAA forecasters have recently indicated there is a 50 percent chance of seeing neutral conditions (neither La Nina or El Nino) by late winter. This means that we are predicted to return to average rainfall and average temperatures. May and June, which are historically the wettest months of the year in Central Texas, were both way below their historical monthly rainfall averages (-2.8 & -2.7 inches respectively). July received 0.24 inches of rainfall (average 1.88 inches) combined with record breaking heat, joining May and June as the warmest on record for Austin.

The Texas Hill Country has received an average of 11.6 inches of rainfall from January through early August - 8 inches behind annual average. Only the month of February recorded above average rainfall. Water levels in the Edwards began to decline on March 11<sup>th</sup>. Trinity levels also began to decline in early April. Falling trends in both aquifers continue.

On August 4, the Lovelady well had a level of 468.1 ft msl, 10.3 ft below the trigger level for Stage 2 drought. Lovelady crossed under its trigger on 5/26/22. Barton Springs was flowing at 28 cfs (10-day average), 10 cfs below the Stage 2 Drought trigger point of 38 cfs. Barton Springs crossed under the Stage 2 Drought trigger in late June. USGS and BSEACD staff continue to make water level and spring discharge measurements to ensure accurate real-time reporting.

Aquifer science staff continue to closely monitor drought conditions in both the Edwards and Trinity Aquifers. Historic hydrograph data (Figure 1) show that the 2022 drought began with aquifer levels in some portions of the Trinity already approaching historic lows. If drought conditions worsen in coming months, levels could drop well below those historic lows. This has potential for widespread negative impacts to domestic and non-exempt wells, and reduction of Trinity spring flows in the Blanco River Basin. To monitor and study the impact of this ongoing drought on the groundwater system, the aquifer science team is working on the following tasks:

- Maintaining and expanding the District monitoring well network
- Updating our website monitoring well map to allow well owners and other members of the public to view real-time water level data at various locations throughout the District
- Collecting flow measurements at key springs discharging from the Edwards and Trinity
- Analyzing of historic hydrograph and drought data
- Monitoring potentiometric water levels to generate a water level surface of the Trinity during drought conditions

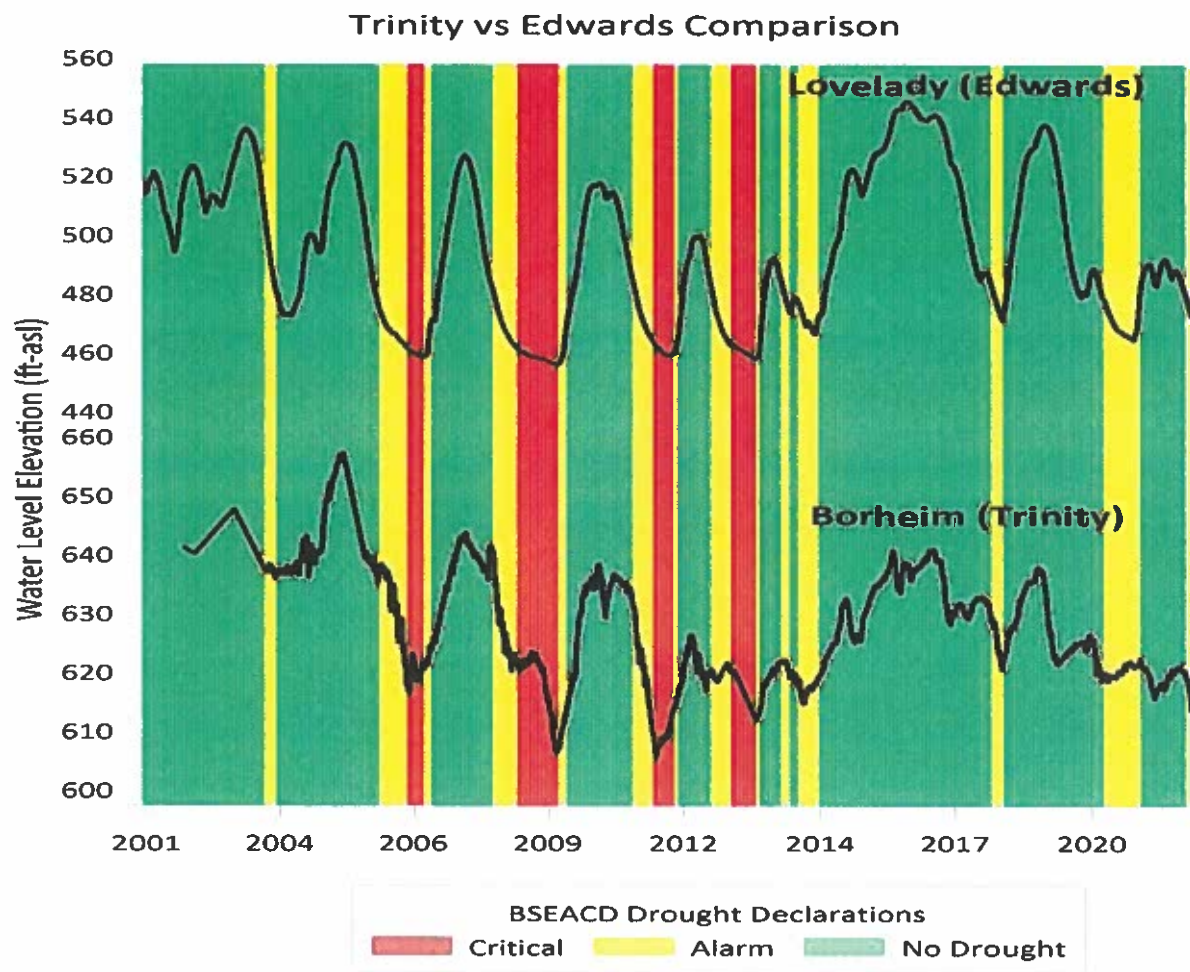


Figure 1. Trinity and Edwards comparison with drought declaration history.

### **Drought Communication (David, Erin)**

**Alarm Drought (Stage II) Signage:** Since the June Status Report, permittees and the District have put out more Stage II signs throughout the area. The new signs are bolded below.

