

## NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held in **the District office**, 1124 Regal Row, Austin, TX, on **Thursday, September 27, 2012**, 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 adjourn into 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. **NBU**
    2. Approval of minutes from the Board's September 13, 2012, Regular Meeting. **Not for public review at this time**
    3. Approval of issuing the earned Conservation Credits to permittees for FY 2012. **Pg. 8**
    4. Review and approval of FY 2012 financial performance reports: Actual Receipts and Expenses vs. Budgeted Amounts, and EoY Balance Sheet. **Pg. 10**
    5. Approval of amendments to the District's Purchasing Policy related to authorizations by the new Assistant General Manager position. **Pg. 17**
    6. Re-designation of Brian Hunt as the District Representative on the GMA 9 Joint Planning Committee, and the designation of John Dupnik as the District Representative on the GMA 10 Joint Planning Committee, replacing the GM on that Committee. **NBU**

7. Approval of the date, time, and place for the District's Holiday Party. **NBU**
  8. Approval of a task order to Dave Anderson d/b/a FormYourPlanet, for stakeholder engagement and coordination consulting services in support of the District HCP process, using budgeted funds. **Pg. 22**
- 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 on them 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. Discussion related to current staff work areas and specific activities of staff teams and directors. 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. 25**
    - ii. Update on GMA 9 and GMA 10 activities.
    - iii. Update on the status of the Jeremiah Venture's contested Texas Land Application Permit application.
- c. **Directors' Reports.** Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.

Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Conversations with public officials, permittees, other stakeholders, and private citizens;
- Kudos and recognition of people doing good things for groundwater management in the District;
- Concerns about specific issues or problems for groundwater management in the District.

#### **4. Public Hearing.**

The Board will hold a public hearing on proposed revisions to the District Rules and Bylaws related generally to: definitions, permit application requirements, considerations for actions on permits, provisions related to adjusting permitted volumes, multi-user well requirements, nonexempt domestic use wells, temporary transfer permits, designation and retirement of historic-use status, Desired Future Conditions (DFCs) and Modeled Available Groundwater (MAG) estimates for District aquifers, permit and drought requirements for conditional permits, conservation-oriented rate structures for public water systems, drought stage triggers, drought contingency plans, curtailment of historical permits in Emergency Response Periods (ERP), alternate curtailment schedules for historical permits, enforcement of drought rules, officer election dates, hearing and protest procedures, well construction standards, and other general administrative clarifications and corrections. **(6:05 p.m.) Pg. 32**

#### **5. Board Discussion and Possible Action.**

- a. Discussion and possible action related to approving the proposed revisions to the District Rules and Bylaws related generally to: definitions, permit application requirements, considerations for actions on permits, provisions related to adjusting permitted volumes, multi-user well requirements, nonexempt domestic use wells, temporary transfer permits, designation and retirement of historic-use status, Desired Future Conditions (DFCs) and Modeled Available Groundwater (MAG) estimates for District aquifers, permit and drought requirements for conditional permits, conservation-oriented rate structures for public water systems, drought stage triggers, drought contingency plans, curtailment of historical permits in Emergency Response Periods (ERP), alternate curtailment schedules for historical permits, enforcement of drought rules, officer election dates, hearing and protest procedures, well construction standards, and other general administrative clarifications and corrections.
- b. Discussion and possible action related to approving minor revisions made to the proposed Management Plan in response to comments provided by the TWDB, and then adoption of the proposed District Management Plan and direction to the general manager to transmit the adopted plan to GMA 9 and 10 GCDs for acknowledgement and then to the TWDB for approval. **NBU**
- c. Discussion and possible action related to the November 6, 2012, director elections including: approval of joint election agreements and election services contracts with Hays, Caldwell and Travis Counties; approval of election day polling places; approval of locations, dates and times of early voting; ratification of Board President's actions on election matters since September 13, 2012 Board meeting, adopting orders or amendments to prior Board orders in connection with the election; and, any other action necessary for the November 6, 2012, director elections. **NBU**

- d. Discussion and possible action related to the Austin Court of Appeals decision in *SOS Alliance v. City of Kyle, Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District*. **NBU**

**6. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of September, 2012, at \_\_\_\_\_ .m.

\_\_\_\_\_, Deputy Clerk

Travis County, TEXAS

**Please note:**

This agenda and available related documentation have been posted on our website, [www.bscacd.org](http://www.bscacd.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 an item of Regular Business.

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- 2. Approval of minutes from the Board's September 13, 2012, Regular Meeting.**
- 3. Approval of issuing the earned Conservation Credits to permittees for FY 2012.**
- 4. Review and approval of FY 2012 financial performance reports: Actual Receipts and Expenses vs. Budgeted Amounts, and EoY Balance Sheet.**
- 5. Approval of amendments to the District's Purchasing Policy related to authorizations by the new Assistant General Manager position.**
- 6. Re-designation of Brian Hunt as the District Representative on the GMA 9 Joint Planning Committee, and the designation of John Dupnik as the District Representative on the GMA 10 Joint Planning Committee, replacing the GM on that Committee.**
- 7. Approval of the date, time, and place for the District's Holiday Party.**
- 8. Approval of a task order to Dave Anderson d/b/a FormYourPlanet, for stakeholder engagement and coordination consulting services in support of the District HCP process, using budgeted funds.**