**Sunfield Neighborhood in Buda – 4 signs**

**St. Marks Episcopal Church – 3 signs**

**Buda/Kyle Church of Christ – 3 signs**

The signs below were put out in June.

FM 1626 – 10 signs

FM 150 (including Rollingwood Neighborhood) – 7 signs

### San Marcos

Ranch Road – 12 signs

Hilliard Area – 10 signs

Wildwood Neighborhood (Austin) – 2 Signs

Hays Hills Baptist Church – 3 signs

PGMS – 7 signs

City of Mountain City – 4 signs

\*\*\*For full report on drought communication please visit the Communications and Outreach section of the status report.\*\*\*

## **DISTRICT PROJECTS**

### **GMA Joint Planning**

➤ ***GMA 10 Coordination (Tim)***

The next meeting date will be August 24, 2022 at the EAA at 11:30 am.

### **Trinity Aquifer Sustainable Yield Study & Planning**

➤ ***Policy Concepts and Advisory Workgroup Planning (Kendall)***

The GM and staff are beginning to research and compile policy concepts related to sustainable yield and unreasonable impacts. Staff is planning to bring high level concepts to the Board in September.

Staff has met with a facilitator Kimberley Horndeski with Community Consulting LLC multiple times throughout 2021 to discuss planning aspects of bringing together an Advisory Work Group. The Advisory Work Group would be made up of water professional that would help advise the District on policy aspects of our sustainable yield study. However, we are waiting to meet with the facilitator again until we have a better understanding of how we plan to work through the unreasonable impact factors and what data and information are needed to assess the factors.

***Technical Evaluations (Brian, Jeff)***

Aquifer Science staff continue to collect data on the geology and hydrogeology related to the Trinity Aquifers. We are evaluating water-level data for a number of Trinity wells to look for long-term trends. We worked with Hays County and Wimberley Valley Watershed Association to install two Trinity monitor wells in the Jacob's Well area. Work on the first two phases of the District's own numerical modeling has been completed. These phases involved the development of a steady-state model that was then converted into a transient model. The transient model will allow for simulation of different pumping and drought scenarios over time. Several different pumping scenarios have been run and a draft report has been completed. Our next step with the model is to run different drought scenarios, including drought of record. We have hired a consulting firm, GSI, to assist us with the model. We are members of a technical committee to guide the development of a numerical groundwater model (BRAAT or BRATWURST) of the aquifers influenced by the Blanco River. A meeting of the technical committee was held on January 6, 2022. Southwest Research Institute started work on the BRAAT model in September of 2021, but contracting issues have stalled development of the model. A meeting with the District's Technical Advisory Committee is planned for late July or early August. This committee will provide comments of model construction and the results of various modeling scenarios.

### **Habitat Conservation Plan (Brian)**

- **Planning for Technical Tasks:** Aquifer Science staff are coordinating studies at Barton Springs with COA staff. These studies include measurement of dissolved oxygen (DO) in the Barton Springs pool and the installation of a monitor well within Zilker Park and south of the pool. The Watershed Protection Department has offered to install monitoring equipment in Barton Springs Pool to measure dissolved oxygen as the springs experience wet to drought conditions. Deployment of this equipment will take place after the monitor well is installed.

We plan to apply for a grant from the City of Austin this fall to pay for the installation of a monitor well in Zilker Park. The purpose of the monitor well is to understand how groundwater flows from the deeper portions of the Edwards Aquifer to the springs and how DO is distributed vertically in the aquifer. The HCP identified low levels of DO as a threat to the endangered salamanders. A potential remedy for low DO during severe drought is augmentation of DO in the shallow aquifer so that the threat of low DO is reduced.

#### **Database Management System - Intera Inc (Tim/Kendall)**

The Intera/Epic solution is now in hand: \$79,750 cost, approx. four months to produce, and a \$20k annual hosting/maintenance fee that includes General Benefit Enhancements. Intera is asking the District to split the cost should we choose to pursue this option. Epic is a database-services company first and foremost rather than an engineering/consulting firm that also provides a database for GCDs and other water management entities. There is every reason to believe that Epic will deliver a product that the District needs and will be very satisfied with. A functional and modern database is a central tool of the District and the project to replace the current database must commence within the next 60 days. The District's GM decided to issue an RFQ, nonetheless, to consider one other option given that the "database landscape" is different than what it was when this project first got underway during the summer/fall of 2017. The RFQ closes on August 12, COB. Staff plans to ask the Board for approval of its recommendation at the September 8 meeting.

#### **ILA Commitments (Brian)**

The District has ILA commitments with Hays County and HTGCD to install two monitor wells in the Jacob's Well Area. Information from these wells will be used to better understand the flow system that delivers Middle Trinity groundwater to Jacob's Well, and to develop our numerical groundwater models. Both ILAs expire on August 31, 2022. The ILA with the HTGCD has been fulfilled (i.e., obligations met) and is considered finished. The ILA with Hays County has one outstanding task obligation remaining and it will not be completed by the ILA expiration date: a dye-tracing study. Staff will arrange to discuss the ILA status and unspent funds associated with the dye-tracing study with Hays County representatives, no later than August.

The ILA with COA is intended to coordinate studies for the respective HCPs such as scientific feasibility studies and monitoring evaluations; to collaborate on the planning of future Kent Butler Summits; and to exchange technical information regularly on an annual basis.

*Status update* – An annual technical meeting is held between BSEACD and COA in December each year to discuss each organization's activities related to their respective HCPs. The COA and BSEACD plan to have additional discussions in the fall of 2022 to coordinate the details of the DO studies and the monitor well installation.

#### **Region K Planning Activities (Tim)**

The GM participated virtually in the July 27 Region K meeting and will report a summary of meeting topics items at the GMA-10 meeting in San Antonio on August 24. The next meeting is scheduled for October 26th.

#### **Strategic Planning Implementation (Tim):**

This project is currently on hold as other projects are being prioritized.

**Training, Presentations, and Conferences (All Teams):**

- Aquifer Science: 17<sup>th</sup> Sinkhole Conference, Tampa, Florida, March 27-31, 2023
- Regulatory Compliance: N/A
- Administration: N/A
- Communications and Outreach: N/A
- General Manager: N/A

**New Maps, Publications, or Reports:**

A list of recent publications can be found at: <https://bseacd.org/scientific-reports/>

## LITIGATION AND LEGISLATION

### Litigation and SOAH Activities (Kendall)

There is no activity to report.

## RULEMAKING, PERMITTING, AND ENFORCEMENT

### Rulemaking (Erin, Kendall)

Staff has had discussion internally and with legal counsel regarding the Enforcement plan, including drought enforcement. Other areas that are being discussed are notice language and change of ownership timelines. However, the enforcement plan analysis and any rule changes are on a temporary hold so staff can prioritize work on sustainable yield concepts and other preparations that have been suggested by our attorney.

### Drought (Erin)

- Worked with Communications (David) to put out 4 additional Stage II Drought stage signs within the Sunfield Community in Buda.
- Will begin monthly pumpage analysis to determine all permittee's compliance status of drought curtailments.
- Will continue to assist permittees in ensuring they successfully comply with their UDCPs and Stage II drought curtailments.

### Enforcement and Compliance Matters (Michael, Erin)

<i>Compliance/Enforcement</i>			
<i>Permittee or Entity Name</i>	<i>Aquifer</i>	<i>Use Type</i>	<i>Notes</i>
N/A			

### Permitting Activity (Erin)

<i>Upcoming</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
LPP	Middle Trinity	Van Zyl, Jean	Domestic	500,000
Exempt – Domestic	TBD	Zimitz, Diedre	Domestic	7GPM - Exempt
Exempt – Domestic	Middle Trinity	Cavanaugh, Mandy	Domestic	7GPM – Exempt
<i>In Review</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
LPP	Edwards/Upper Trinity	Carracedo, Luci	Domestic	500,000
Exempt – Domestic	Middle Trinity	Tucker, Matthew	Domestic	7GPM – Exempt
Plugging	Edwards	City of Hays	PWS	0 - Plugging
LPP	TBD	Lampstand Holdings	Domestic	500,000
LPP	Edwards/UT	Melchor, Jose Luis	Domestic	500,000
IPP	Middle Trinity	Collins, Phil	Commercial	TBD
<i>Recently Approved</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
Exempt	Middle Trinity	Roberts, Stephen	Exempt – Domestic	7 GPM
LPP	Middle Trinity	Henry, John	Exempt - Domestic	7 GPM

## **AQUIFER STUDIES (Brian)**

### **Permitting Hydrogeologic Studies:**

- Working with Regulatory Compliance on permitting issues as needed.

### **Groundwater Studies: *Dye Tracing, Water Quality, Aquifer Characterizations***

- Coleman's Canyon- Hydraulic conductivity testing was conducted at the Coleman's Canyon multiport well in July.
- Remaining TWDB water quality sampling with isotopes was completed in July.

### **Field Activities:**

- Fence reconnection at Jacobs Well Natural Area monitor well.
- Cooperating with USGS and City of Austin staff to confirm accurate real-time gauge reporting at Barton Springs and Lovelady. Conducting bi-weekly to monthly field measurements.
- Updating telemetry monitoring equipment at the Needmore index well (Amos). Reviewing pumping and water-level data for the Special Provisions Compliance Level 1 memo.
- Antioch- Continuing to maintain the system and to collect data on flow into the vault (when there is flow).
- Well Monitoring- Because of drought, we are increasing the amount of time maintaining equipment in numerous monitor wells and downloading and interpreting data.

### **Trinity Aquifer Modeling Development:**

- BRATWURST Modeling- Southwest Research Institute started work on this model in September 2021, but activity was on hold as funding issues are resolved. SWRI restarted the project in late July.
- In-house model- The model has been calibrated and we have run the model to evaluate different pumping scenarios. A draft report on the model was completed in May and a presentation was made to the Board. We are working with GSI to run the model with various drought scenarios. A meeting with the Technical Advisory Committee will be held in mid to late August.



**COMMUNICATIONS AND OUTREACH**  
**(David Marino)**  
**July 2022**

**Website:** During the month of July, a number of items were added to the spotlights page, including: RFQ for Customized Database Application, Perspective on Current Drought – July 27, 2022, Drought Update/Well Monitoring July 26, 2022, The Aquifer Zone Newsletter, RFQ for Managed IT Services, Drought Update – July 20, 2022, Barton Springs and Lovelady Level Check - July 19, 2022, RFQ for Human Resources Consulting Services, Next Board Meeting: August 11, 2022, Community Meeting on Drought Related Topics – August 6, 2022, Drought Information Website Page, Barton Springs and Lovelady Level Check – July 12, 2022, Next Board Meeting: Regular Meeting/Public Hearing – July 14, 2022. **BSEACD Newsroom** page was also updated with latest press releases, upcoming meetings, videos, etc. <https://bseacd.org/publications/bseacd-newsroom/>. The two USGS graphics on the drought status page are now larger.

Website Analytics 2021		Top Page Searches			
Month	Total Page Views	Unique Page Views	May	June	July
April	4,306	3,247	Homepage 1,674 Views	Homepage 1,762 Views	Homepage 568 Views
May	3,920	3,159	Publications/Maps 132 Views	Aquifer District Declares Stage II Drought 211 Views	Drought Information 397 Views
June	5,145	4,211	Aquifer Science/Drought Status 85 views	Aquifer Science Drought Status 204 Views	Drought Education 269
July	4,327	3,891	Aquifer Science/About the Aquifers 69 Views	Career Opportunities 126 Views	Drought Status 269 Views
			About Us/Staff 61 Views	Publications/Newsletters 126 Views	Newsletters/Sign-up

**Nextdoor Channel:** The District now has a Nextdoor channel. This serves as another outlet to help expand the District's reach when it comes to conservation and drought related news. On Nextdoor we are reaching people who live within our jurisdiction, as we were required to submit a shape file of our District when Communications and Outreach applied for the account. The District can also target messages to individual neighborhoods.