Permittee	FY12 Historical & Conditional Permitted Pumpage	FY12 Historical Permitted Pumpage	FY12 Actual Pumpage	FY11 Actual Pumpage	FY10 Actual Pumpage	Metered Entire Year	Reporting Violations	Payment Violations	Total Violations	Drought Violations	Aggregated Drought Citations Obtained	Status	UDCP/UCP Status	Total Calculated Overpumpage Fees Credit (Owe)	Permittee Eligible for Credit	10% Administrative Fee	50% Earned Credit	Up to 40% Optional Credit	Conservation Credits Due or (Owe)
Southern Hills Church of Christ	400,000	400,000	184,820	185,810	123,880	Yes	0	0	0	0	N/A	OK	OK	\$0.16	No				\$0.00
St. Alban's Episcopal Church	562,500	562,500	269,159	472,419	372,190	Yes	0	0	0	0	N/A	OK	OK	\$34.55	No				\$0.00
St. Andrew's School	16,000,000	16,000,000	12,895,000	7,072,700	6,449,900	Yes	0	0	4	4	N/A	OK	OK	\$28.84	No				\$0.00
St. John's Presbyterian	100,000	100,000	32,440	26,660	36,770	Yes	2	1	3	3	N/A	OK	OK	\$0.73	No				\$0.00
Texas - Lehigh Properties, Inc	1,649,250	1,649,250	1,145,300	1,342,100	1,190,700	Yes	1	1	1	1	N/A	OK	OK	\$33.45	No				\$0.00
Texas - Lehigh Cement Co (Spacium)	825,000	825,000	266,292	473,165	295,710	Yes	0	0	0	0	N/A	OK	OK	\$53.16	No				\$0.00
The Inn Above Onyon Creek	1,300,000	1,300,000	911,640	903,570	1,108,030	Yes	0	0	0	0	N/A	OK	OK	\$33.38	No				\$0.00
The Porter Company	1,500,000	1,500,000	600,000	146,280	120,210	Yes	2	2	2	2	N/A	OK	OK	\$4.14	No				\$0.00
Twin Oaks Ranch/Church Camp	1,000,000	1,000,000	900,550	1,512,700	1,738,860	Yes	8	2	10	10	N/A	OK	OK	\$25.98	No				\$0.00
Uplifting Properties, LP	1,000,000	397,889	742,200	641,109	125,689	Yes	3	3	3	3	N/A	OK	OK	\$16.00	No				\$0.00
V F W Post No 3377	5,000,000	180,000	191,260	163,510	160,930	Yes	1	1	1	1	N/A	OK	OK	\$0.00	No				\$0.00
Weatherford, Thomas	5,000,000	5,000,000	0	0	14,400	Yes	0	1	1	1	N/A	OK	OK	\$2.44	No				\$0.00
Whittington Keith and Kelly	500,000	300,000	86,660	134,570	122,280	Yes	3	3	3	3	N/A	OK	OK	\$9.14	No				\$0.00
Michael Thomas Custom Homes	100,000	100,000	168,250	110,120	134,320	Yes	5	5	5	5	N/A	overpumped	OK	(\$11.60)	No				(\$11.60)
Malone, J D	2,000,000	2,000,000	2,080,300	2,414,300	1,556,800	Yes	0	1	1	1	N/A	overpumped	OK	(\$13.65)	No				(\$13.65)
Church of Christ at Burdickville	200,119	200,119	382,470	52,700	26,609	Yes	2	2	2	2	N/A	overpumped	OK	(\$27.59)	No				(\$27.59)

Eligibility requirements:

- Conservation Credit > \$100
- No more than one violation for late reporting and/or late payments
- Current UCD/UDCP on file
- Metered entire year
- Based on formula of percentage increases for excess pumpage (<500,001 gals @ \$ 171/1000g or \$ 42/1000g) + (<=25% permitted @ \$ 50/1000g) + (>25% to 100% permitted @ \$1/1000g) + (>100% permitted at \$2/1000g)
- Overpumpage fees less than \$10.00 are not charged

Total Conservation Credits \$23,453.78  
 City of Austin Portion (60%) \$14,072.26  
 Total Overpumpage Fees \$37,526.04  
 Net Total \$37,473.20

**Barton Springs Edwards Aquifer  
Balance Sheet Prev Year Comparison  
As of August 31, 2012**

1:09 PM  
09/20/12  
Accrual Basis

	Aug 31, 12	Aug 31, 11	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
1000.0 · Cash in Bank-Checking Citibank	47,081.14	257,138.25	-210,057.11	-81.7%
1010.0 · Cash in Bank - Payroll Citibank	24,639.39	8,167.05	16,472.34	201.7%
1030.0 · TexPool Funds - General	476,887.63	240,433.40	236,454.23	98.4%
1040.0 · TexPool Funds - Contingency				
1040.1 · Enforcement Funds	49,700.00	0.00	49,700.00	100.0%
1040.0 · TexPool Funds - Contingency - Other	166,772.80	146,572.08	20,200.72	13.8%
<b>Total 1040.0 · TexPool Funds - Contingency</b>	<b>216,472.80</b>	<b>146,572.08</b>	<b>69,900.72</b>	<b>47.7%</b>
1045.0 · TexPool Funds - Reserve	45,127.17	45,078.32	48.85	0.1%
1050.0 · TexPool Funds - Capital				
1050.1 · Enforcement Funds	0.00	24,700.00	-24,700.00	-100.0%
1050.0 · TexPool Funds - Capital - Other	325,150.28	384,801.13	-59,650.85	-15.5%
<b>Total 1050.0 · TexPool Funds - Capital</b>	<b>325,150.28</b>	<b>409,501.13</b>	<b>-84,350.85</b>	<b>-20.6%</b>
<b>Total Checking/Savings</b>	<b>1,135,358.41</b>	<b>1,106,890.23</b>	<b>28,468.18</b>	<b>2.6%</b>
<b>Accounts Receivable</b>				
1200.0 · Accounts Receivable				
1200.1 · A/R DMF	1,150.00	3,700.00	-2,550.00	-68.9%
1200.0 · Accounts Receivable - Other	-481.21	152,933.45	-153,414.66	-100.3%
<b>Total 1200.0 · Accounts Receivable</b>	<b>668.79</b>	<b>156,633.45</b>	<b>-155,964.66</b>	<b>-99.6%</b>
<b>Total Accounts Receivable</b>	<b>668.79</b>	<b>156,633.45</b>	<b>-155,964.66</b>	<b>-99.6%</b>
<b>Other Current Assets</b>				
1100.0 · Petty Cash	300.00	300.00	0.00	0.0%
1300.0 · Pre-paid Expenses	1,748.02	1,956.72	-208.70	-10.7%
1499.0 · Undeposited Funds-A/R payments	822.82	-0.40	823.22	205,805.0%
<b>Total Other Current Assets</b>	<b>2,870.84</b>	<b>2,256.32</b>	<b>614.52</b>	<b>27.2%</b>
<b>Total Current Assets</b>	<b>1,138,898.04</b>	<b>1,265,780.00</b>	<b>-126,881.96</b>	<b>-10.0%</b>
<b>Fixed Assets</b>				
1400.0 · Field Equipment	309,876.14	309,876.14	0.00	0.0%
1410.0 · Office Equipment & Furniture	37,150.24	37,150.24	0.00	0.0%
1410.1 · Computer Hardware & Software	17,782.52	17,782.52	0.00	0.0%
1420.0 · Vehicles	88,918.16	88,918.16	0.00	0.0%
1430.0 · Accumulated Depreciation	-399,569.95	-399,569.95	0.00	0.0%
1440.0 · Land (Antioch Cave)	165,415.00	165,415.00	0.00	0.0%
1445.0 · Office Building	227,034.15	227,034.15	0.00	0.0%
<b>Total Fixed Assets</b>	<b>446,606.26</b>	<b>446,606.26</b>	<b>0.00</b>	<b>0.0%</b>