**RFQ Website Page:** Communications and Outreach has created an RFQ (Request for Qualifications) website page. The RGQ's are also posted under spotlights. You can find the page here: <https://bseacd.org/transparency/rfqs-request-for-qualifications/>

**Drought Information Website Page:** Communications and Outreach launched its new Drought Information Website page. The page contains the following information:

- District Drought Status
- Rainfall Hydrograph
- Edwards Aquifer Conditions (Barton Springs Segment)
- Trinity Aquifer Conditions
- Austin/San Antonio Drought Monitor
- Frequently Asked Questions
- Helpful Links

The page is updated biweekly or sooner and can be found at <https://bseacd.org/regulatory/droughtinformation/>. Staff members Erin Swanson, Justin Camp, and Kendall Bell-Enders worked with Communications and Outreach on what content to include on this page.

**Monthly Drought Update:** As mentioned in the previous status report, Communications and Outreach is putting out a monthly drought alert via icontract. It is also shared on the District's social media channels and website.

Drought Update – July 20, 2022

<https://bit.ly/3PHv5pr>

**Alarm Drought (Stage II) Signage:** Since the June Status Report, permittees and the District have put out more Stage II signs throughout the area. The new signs are bolded below.

**Sunfield Neighborhood in Buda – 4 signs**

**St. Marks Episcopal Church – 3 signs**

**Buda/Kyle Church of Christ – 3 signs**

The signs below were put out in June.

FM 1626 – 10 signs

FM 150 (including Rollingwood Neighborhood) – 7 signs

San Marcos

Ranch Road – 12 signs

Hilliard Area – 10 signs

Wildwood Neighborhood (Austin) – 2 Signs

Hays Hills Baptist Church – 3 signs

PGMS – 7 signs

City of Mountain City – 4 signs

**Critical Drought (Stage III) Prep:** As the District inches closer to Critical Drought, Communications and Outreach is getting Stage III materials ready. Graphics for the website and social media are done. Stage III yard signs/stakes have been ordered. Flyers have been printed.

**The Aquifer Zone Newsletter:** The District's quarterly newsletter was released on July 22, 2022. It includes the following information:

- Message From General Manager
- Drought Update
- Alarm Drought (Stage II)
- Community Meeting
- Drought Statuses for Area Municipalities
- Residential Limited Production Permitted Wells – Meter Readings
- Monitor Well Installation
- Kent Butler Scholarship Winners
- BSEACD Snap Shots

You can read the newsletter here: <https://bit.ly/3om196u>

**Permittee Newsletter Subscriptions Updated:** Erin Swanson provided Communications and Outreach with the most updated permittee list. Those on the list who were not subscribed to our newsletter/press releases have been added. Erin and David Marino will consistently keep the permittee subscription list updated.

**Regulatory Compliance Specialist Interviews:** Communications and Outreach coordinated interviews and served on the hiring committee for the Regulatory Compliance Specialist position. All interviews were conducted in July and an offer was extended to a candidate who accepted. The new employee will start with the District in August.

**Regional Water Quality Planning Group Meeting:** Communications and Outreach is now coordinating and setting up these meetings. The next meeting is scheduled for Friday, August 26. The group decided to take July off.

**District Swag (Materials to give away at events):** Communications and Outreach is in the process of identifying materials to order for events. We are currently looking at rain gauges, stress balls, collapsible dog bowls, metal straws, and other materials. Any materials ordered will have the District's logo on them.

**TAGD Media Relations Cheat Sheet:** Communications and Outreach Manager is on TAGD's Information & Education Committee. We are assisting TAGD in creating a communications toolkit for groundwater districts. This document will serve as a guide for employees in Texas groundwater districts and how to oversee communications for a variety of platforms and it also addresses how to communicate during specific situations. Communications and Outreach Manager finished the Media Relations Cheat Sheet as part of the plan. It is now under review.

**Press Releases:**

Community Meeting on Drought-Related Topics – August 6, 2022

<https://bseacd.org/uploads/Community-Meeting-On-Drought-Related-Topics.pdf>

**Videos:**

Slug Testing Video Explainer

<https://www.youtube.com/watch?v=93JRkFneiSg>

Perspective on the Current Drought – July 22, 2022

<https://www.youtube.com/watch?v=bTFhaKvB-ns&t=88s>

Drought Update/Well Monitoring – July 26, 2022

<https://www.youtube.com/watch?v=HpLznZZ7QYE&t=4s>

**Social Media (Twitter, Facebook, Instagram):** Pump Protector Information, Subscribe to the District's New Nextdoor Channel, Slug Testing Video, Community Meeting Reminder – July 28, 2022, Drought Perspective Video, Deer Visitors, Water Weekly Report – July 26, 2022, Drought Update/Monitor Well Video, Slug Testing Photos, The Aquifer Zone Newsletter, Community Meeting Reminder – July 21, 2022, Drought Update – July 20, 2022, Barton Springs and Lovelady Level Check – July 29, 2022, Water Weekly Report – July 18, 2022, Community Meeting Announcement, Drought Information Website Page, TWDB Water + Weather Video, Board Meeting Reminder – July 14, 2022, District Monitoring Sites Photos, Barton Springs and Lovelady Level Check – July 12, 2022, Water Weekly Report – July 11, 2022, Board Meeting Reminder – July 11, 2022, BSEACD & USGS Stream Flow Measurement Photos, Water Weekly Report – July 7, 2022, Austin Watershed Cave Nights Post, Regulatory Compliance Specialist Job Posting, Happy Independence Day, Nature Nights Photos

**BSEACD Monthly Social Media Roundup/Groundwater News**

Social Media Roundup (July 2022):

<https://bseacd.org/uploads/BSEACD-Social-Media-Roundup-July-2022.pdf>

Monthly Groundwater News/Dates of Interest (July 2022):

<https://bseacd.org/uploads/BSEACD-Monthly-Groundwater-News-Dates-of-Interest-July-2022.pdf>

*The top performing post on Facebook for the month of July was "Barton Springs and Lovelady Level Check" on Jul9 19. It reached 283 people. The top tweet on Twitter for the month of July was "Both Barton Springs and Lovelady levels are on a steady decline. Currently, the District remains in Stage II Alarm Drought. With lack of rainfall, drought conditions continue to worsen here in Central Texas and across the state." It had 692 people impressions and 9 engagements. The top performing video on YouTube for July was "Perspective on the Current Drought" posted on July 28 with 77 views.*

## **GENERAL ADMINISTRATION**

(July 9, 2022 – August 5, 2022)

### **Accounts Receivable/Permittee Cycle Billings**

On July 16, August monthly permittee billings were mailed out for \$ 20,026. This is the final billing cycle for FY 2022.

On August 16, invoices will go out for the FY 2023 annual, 1<sup>st</sup> quarter, and September monthly payers; along with transport fees and annual permit renewal fees. This is our largest billing cycle of the year.

### **Audit – Scheduled to Begin on October 3, 2022**

Preparations for the annual financial audit have begun and will last through the end of the audit process in December.

### **Drought Management Fees (DMFs)**

Tracking monthly DMFs begins in October (for September pumpage), two full months after drought is called, as specified in our Rules.

### **Election 2022**

In process of collecting, preparing, and updating election documents for the November 8, 2022 General Election for director precincts 2, 3, and 5.

### **Financial Reporting – Website Transparency Section (Texas Comptroller's Office)**

Transparency Star-related: Most current, available financial reports are to be posted on our website and accessible within three clicks, as required by the Texas Comptroller of Public Accounts Transparency Star Program. Balance Sheets, Profit and Loss Statements, and Check Registers (Operating and Payroll) through June 2022 should be posted on the District website.

*The Administration Team typically has repetitive monthly tasks e.g. monthly bank reconciliations, monthly adjusting journal entries, accounts payable, payroll, contract/grant/project tracking, office maintenance and repairs, budget monitoring, bi-weekly payroll journal updates, directors' compensation, pre-pays, DMFs, posting public meetings, preparing meeting backups, etc. These types of tasks are not listed in this report because they are repetitive. Administration status reports are generally more summarized than the other teams, as we list our extra-ordinary tasks outside of our routine tasks, while supporting all other teams.*

## **Item 5**

### **Presentation**

**Presentation by Dr. Tim Loftus on Desired Future Conditions  
DFCs.**

## **Item 6**

### **Board Discussions and Possible Action**

- a. Discussion and possible action related to the renewal of annual Production Permits for FY 2023 contingent on compliance with District rules and renewal requirements.**



FY 2023  
Permits for Annual Renewal

Formulas Audited 8/2018, 7/2017, 7/2016, 6/2019, 6/2020, 7/2022 Revised with KBEES Database on 4/19/2021 08/01/2022											
Historical		Conditional						Conditional (Edwards only)			
Edwards	Trinity	NOT MA	ASR	Class A		Class B	Class C				
FY 2023 Permittee Billing Worksheet (Last Updated 8.2.2022) Budgeted Permitted Pumpage 3,740,087.148 for 2023		AG (2)		GALLONS				DOLLARS			
CoA	17 cent rate	17 cent rate	17 cent rate	48 cent rate	48 cent rate	48 cent rate	Permit Total Gallons	17 cent rate	48 cent rate	Annual Fee Total	Annual Permit Fee
2410 Vance Lane LLC (2408)	150,000	460,000					460,000	\$78.20	\$0.00	\$78.20	\$75
7-Eleven (Ika Stripes, Sac-N-Pac)		500,000					150,000	\$25.50		\$25.50	\$75
Axcel Enterprises LLC		38,625,000					500,000	\$85.00		\$85.00	\$75
Aqua Texas - Bliss Spillar (Ika Chap, SW, Copper Hills)	12,875,000						51,500,000	\$8,755.00		\$8,755.00	\$75
Aqua Texas (Bear Creek)	12,098,000						12,098,000	\$2,056.66		\$2,056.66	\$75
Aqua Texas (Leisurewoods)	88,764,000						88,764,000	\$15,089.88		\$15,089.88	\$75
Aqua Texas (Mooreland)	6,000,000						6,000,000	\$1,020.00		\$1,020.00	\$75
Aqua Texas (Orion Creek)	38,300,000						36,300,000	\$6,171.00		\$6,171.00	\$75
Aqua Texas (Shady Hollow)	80,000,000						80,000,000	\$13,600.00		\$13,600.00	\$75
Aqua Texas (Sierra West)		30,000,000					30,000,000	\$5,100.00		\$5,100.00	\$75
Arroyo Doble Water System	\$2,800,000						52,800,000	\$9,978.00		\$8,978.00	\$75
Barton Properties	400,000			400,000			800,000	\$68.00	\$192.00	\$260.00	\$75
Bates, Debbie						150,000	150,000		\$72.00	\$72.00	\$75
Bear Creek Office Park	750,000						750,000	\$127.50		\$127.50	\$75
BGSIX Holdings LLC (aka Cabo Bob's)		1,600,000					1,600,000	\$272.00		\$272.00	\$75
Buck's Backyard (Ika Lowden, Bob - The Painted Horse Pavilion)	1,000,000						1,000,000	\$170.00		\$170.00	\$75
Buda / Kyle Church of Christ	200,119						200,119	\$34.02		\$34.02	\$75
Byron Benoit & Co. (Ika Associated Drilling)	2,000,000						2,000,000	\$340.00		\$340.00	\$75
Centex Materials, Inc.	214,291,000						214,291,000	\$36,429.47		\$36,429.47	\$75
Cinarron Park Water Company	118,000,000						118,000,000	\$20,060.00		\$20,060.00	\$75
City of Austin (Austin Water Utility)											\$0
City of Buda	275,000,000						275,000,000	\$48,750.00		\$48,750.00	\$75
City of Hays (Elliot Ranch)	45,000,000			9,450,000			54,450,000	\$7,650.00	\$4,536.00	\$12,186.00	\$75
City of Hays Water Department	14,000,000		1,400,000				15,400,000	\$2,618.00		\$2,618.00	\$75
City of Kyle - Water Use Fee (at 17 and 48 cents) EMAIL	165,000,000						350,000,000	\$23,050.00	\$88,800.00	\$116,850.00	\$75
City of Kyle - Transport Fee (350,000,000 gallons at 31 cents)										\$108,500.00	\$0
City of Sunset Valley	18,590,000						18,590,000	\$3,160.30		\$3,160.30	\$75
Cornal Tackle	843,750						843,750	\$143.44		\$143.44	\$75
Confido III, LLC (new 3.31.2022)				300,000			300,000	\$850.00	\$144.00	\$144.00	\$75
Cook-Walden/Forest Oaks	5,000,000						5,000,000	\$166.60		\$166.60	\$75
Cornerstone (aka Trotter)		980,000					980,000	\$39,961.15		\$39,961.15	\$75
Creedmoor-Maha WSC	213,696,000		21,369,600				235,065,600			\$959.14	\$75
Creekside Villas						1,998,200	1,998,200			\$959.14	\$75
Cypress Forest Residential Community aka Felder CND, LLC (irrigation)		1,000,000					1,000,000	\$170.00		\$170.00	\$75
Driftwood Diesel - Chris Rickman				150,000			150,000	\$72.00		\$72.00	\$75
Eskeew Place, Ltd.				1,240,000			1,240,000	\$395.20		\$395.20	\$75
Extra Space (Ika Lockaway Ika Tanglewood) EMAIL	100,000						100,000	\$17.00		\$17.00	\$75
Feuerbacher Commercial (new 6.9.2022)				130,500			130,500	\$204.00	\$82.64	\$286.64	\$75
First Christian Church		1,200,000					1,200,000	\$204.00		\$204.00	\$75
Forest Oaks (Ika Texanna Properties, Inc.)	1,649,250						1,649,250	\$280.37		\$280.37	\$75
Goebler, Matt				900,000			900,000			\$432.00	\$75
Goebler Properties, Inc. (new 3/2022)				1,834,560			1,834,560			\$880.59	\$75
Goforth Special Utility District	350,900,000						350,900,000	\$59,653.00		\$59,653.00	\$75
Grey Rock - COA							35,000,000				
Hays C.I.S.D. (Hays High School)	30,000,000						30,000,000	\$5,100.00		\$5,100.00	\$75
Hays City Holdings (Travis Cox)		490,000					490,000	\$83.30		\$83.30	\$75
Hays County Youth Athletic	4,820,550						4,820,550	\$819.49		\$819.49	\$75
Hays Hills Baptist Church	300,000						300,000	\$51.00		\$51.00	\$75
Hunt Enterprises (Earl Hunt)	600,000						600,000	\$102.00		\$102.00	\$75
Huntington Utility (now SWWC)	18,000,000						18,000,000	\$3,060.00		\$3,060.00	\$75
Iglesia de Maranatha (aka Mision Cristiana Maranatha)				500,000			500,000		\$240.00	\$240.00	\$75