**Barton Springs Edwards Aquifer  
Balance Sheet Prev Year Comparison  
As of August 31, 2012**

1:09 PM  
09/20/12  
Accrual Basis

	Aug 31, 12	Aug 31, 11	\$ Change	% Change
<b>Other Assets</b>				
1500.0 · Organizational Costs	300,783.26	300,783.26	0.00	0.0%
1510.0 · Accumulated Amortization	-300,783.26	-300,783.26	0.00	0.0%
1600.0 · Deposits Paid (Utilities)	71.00	71.00	0.00	0.0%
<b>Total Other Assets</b>	<b>71.00</b>	<b>71.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>TOTAL ASSETS</b>	<b>1,585,575.30</b>	<b>1,712,457.26</b>	<b>-126,881.96</b>	<b>-7.4%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
Accounts Payable	0.00	694.79	-694.79	-100.0%
2000.0 · Accounts Payable	0.00	694.79	-694.79	-100.0%
<b>Total Accounts Payable</b>	<b>0.00</b>	<b>694.79</b>	<b>-694.79</b>	<b>-100.0%</b>
<b>Other Current Liabilities</b>				
2005.0 · A/P - created by Auditor	0.00	7,964.50	-7,964.50	-100.0%
2010.0 · Rebates Payable - Cons Credits	25,893.87	25,893.87	0.00	0.0%
2100.0 · Deferred Revenue	0.00	378,179.24	-378,179.24	-100.0%
2110.0 · Direct Deposit Liabilities	-710.95	-710.95	0.00	0.0%
2200.0 · Fica & Medicare Withheld	0.00	25.63	-25.63	-100.0%
2220.0 · Federal Income Tax Withheld	0.00	-27.00	27.00	100.0%
2230.0 · Federal Income Tax Withheld	0.00	25.63	-25.63	-100.0%
2250.0 · TWC Payable	224.76	39.73	185.03	465.7%
2270.0 · Payroll Liabilities	2,064.42	0.00	2,064.42	100.0%
2300.0 · Accrued Vacation Payable	31,047.21	36,853.71	-5,806.50	-15.8%
<b>Total Other Current Liabilities</b>	<b>58,519.31</b>	<b>448,244.36</b>	<b>-389,725.05</b>	<b>-86.9%</b>
<b>Total Current Liabilities</b>	<b>58,519.31</b>	<b>448,939.15</b>	<b>-390,419.84</b>	<b>-87.0%</b>
<b>Total Liabilities</b>	<b>58,519.31</b>	<b>448,939.15</b>	<b>-390,419.84</b>	<b>-87.0%</b>
<b>Equity</b>				
3000.0 · Fund Balance	898,090.85	959,281.94	-61,191.09	-6.4%
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	263,537.88	-61,191.09	324,728.97	530.7%
<b>Total Equity</b>	<b>1,527,055.99</b>	<b>1,263,518.11</b>	<b>263,537.88</b>	<b>20.9%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,585,575.30</b>	<b>1,712,457.26</b>	<b>-126,881.96</b>	<b>-7.4%</b>

**Barton Springs Edwards Aquifer  
Profit & Loss Budget vs. Actual  
September 2011 through August 2012**

1:10 PM  
09/20/12  
Accrual Basis

	Sep '11 - Aug 12	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4250.0 · GRANTS	10,000.00			
4400.0 · Interest Income	1,226.97	1,500.00	-273.03	81.8%
4625.0 · MISCELLANEOUS INCOME				
4626.1 · Other Income	8,015.76			
4626.2 · Camp Scholarship Program-EARDAC	0.00	500.00	-500.00	0.0%
4625.0 · MISCELLANEOUS INCOME - Other	0.00			
<b>Total 4625.0 · MISCELLANEOUS INCOME</b>	<b>8,015.76</b>	<b>500.00</b>	<b>7,515.76</b>	<b>1,603.2%</b>
<b>4800.0 · USAGE FEES</b>				
4801.0 · Permittees Water Usage Fee	565,899.08	577,095.00	-11,195.92	98.1%
4803.0 · City of Austin Assessment	725,025.00	725,025.00	0.00	100.0%
4805.0 · Permittees Annual Permit Fee	4,400.00	4,550.00	-150.00	96.7%
4807.0 · Permittees Water Transport Fees	124,000.00	124,000.00	0.00	100.0%
4800.0 · USAGE FEES - Other	-25,894.11			
<b>Total 4800.0 · USAGE FEES</b>	<b>1,393,429.97</b>	<b>1,430,670.00</b>	<b>-37,240.03</b>	<b>97.4%</b>
<b>4810.0 · OTHER FEES</b>				
4806.0 · Permittees Late Payment Fees	417.41			
4815.0 · Well Develop Application Inspec	4,500.00			
4816.0 · Meter Reading Fees/Pluggings	850.00			
4817.0 · Enforcement Fines and Penalties	6,998.00			
4818.0 · Drought Management Fees	9,650.00	2,500.00	-2,500.00	0.0%
4810.0 · OTHER FEES - Other	0.00			
<b>Total 4810.0 · OTHER FEES</b>	<b>22,415.41</b>	<b>2,500.00</b>	<b>19,915.41</b>	<b>896.6%</b>
<b>Total Income</b>	<b>1,435,088.11</b>	<b>1,435,170.00</b>	<b>-81.89</b>	<b>100.0%</b>
<b>Gross Profit</b>	<b>1,435,088.11</b>	<b>1,435,170.00</b>	<b>-81.89</b>	<b>100.0%</b>
<b>Expense</b>				
<b>6000.0 · UTILITIES</b>				
6001.0 · Electricity & Water Service	5,670.03	8,000.00	-2,329.97	70.9%
6002.0 · Phone, Internet, Telemetry	8,920.47	12,100.00	-3,179.53	73.7%
6003.0 · Smartphone Reimbursements	3,400.00	4,200.00	-800.00	81.0%
<b>Total 6000.0 · UTILITIES</b>	<b>17,990.50</b>	<b>24,300.00</b>	<b>-6,309.50</b>	<b>74.0%</b>
<b>6005.0 · Print/Copy/Photo Services</b>	<b>920.05</b>	<b>2,000.00</b>	<b>-1,079.95</b>	<b>46.0%</b>
<b>6007.0 · Postage Freight Shipping</b>	<b>2,622.69</b>	<b>3,000.00</b>	<b>-377.31</b>	<b>87.4%</b>
<b>6010.0 · Office Supplies/Canteen</b>	<b>8,136.15</b>	<b>8,000.00</b>	<b>136.15</b>	<b>101.7%</b>
<b>6011.0 · Comp Hardware-Plotter Supplies</b>	<b>934.15</b>	<b>9,000.00</b>	<b>-8,065.85</b>	<b>10.4%</b>
<b>6013.0 · 3-D Modeling Project</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>6014.0 · Software Acquisition &amp; Upgrades</b>	<b>677.68</b>	<b>2,000.00</b>	<b>-1,322.32</b>	<b>33.9%</b>
<b>6015.0 · IT Monthly Maintenance</b>	<b>12,000.00</b>	<b>12,000.00</b>	<b>0.00</b>	<b>100.0%</b>
<b>6016.0 · Meeting Expense</b>	<b>4,060.04</b>	<b>4,400.00</b>	<b>-339.96</b>	<b>92.3%</b>

**Barton Springs Edwards Aquifer  
Profit & Loss Budget vs. Actual  
September 2011 through August 2012**

1:10 PM  
09/20/12  
Accrual Basis

	Sep '11 - Aug 12	Budget	\$ Over Budget	% of Budget
<b>6017.0 · DISTRICT AFFILIATED ORGANIZATIO</b>				
6017.1 · Travel & Meals	4,091.91			
6017.2 · Registration Fees	4,981.00			
6017.3 · Sponsorships and Contracts	3,803.90	13,000.00	-13,000.00	0.0%
6017.0 · DISTRICT AFFILIATED ORGANIZATIO - Other	0.00			
<b>Total 6017.0 · DISTRICT AFFILIATED ORGANIZATIO</b>	<b>12,876.81</b>	<b>13,000.00</b>	<b>-123.19</b>	<b>99.1%</b>
6019.0 · Subscriptions/Publications	1,600.60	1,700.00	-99.40	94.2%
6020.0 · Advertising	5,618.59	6,000.00	-381.41	93.6%
<b>6021.0 · MISCELLANEOUS EXPENSES</b>				
6021.2 · General	919.20	1,000.00	-1,000.00	0.0%
6021.0 · MISCELLANEOUS EXPENSES - Other	0.00			
<b>Total 6021.0 · MISCELLANEOUS EXPENSES</b>	<b>919.20</b>	<b>1,000.00</b>	<b>-80.80</b>	<b>91.9%</b>
<b>6022.0 · Accounting System Operation</b>				
6022.1 · Timekeeping Service-prepaid	1,640.10			
6022.0 · Accounting System Operation - Other	544.00	2,100.00	-1,556.00	25.9%
<b>Total 6022.0 · Accounting System Operation</b>	<b>2,184.10</b>	<b>2,100.00</b>	<b>84.10</b>	<b>104.0%</b>
<b>6023.0 · MAINTENANCE</b>				
6024.0 · Auto Maintenance	3,520.44	7,000.00	-3,479.56	50.3%
6025.0 · Office Complex Maintenance				
6025.2 · Major Repairs/Special Projects	11,202.71	11,211.00	-8.29	99.9%
6025.3 · Security System Monitoring	479.40	10,600.00	-485.85	95.4%
6025.0 · Office Complex Maintenance - Other	10,114.15			
<b>Total 6025.0 · Office Complex Maintenance</b>	<b>21,796.26</b>	<b>21,811.00</b>	<b>-14.74</b>	<b>99.9%</b>
<b>Total 6023.0 · MAINTENANCE</b>	<b>25,316.70</b>	<b>28,811.00</b>	<b>-3,494.30</b>	<b>87.9%</b>
<b>6030.0 · CAPITAL OUTLAY-over 5,000</b>				
6035.0 · Vehicles - Capital	29,862.76			
<b>Total 6030.0 · CAPITAL OUTLAY-over 5,000</b>	<b>29,862.76</b>			
<b>6040.0 · LEASES</b>				
6040.2 · Copier Lease & Maintenance	9,205.20	7,200.00	2,005.20	127.9%
6040.3 · Postage Machine Lease - Pre-Pd	1,104.00	1,104.00	0.00	100.0%
<b>Total 6040.0 · LEASES</b>	<b>10,309.20</b>	<b>8,304.00</b>	<b>2,005.20</b>	<b>124.1%</b>
<b>6065.0 · DIRECTOR EXPENSES</b>				
6065.1 · Directors Travel/Meals	28.62			
6065.2 · Directors Registration Fees	1,054.00			
6065.3 · Directors Non-Travel Reimb/Exp	20.46	2,500.00	-2,500.00	0.0%
6065.0 · DIRECTOR EXPENSES - Other	0.00			
<b>Total 6065.0 · DIRECTOR EXPENSES</b>	<b>1,103.08</b>	<b>2,500.00</b>	<b>-1,396.92</b>	<b>44.1%</b>
<b>6066.0 · Directors Compensation</b>	<b>28,725.00</b>	<b>45,000.00</b>	<b>-16,275.00</b>	<b>63.8%</b>