FY 2023  
Permits for Annual Renewal

FY 2023 Permittee Billing Worksheet (Last Updated 8.2.2022) <small>Budgeted Permitted Pumpage 3,748,987.148 for 2023</small>										GALLONS				DOLLARS				Annual Permit Fee
CoA	AG (2)	17 cent rate	17 cent rate	48 cent rate	48 cent rate	17 cent rate	48 cent rate	Permit Total Gallons	17 cent rate	48 cent rate	Annual Fee Total	Annual Fee	Permit Fee					
								3,700,000			\$1,776.00	\$1,776.00	\$75					
		5,500,000	6,000,000					6,000,000	\$1,020.00		\$1,020.00	\$1,020.00	\$75					
			1,000,000		4,000,000			1,000,000	\$835.00		\$1,920.00	\$2,855.00	\$75					
								900,000	\$170.00		\$432.00	\$432.00	\$75					
								150,000			\$72.00	\$72.00	\$75					
								100,000	\$17.00		\$17.00	\$17.00	\$75					
								6,700,000	\$1,139.00		\$1,139.00	\$1,139.00	\$75					
								240,000	\$40.80		\$40.80	\$40.80	\$75					
								2,000,000	\$340.00		\$340.00	\$340.00	\$75					
								2,000,000	\$340.00		\$340.00	\$340.00	\$75					
								600,000	\$102.00		\$102.00	\$102.00	\$75					
								100,000	\$17.00		\$17.00	\$17.00	\$75					
								4,232,000	\$719.44		\$719.44	\$719.44	\$75					
								26,730,000	\$4,544.10		\$4,544.10	\$4,544.10	\$75					
								120,000	\$20.40		\$20.40	\$20.40	\$75					
								324,400,000	\$38,148.00		\$48,000.00	\$86,148.00	\$75					
											\$15,500.00	\$15,500.00	\$75					
								43,164,000	\$7,337.88		\$7,337.88	\$7,337.88	\$75					
								7,700,000	\$1,309.00		\$1,309.00	\$1,309.00	\$75					
								2,000,000	\$340.00		\$340.00	\$340.00	\$75					
								16,000,000					\$75					
								289,080,000	\$887.15		\$887.15	\$887.15	\$75					
								5,625,000	\$956.25		\$956.25	\$956.25	\$75					
								25,500,000	\$3,995.00		\$860.00	\$4,855.00	\$75					
								174,993,250	\$29,748.85		\$29,748.85	\$29,748.85	\$75					
								1,825,000	\$221.00		\$252.00	\$473.00	\$75					
								850,000	\$79.38		\$183.92	\$263.28	\$75					
								590,825	\$100.41		\$100.41	\$100.41	\$75					
								420,000	\$71.40		\$71.40	\$71.40	\$75					
								1,005,000	\$170.85		\$170.85	\$170.85	\$75					
								500,000	\$85.00		\$85.00	\$85.00	\$75					
								1,331,000	\$0.00		\$638.88	\$638.88	\$75					
								585,000	\$99.45		\$99.45	\$99.45	\$75					
								180,000	\$30.60		\$30.60	\$30.60	\$75					
								1,000,000	\$170.00		\$170.00	\$170.00	\$75					
								87,300,000	\$10,115.00		\$13,856.00	\$23,971.00	\$75					
								1,875,000	\$318.75		\$318.75	\$318.75	\$75					
								1,800,000	\$306.00		\$306.00	\$306.00	\$75					
								900,000			\$432.00	\$432.00	\$75					
								436,117	\$74.14		\$74.14	\$74.14	\$75					
								517,500	\$87.98		\$87.98	\$87.98	\$75					
								500,000			\$240.00	\$240.00	\$75					
								14,000,000	\$1,799.74		\$1,638.37	\$3,438.12	\$75					
								400,000	\$68.00		\$68.00	\$68.00	\$75					
								200,000	\$34.00		\$34.00	\$34.00	\$75					
								700,000	\$119.00		\$119.00	\$119.00	\$75					
								582,500	\$95.63		\$95.63	\$95.63	\$75					
								16,000,000	\$2,720.00		\$2,720.00	\$2,720.00	\$75					
								500,000	\$85.00		\$85.00	\$85.00	\$75					
								100,000	\$17.00		\$17.00	\$17.00	\$75					
								1,000,000	\$170.00		\$170.00	\$170.00	\$75					
								750,000	\$127.50		\$127.50	\$127.50	\$75					
								100,000	\$0.31		\$0.31	\$0.31	\$75					