**Barton Springs Edwards Aquifer  
Profit & Loss Budget vs. Actual  
September 2011 through August 2012**

1:10 PM  
09/20/12  
Accrual Basis

	Sep '11 - Aug 12	Budget	\$ Over Budget	% of Budget
<b>6075.0 · DUES &amp; MEMBERSHIPS</b>				
6076.0 · District Dues & Memberships	2,319.72			
6077.0 · Staff Dues & Memberships	1,443.99	3,700.00	-3,700.00	0.0%
6075.0 · DUES & MEMBERSHIPS - Other	0.00			
<b>Total 6075.0 · DUES &amp; MEMBERSHIPS</b>	<b>3,763.71</b>	<b>3,700.00</b>	<b>63.71</b>	<b>101.7%</b>
<b>6080.0 · EDUCATION AND OUTREACH</b>				
6080.01 · PUBLICATIONS				
6080.14 · General Education	1,288.34	8,000.00	-8,000.00	0.0%
6080.01 · PUBLICATIONS - Other	0.00			
<b>Total 6080.01 · PUBLICATIONS</b>	<b>1,288.34</b>	<b>8,000.00</b>	<b>-6,711.66</b>	<b>16.1%</b>
6080.20 · OUTREACH				
6080.22 · Cleanups	638.13			
6080.23 · Media and PR	693.75			
6080.31 · Conservation Awards	1,253.00			
6080.33 · Neighborhoods and Schools	300.00			
6080.34 · Scholarships	6,003.92	9,000.00	-9,000.00	0.0%
6080.20 · OUTREACH - Other	0.00			
<b>Total 6080.20 · OUTREACH</b>	<b>8,888.80</b>	<b>9,000.00</b>	<b>-111.20</b>	<b>98.8%</b>
6080.25 · Miscellaneous	9,756.41	19,750.00	-9,993.59	49.4%
6080.35 · GENERAL SUPPORT	4,687.16	7,750.00	-3,062.84	60.5%
<b>Total 6080.0 · EDUCATION AND OUTREACH</b>	<b>24,620.71</b>	<b>44,500.00</b>	<b>-19,879.29</b>	<b>55.3%</b>
<b>6081.0 · REGULATORY COMPLIANCE</b>				
6081.1 · Projects & Investigations	6,041.95	30,000.00	-23,958.05	20.1%
6081.11 · Well Sampling and Services	4,524.00	13,000.00	-8,476.00	34.8%
6081.2 · Equipment and Supplies	5,814.31	6,000.00	-185.69	96.9%
6081.3 · Miscellaneous	3,899.95	9,750.00	-5,850.05	40.0%
<b>Total 6081.0 · REGULATORY COMPLIANCE</b>	<b>20,280.21</b>	<b>58,750.00</b>	<b>-38,469.79</b>	<b>34.5%</b>
<b>6084.92 · GENERAL MANAGEMENT</b>				
6085.0 · Elections	1,044.38	4,000.00	-2,955.62	26.1%
6086.0 · GMA Joint Planning	0.00	100.00	-100.00	0.0%
6086.3 · Special Project Legal Support	0.00	3,000.00	-3,000.00	0.0%
6087.0 · HCP-Completion Project	0.00	12,000.00	-12,000.00	0.0%
6088.0 · HCP-Hicks-Project 11047	22,470.54	58,000.00	-35,529.46	38.7%
6179.0 · LEGISLATION				
6179.1 · Legislation Services	160.00			
<b>Total 6179.0 · LEGISLATION</b>	<b>160.00</b>	<b>2,000.00</b>	<b>-2,000.00</b>	<b>0.0%</b>
6084.92 · GENERAL MANAGEMENT - Other	0.00			
<b>Total 6084.92 · GENERAL MANAGEMENT</b>	<b>23,674.92</b>	<b>79,100.00</b>	<b>-55,425.08</b>	<b>29.9%</b>

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09/20/12  
Accrual Basis

	Sep '11 - Aug 12	Budget	\$ Over Budget	% of Budget
<b>6089.0 · CONTINUING AQUIFER SCIENCE</b>				
6089.1 · Hydrogeologic Characterization	3,100.00	80,500.00	-77,400.00	3.9%
6089.2 · Water Chemistry Studies	740.00	4,000.00	-3,260.00	18.5%
6089.3 · Miscellaneous	13,691.93	23,250.00	-9,558.07	58.9%
6089.0 · CONTINUING AQUIFER SCIENCE - Other	1,790.00			
<b>Total 6089.0 · CONTINUING AQUIFER SCIENCE</b>	<b>19,321.93</b>	<b>107,750.00</b>	<b>-88,428.07</b>	<b>17.9%</b>
<b>6090.0 · Conservation Credits</b>	<b>0.00</b>	<b>25,000.00</b>	<b>-25,000.00</b>	<b>0.0%</b>
<b>6091.0 · DISCRETIONARY FUNDS</b>				
6091.1 · Principal BS	785.01	3,000.00	-2,214.99	26.2%
6091.2 · Senior BH	308.88	1,500.00	-1,191.12	20.6%
6091.3 · Senior JD	1,500.00	1,500.00	0.00	100.0%
6091.4 · Senior DCW	1,495.60	1,500.00	-4.40	99.7%
<b>Total 6091.0 · DISCRETIONARY FUNDS</b>	<b>4,089.49</b>	<b>7,500.00</b>	<b>-3,410.51</b>	<b>54.5%</b>
<b>6100.0 · INSURANCE - DISTRICT</b>				
6101.0 · Liability & Property - Pre-paid	3,766.20			
6102.0 · Insurance not pre-paid (bonds)	771.47			
6100.0 · INSURANCE - DISTRICT - Other	0.00	3,732.00	-3,732.00	0.0%
<b>Total 6100.0 · INSURANCE - DISTRICT</b>	<b>4,537.67</b>	<b>3,732.00</b>	<b>805.67</b>	<b>121.6%</b>
<b>6150.0 · INSURANCE - GROUP</b>				
6151.1 · Health Insurance Employee	55,187.08	59,240.00	-4,052.92	93.2%
6151.11 · Health Insurance Dependents	6,032.07	8,300.00	-2,267.93	72.7%
6151.2 · Dental Insurance Family	10,112.93	11,308.00	-1,195.07	89.4%
6151.3 · Life Insurance Employee	8,631.00	8,500.00	131.00	101.5%
6151.4 · Vision Reimbursement Employee	386.97	1,800.00	-1,413.03	21.5%
<b>Total 6150.0 · INSURANCE - GROUP</b>	<b>80,350.05</b>	<b>89,148.00</b>	<b>-8,797.95</b>	<b>90.1%</b>
<b>6160.0 · LEGAL SERVICES</b>				
6161.0 · General Matters / Personnel	24,481.17			
6164.0 · Redistricting	19,454.73	19,500.00	-45.27	99.8%
6166.0 · City of Kyle	3,104.29			
6167.0 · Rules & ByLaws Issues	500.00			
6168.0 · Jeremiah Ventures	7,225.90			
6168.1 · Hill Country PGMA	40.00			
6168.3 · De-Annexation	424.03			
6160.0 · LEGAL SERVICES - Other	0.00	45,000.00	-45,000.00	0.0%
<b>Total 6160.0 · LEGAL SERVICES</b>	<b>55,230.12</b>	<b>64,500.00</b>	<b>-9,269.88</b>	<b>85.6%</b>
<b>6170.0 · PROFESSIONAL SERVICES</b>				
6173.0 · Financial Annual Audit	11,000.00	11,000.00	0.00	100.0%
6175.0 · Engineers	0.00	5,000.00	-5,000.00	0.0%
6176.0 · Website and Database	3,888.75	7,200.00	-3,311.25	54.0%
6177.0 · The Standard Ret Plan Admin	9,756.84	8,500.00	1,256.84	114.8%
<b>Total 6170.0 · PROFESSIONAL SERVICES</b>	<b>24,645.59</b>	<b>31,700.00</b>	<b>-7,054.41</b>	<b>77.7%</b>

**Barton Springs Edwards Aquifer  
Profit & Loss Budget vs. Actual  
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09/20/12  
Accrual Basis

	Sep '11 - Aug 12	Budget	\$ Over Budget	% of Budget
<b>6180.0 · PROFESSIONAL DEVELOPMENT</b>				
6182.0 · Travel & Meals	260.20			
6183.0 · Registration Fees	6,893.80			
6180.0 · PROFESSIONAL DEVELOPMENT - Other	0.00	13,500.00	-13,500.00	0.0%
<b>Total 6180.0 · PROFESSIONAL DEVELOPMENT</b>	<b>7,144.00</b>	<b>13,500.00</b>	<b>-6,356.00</b>	<b>52.9%</b>
<b>6199.0 · SALARIES AND WAGES</b>				
6200.0 · Salaries	644,050.04	639,006.00	5,044.04	100.8%
<b>Total 6199.0 · SALARIES AND WAGES</b>	<b>644,050.04</b>	<b>639,006.00</b>	<b>5,044.04</b>	<b>100.8%</b>
<b>6202.0 · Payroll Direct Deposit Expenses</b>	<b>499.94</b>			
<b>6203.0 · TAXES &amp; BENEFITS</b>				
6203.1 · Workers Comp Insurance Pre-p	2,077.85	2,064.00	13.85	100.7%
6203.2 · Payroll Tax Expenses-FICA-Med	49,536.53	56,709.00	-7,172.47	87.4%
6203.3 · Retirement-District Contributio	44,863.98	49,950.00	-5,086.02	89.8%
6203.4 · Texas Workforce C3 Taxes	2,812.69	2,500.00	312.69	112.5%
6203.7 · Accrued Vacation Expense	-5,806.50			
<b>Total 6203.0 · TAXES &amp; BENEFITS</b>	<b>93,484.55</b>	<b>111,223.00</b>	<b>-17,738.45</b>	<b>84.1%</b>
<b>Total Expense</b>	<b>1,171,550.23</b>	<b>1,452,224.00</b>	<b>-280,673.77</b>	<b>80.7%</b>
<b>Net Ordinary Income</b>	<b>263,537.88</b>	<b>-17,054.00</b>	<b>280,591.88</b>	<b>-1,545.3%</b>
<b>Other Income/Expense</b>				
Other Income	0.00	59,935.00	-59,935.00	0.0%
9000.00 · Transfer from Reserves	0.00	59,935.00	-59,935.00	0.0%
<b>Total Other Income</b>	<b>0.00</b>	<b>59,935.00</b>	<b>-59,935.00</b>	<b>0.0%</b>
<b>Other Expense</b>				
9001.00 · Transfer to Reserves	0.00	20,000.00	-20,000.00	0.0%
<b>Total Other Expense</b>	<b>0.00</b>	<b>20,000.00</b>	<b>-20,000.00</b>	<b>0.0%</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>39,935.00</b>	<b>-39,935.00</b>	<b>0.0%</b>
<b>Net Income</b>	<b>263,537.88</b>	<b>22,881.00</b>	<b>240,656.88</b>	<b>1,151.8%</b>



## Staff Policy - Purchasing Guidelines

Implemented 7/30/98

Revised 2/18/00, 6/16/00, 10/21/03, 6/8/06, 10/26/06, 09/11/08, 05/14/2009, 9/27/2012

### Guiding Principles

This policy is intended to facilitate the successful completion of District activities within the financial requirements and guidelines contained in the District's Rules & Bylaws and in applicable State statutes. Communication and diligence are the keys to an efficient District financial management program.

The General Manager is ultimately accountable for all of the District's finances. The Administration Team Leader is responsible for forecasting and executing required balance transfers between the District's TexPool funds and the District's checking accounts to maintain the necessary account balances. Programmatic Team Leaders and Project Managers are responsible for coordinating their teams' activities and identifying their financial needs to the General Manager and to the Administration Team Leader on an ongoing basis.