FY 2023  
Permits for Annual Renewal

FY 2023 Permittee Billing Worksheet (Last Updated 8.2.2022) Budgeted Permitted Package 3,746,087.148 for 2023		CoA	AG (2)	GALLONS				DOLLARS		Annual Permit Fee
				17 cent rate	17 cent rate	48 cent rate	48 cent rate	17 cent rate	48 cent rate	Annual Fee Total
Stinson, James (aka Home Tech Solutions, Railroad Bar-B-Q) (COO 4.24.2022)				330,000				\$56.10		\$56.10
Texas Old Town				10,000,000				\$1,700.00		\$1,700.00
Texas State University-Freeman Ranch				2,000,000				\$340.00		\$340.00
Texas-Lehigh Cement (Plant)				54,750,000				\$9,307.50		\$9,307.50
Texas-Lehigh Cement (Spectrum)				825,000				\$140.25		\$140.25
Texas-Lehigh Cement Co (Howe)				1,500,000				\$255.00		\$255.00
Tindol Restaurant Group LLC (aka Hays City Store)				800,000				\$136.00		\$136.00
Travis County (aka Manchaca Firehall) EMAIL: Rony Aouad				600,000				\$102.00	\$432.00	\$534.00
Travis County Emergency Services District #5						900,000		\$0.00	\$96.00	\$96.00
Trinity Episcopal School				4,200,000			200,000	\$714.00		\$714.00
Twin Creek Park (bought by Creedmoor in 2019)				12,000,000				\$2,040.00		\$2,040.00
Twin Oaks Ranch Church Camp				1,000,000				\$170.00		\$170.00
Uplifting Properties (aka Carlitz Chang & Chang)				397,889		602,111		\$67.64	\$289.01	\$356.65
V.F.W. Post No 3377				180,000		320,000		\$30.60	\$153.60	\$184.20
Village of San Leanna				29,013,600	2,637,600			\$5,380.76		\$5,380.76
Weatherford, Thomas				5,000,000				\$850.00		\$850.00
White Knight (aka Thames, Michael Custom Homes (Office))				100,000				\$17.00		\$17.00
Whittington, Keith (aka Dr. Milton Otto)				300,000		200,000		\$51.00	\$96.00	\$147.00
Wimberley Glassworks				1,000,000				\$170.00		\$170.00
Column Totals	51,000,000	289,180,000	2,292,982,596	297,676,117	25,407,200	15,000,000	137,554,608	3,301,423,721	3,308,200	3,301,423,721

## **Item 6**

### **Board Discussions and Possible Actions**

**b. Discussion and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the General Manager.**

## **Item 6**

### **Board Discussions and Possible Actions**

- c. Discussion and possible action approval of new managed Information Technology (IT) services contract.**

## **Item 6**

### **Board Discussions and Possible Actions**

**d. Discussion and possible action on approval of a Human Resources (HR) consulting services contract.**

## **Item 6**

### **Board Discussions and Possible Actions**

- e. Discussion and possible action on approving Joint Election and Election Services Agreements with Caldwell County, and other matters incident and related to the Election.**

STATE OF TEXAS                   §  
   §  
COUNTY OF CALDWELL       §

**CONTRACT FOR ELECTION SERVICES**

**KNOW ALL PERSONS BY THESE PRESENTS:**

This Contract, by and between Barton Springs Edwards Aquifer Conservation District ("BSEACD"), a political subdivision of the State of Texas located in Caldwell County, Texas, and Caldwell County, a political subdivision of the State of Texas (the "County"), through its Elections Administrator, Kimber Daniel (the "Administrator"). BSEACD and the Administrator are sometimes hereinafter collectively referred to as the "Parties".

**WITNESSETH:**

**WHEREAS**, the Administrator and BSEACD, both of which are situated in Caldwell County, Texas, are authorized to execute this Contract pursuant to the provisions of the Texas Election Code, Chapter 31, Subchapter D, for the conduct and supervision of BSEACD Director Election to be held on November 8, 2022 (the "Election"); and

**WHEREAS**, The Administrator and BSEACD have determined that it is in the public interest of the inhabitants of BSEACD that the following contract be made and entered into for the purpose of having the Administrator furnish BSEACD certain services and equipment needed for the Election.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements hereinafter set forth, the Parties hereby contract, covenant and agree as follows:

**Article 1. Administrator's Duties and Services.** The Administrator agrees to undertake certain responsibilities and perform the following services for BSEACD in connection with BSEACD Council Election to be held on November 8, 2022, and any subsequent runoff election or election contest arising out of the Election:

1. Recruit, appoint, and train qualified persons to serve as presiding election judges, alternate judges, and clerks;
2. Arrange for the use of polling places;

3. Procure and distribute election supplies, including the formatting, printing and distribution of ballots;
3. Compile lists of eligible registered voters to be used in conducting the Election, including lists for early voting and for each precinct established for the Election;
4. Procure, prepare, and distribute election equipment, transport equipment to and from the polling places;
5. Supply personnel to serve as deputy early voting clerks;
6. Supervise the conduct of early voting by personal appearance and by mail;
7. Assist in providing general overall supervision of the Election and provide advisory services in connection with the decisions to be made and actions to be taken by officers of BSEACD;
8. Other incidental related services as may be necessary to effectuate the Election.