### General Authorities

The general authorities differ, depending on whether purchases are for professional services or non-professional goods and services.

#### Part 1 – Non Professional Services and Purchase Orders

The following guidance in this Part 1 refers to procurement of goods and services that are not professional services.

Each individual employee will have "signature authority" on ~~p~~Purchase ~~o~~Orders (POs) and reimbursements up to \$100.00 for purchases within a team's approved budget. Documentation for purchases less than \$100.00 will no longer be required to be submitted to the General Manager for prior approval. Project Managers and Team Leaders will have personal signature authority for team-budgeted expenses up to \$500.00. The Assistant General Manager will have signature authority -for budgeted expenses up to \$2,000.00. The General Manager will have signature authority for budgeted expenses up to \$5,000.00, and the Board must approve expenses beyond \$5,000.00, or expenses that require a budget amendment. Only the General Manager will be authorized to approve expenditures, whether by PO/check or by reimbursement/check, beyond the requesting individual's signature authority. Receipts will be required on any purchased item in an amount of \$20.00 or greater for any purpose and by any method.

Expenditures by or reimbursements of any employee from *petty cash* will be authorized in the maximum amount of \$75.00 per purchase, and will require the employee to furnish only a receipt (if over \$20.00) and a notation of purpose. The petty cash fund will be maintained at \$300.00 to accommodate this increased authorization. While all employees are authorized to make expenditures up to \$100.00, provided the expenses are budgeted, reimbursement for any

expenditure(s) over ~~\$50.00~~75.00 (or otherwise not using petty cash) will require properly completing, including receipts and approval as needed, an *Employee/Director Expense Reimbursement* form, wherein a check will be issued for the total reimbursement amount claimed. Any purchase defrayed directly by District check, i.e., not a reimbursement check, in any amount must have a Purchase Order properly filled out and approved, as needed, before the purchase is made.

Purchase orders are not necessary for travel expenses, as employee travel is either pre-approved by the Board for out-of-state travel, or pre-approved by the General Manager for in-state travel. All such travel will be authorized via a properly completed *Request for Authorization to Travel* form. Travel expenses for out of town travel are reimbursed via the *Travel Expense Report* form, and travel and incidental expenses for in-town travel are reimbursed via the *Employee/Director Expense Reimbursement* form; both of these must be approved and signed by the General Manager before reimbursement. All travel expenses of any kind must be consistent with the District's travel policy to be eligible for reimbursement, a judgment made at the discretion of the General Manager. Requests for *per diem* or other travel advances must be made in reasonable advance of the need on the *Request for Authorization to Travel* form, to ensure requested funds are available.

Non travel-related credit card purchases on the District credit card by employees for expenses that are beyond their signature authority will require completed and approved purchase orders before such purchases are made. Credit card purchases made on the District credit card by employees for amounts within their signature authority must provide receipts and document the purpose of the purchase to Accounting immediately upon returning to the office.

Procurement of all goods and services not previously purchased and greater than \$250.00 but less than \$500.00 requires 3 phone quotes, recorded on the *Competitive Pricing Bids* form. Such purchases greater than \$500.00 but less than \$5,000.00 require 3 written quotes from vendors and the General Manager's verbal or written authorization to obtain bids. All purchases greater than \$5,000.00 require prior Board approval. Approval may come from within a Board approved grant, similar type contractual authorization, adopted budget, or other Board action.

If a good or service is demonstrably sole source, bid and quote requirements are waived; however, the basis for the sole-source selection must be documented on a *Competitive Pricing Bids* form. Long-term contract services such as newsletter production and maintenance agreements can be competitively bid for extended periods of time.

All invoices for goods and services presented to the District for payment shall provide adequate documentation to assure the expense is properly recorded and authorized within established budget constraints, District policy, and generally accepted accounting practices (GAAP).

## **Part 2 - Professional Services Procurement**

Procurement/purchase of professional services is addressed in this Part 2.

Purchase of any and all professional services, as defined by Government Code Chapter 2254 and Water Code Chapter 36, must adhere to the State's Professional Services Procurement Act (PSPA).

Selection of such services, regardless of contractual level of effort and size, must be demonstrably based first on qualifications of those offerors with whom there is a reasonable likelihood of negotiating a contract acceptable in all respects, and then (and only then) on selecting the most qualified of those offerors to attempt negotiation of an acceptable price and other conditions. If such negotiation is unsuccessful, then the District will negotiate with the second most qualified offeror, and so on. In no circumstance will selection of a professional services provider be based first and/or foremost on bid price, and competitive bidding for professional services based on cost is expressly prohibited.

All professional services for the District must be procured with a properly executed services agreement. The General Manager will involve both staff and the Board as required for evaluating the technical merits and approving the commercial aspects of the services agreement, respectively. The General Manager is provided some discretion in how the demonstration of compliance with the PSPA is documented, roughly corresponding to the size of the District's likely contractual commitment:

- For professional services up to \$1,000.00, which tend to be less customized and more standardized services, documented verbal discussions with two or more prospective vendors on qualifications and availability and their agreement to a general estimated amount will be acceptable as a demonstration of compliance with the PSPA and as a basis for a specific negotiation.
- For efforts from \$1,000.00 to \$5,000.00, i.e., up to the signature authority of the General Manager, informal solicitation and receipt of qualifications materials, properly documented telephone interviews, and simple written statements of interest, capabilities, and conditions, if any, from at least three prospective offerors will be used to demonstrate qualifications-based selection before specific negotiations take place.
- From \$5000.00 to \$25,000.00, written requests for information from at least three prospective offerors will be made, informal discussions and, where possible, in-person interview(s) with interested offerors will be conducted by the General Manager and staff, and then a more comprehensive letter proposal to the Board of Directors will be solicited from the offeror(s) judged more qualified. These letters should set forth the scope and schedule, and the reasons why a prospective offeror should be selected for negotiation of a final contract and any conditions attendant to such contractual work; these letter proposals will serve as the basis for selection of the District's (first) choice for negotiation, with the selection and the negotiated contract approved by the Board in a posted meeting.
- For contractual amounts likely in excess of \$25,000.00, a similar, dual-stage but more formal process will be used, including a written Request for Qualifications/Interest, consensus selection of a short list of prospective offerors, issuance of a more formal Request for Proposals to the short list, and a more rigorous, written evaluation matrix applied to all proposals received. This process will be used to recommend a first-choice candidate to the Board for negotiations, which will approve entering into such negotiations and ultimately, if successful, will approve the final negotiated contract and contractual party.