**NOTHING IN THIS AGREEMENT IS INTENDED TO LIMIT THE DISCRETION OF THE ADMINISTRATOR IN THE EXECUTION OF HER DUTIES. IT IS FOR THE ADMINISTRATOR, IN THE EXERCISE OF REASONABLE DISCRETION, TO DETERMINE HOW THE EFFORTS OF HER OFFICE SHOULD BE ALLOCATED THROUGHOUT THE COUNTY.**

**Article 2. BSEACD Duties and Services.** BSEACD agrees to perform the following duties:

1. Prepare and adopt all orders and resolutions necessary to conduct the Election;
2. Provide to the Administrator record-stamped copies all orders and resolutions adopted pursuant to Article 2.1;
3. Prepare and publish all required Election notices;
4. Prepare and approve the form, wording, and spelling of items to appear on the Election ballot, including but not limited to the following, as applicable:
  - a. the list of candidates; and
  - b. any other items or measures to be printed on the Election ballot;



5. Deliver the approved Election ballot language to the Administrator no later than as required by law;
6. Translate any Election documents into Spanish, or provide to the Administrator any services necessary to translate any Election documents into Spanish;
7. Provide technical assistance as requested by the Administrator; and
8. BSEACD will perform its obligations under this Article as soon as practicable and without unnecessary delay.

**Article 3. Administration.** The Administrator will be responsible for administering this agreement and providing supervisory control and command over all the agents, officers, and other personnel performing services pursuant to this Agreement. The contact person and representative for the County is the Administrator, or her designee, and the contact person and representative for BSEACD is Dana Christine Wilson, Senior Administrative Manager.

**Article 4. Cost of Services.** BSEACD shall reimburse the Administrator for all expenses incurred for the Election, and any runoff election or election contest arising out of the Election conducted by the Administrator. BSEACD shall also pay the greater of \$500 or an administrative fee of 10% of the total cost of the Election. In the event the Administrator conducts any runoff election or election contest, BSEACD shall also pay the greater of \$500 or an administrative fee of 10% of the total cost of each runoff election or election contest. In the event an election is conducted as a joint election, the cost shall be prorated between the participating entities according to the number of registered voters eligible to participate in the entity's election. Within 20 days of the completion of an election or election contest, the Administrator shall submit a statement to BSEACD listing all expenses and the administrative fee. BSEACD shall pay the total amount within 45 days of its receipt of the statement.

**Article 5. Liability.** BSEACD shall be responsible for any actual expenses for repairs for any damage that occurs to the DS200 or ExpressVote systems and related voting equipment to the extent that any such repairs are not covered under the vendor's warranty. BSEACD shall not be liable for any damage to the Election equipment or related voting equipment that is caused by a third party outside of the control of BSEACD.

**Article 6. General Conditions.**

1. Nothing contained in this contract shall authorize or permit a challenge in the officer with whom or the place at which any document or record relating to the Election is to be filed,

or place at which any function of the canvass of the Election returns is to be performed, or the officer to serve as custodian of voted ballots or other Election Records.

2. The Administrator may assign deputies to perform any of the contracted services.
3. The Administrator may contract with third persons for the Election services and supplies; and the Administrator will pay the claims for those election expenses and shall remain responsible for the supervision and conduct of such third parties.
4. This contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Caldwell County, Texas. Venue for any legal matters shall lie in the district courts of Caldwell County, Texas. Venue for any legal matters in federal court shall lie in the United States District Court for the Western District of Texas
5. In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
6. No amendment, modification, or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereof.
7. The parties acknowledge that the Contracting Officer may contract with other entities holding elections at the same time as BSEACD on November 8, 2022.
8. BSEACD will indemnify, defend, and hold harmless the Administrator and the County for claims and causes of action brought by third parties based on the Administrator's performance of her obligations under this Agreement.
9. This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which constitute one instrument.
10. This Agreement, including any exhibits hereto, contains the entire agreement between the Parties with respect to the transactions contemplated herein.
11. Any and all duties, obligations, and covenants of this Agreement will be suspended during time of natural disaster, war, acts of terrorism, or other "Acts of God", which prevent a

Party from fulfilling any and all duties, obligations, or covenants of this Agreement. If a party is prevented from fulfilling a duty, obligation, or covenant of this Agreement due to Force Majeure, the party prevented from fulfilling will notify the other party in writing, sent pursuant to Article 8 of this Agreement, within fourteen (14) calendar days of the Force Majeure event.

**Article 7. Miscellaneous.** Nothing in this Agreement shall be deemed to waive, modify, or amend any legal defenses available at law or in equity to the County, BSEACD, or the Administrator, or to create any legal rights or claim on behalf of any third party. Neither the County, BSEACD, nor the Administrator waives any defenses whatsoever, including, but not limited to, governmental immunity.

**Article 8. Notice.** Any notice provided for under this Agreement shall be forwarded to the following addresses:

Caldwell County Elections Administrator  
1403-A Blackjack St  
Lockhart, TX 78644

Barton Springs Edwards Aquifer Conservation Dist.  
Dana C. Wilson, Senior Admin. Manager  
1124 Regal Row  
Austin, TX 78749

Signed and Agreed Upon this the \_\_\_\_ Day of \_\_\_\_\_, 2022.

**Caldwell County Elections Administrator**

**Barton Springs Edwards Aquifer  
Conservation District**

\_\_\_\_\_  
Kimber Daniel, PhD

\_\_\_\_\_  
Blayne Stansberry, Board President

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
Christy Williams, Board Secretary

**APPROVE AS TO FORM:**

\_\_\_\_\_  
William D. Dugat, III    Legal Counsel

## **Item 7**

### **Director's Reports**

#### **Directors' Reports.**

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 8**

### **Adjournment**