For any of these, sole-source procurement of professional services is not prohibited but requires rigorous documentation of its necessity and its consistency with the fundamental requirements of the PSPA. Generally the rigor demanded here increases with the size of the contractual commitment. In some instances, an “emergency” sole-source procurement may be required that varies from the procedures above, including absence of prior approval by the Board of Directors, due to timing problems associated with posting and meeting as a Board. But such procurements should be initially as restricted as possible and will then be subsequently deliberated and authorized, in a less restricted condition, as warranted, in a following Board action.

Contractually approved professional services do not require a PO but do require an invoice from the professional services provider, and each invoice must be approved by the General Manager and, if greater than \$5,000.00, by the Board before payment. All invoices presented to the District for approval and payment shall provide adequate documentation and/or the right to be furnished additional documentation that assures the expense is properly recorded and authorized within established budget constraints, District policy, and GAAP.

### **Additional Guidance on Specific Expense Types**

#### **Grant Related Expenses**

Grant Managers are encouraged during the budget development process to be as specific as possible in identifying grant expenditure needs. Grant Managers may authorize expenditures up to \$1,000.00 if the expense is specifically itemized in the approved annual District grant budget. If an expense is not specifically itemized in the approved annual District grant budget, Grant Managers can authorize expenses up to \$500.00 without prior approval from the General Manager if the expense is within normal budget constraints. All expenses over \$1,000.00 or any non-budgeted expenses over \$500.00 require prior written or verbal authorization from the General Manager.

A copy of all Open Grant Contracts must be kept on file with the Administration Team Leader. Legal, engineering, or consultant service contracts that are part of grants should be solicited through a *Request for Qualifications* and the solicitation and selected offeror require approval by the Board of Directors.

Grant Managers will keep the General Manager and the Administration Team Leader apprised in advance of all necessary expenditures, so that necessary fund transfers may be facilitated.

#### **Project Related Expenses**

Project Managers are encouraged during the budget development process to be as specific as possible in identifying project expenditure needs. Project Managers may authorize expenditures up to \$500.00 if the expense is specifically itemized in the approved annual District project budget. All expenses over \$500.00 and/or those that are not specifically itemized in the approved annual District project budget require prior written or verbal approval from the General Manager.

Project Managers will keep the General Manager and the Administrative Program Manager apprised in advance of all necessary expenditures in order to facilitate the necessary fund transfers.

## **Administrative Related Expenses**

All office supplies, administrative outsourcing, copying charges, etc., will be coordinated through the ~~General Services Administration~~-Team Leader. Planning is the key. If you plan to produce a report, or need office supplies, etc., please work with Administration to be sure we have stock to accomplish what you need. Office supply purchases that are not grant, program, or project related of more than \$500.00 require advanced verbal approval by the General Manager or the Assistant General Manager, if any, along with an approved PO. Unless the amount is less than \$75.00 and petty cash is used to make the purchase, routine office supply purchases require a PO that can be initiated and approved by any staff member up to their signature authority, provided the purchase is within normal budget constraints, or otherwise with prior verbal authorization from the General Manager or Assistant General Manager.

## **Routine Lab Expenses**

Lab supplies and laboratory services -- normal and routine supplies that are not grant-specific or itemized in the annual District budget (e.g., chemicals, reagents, tubing, glassware, D.O. water, etc.) and the use of an outside laboratory -- up to \$500.00 can be approved by a Team Leader or Project Manager without prior verbal authorization from the General Manager. Purchases of lab supplies or laboratory services over \$500.00 require prior approval from the General Manager or Assistant General Manager, if any.

If an outside lab is being used for special sampling services, cost recovery from the well owner is suggested prior to obtaining the service from the contract laboratory.

**TASK ORDER NO. 01  
UNDER MASTER SERVICES CONTRACT NO.  
600-FORM-042712**

**Task Order Short Title:**

**Stakeholder Engagement for HCP MAC Initiation**

**Date Issued: September 28, 2012**

**Work to Begin:**

**Not Before 10/2/2012**

and/or

Not After N/A [date]

**Description of Deliverable(s):**

**Engagement and Initial Coordination of HCP's Management Advisory  
Committee**

**Specific Scope of Work:**

Provide civic engagement services related to identifying, soliciting, supporting  
selection, and coordinating involvement of the initial HCP Management  
Advisory Committee during the pre-submittal stage, including facilitating at  
least two meetings of the approved MAC

**Task Order Project Manager and Key Personnel:**

Dave Anderson, Principal

**Task Order Duration:**

Work Completed and Delivered by:

**Not Later Than 5/31/2013**

or

N/A Days of Task Order Issuance

**Task Order Cost Limitation (enter one):**

Fixed Price Basis: \$ \_\_ N/A

or

**Time-and-Materials Basis, Not-to-Exceed: \$6500**

This task order will be governed by the provisions of the Master Services Contract identified above, which controls any disputes that might arise in conducting the specific requirements of this task order.

**Agreed as of \_\_\_\_\_ [date]:**

Authorized Representative of Contractor (name and title):

\_\_\_\_\_

Authorized Representative of District (name and title):

\_\_\_\_\_

## **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 Discussion Topics, related to current staff work areas and specific activities of staff teams and directors. 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 GMA 9 and GMA 10 activities.**
- iii. Update on the status of the Jeremiah Venture's contested Texas Land Application Permit application.**



**STATUS REPORT UPDATE FOR SEPTEMBER 27, 2012, BOARD MEETING**

Prepared by District Team Leaders

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
<b>GENERAL MANAGEMENT TEAM</b>				
	W F Holland			
Summary of Significant Ongoing Activities	WFH	21-Sep-12	General Manager activities and notes	GM activities of note since last report: Assisted in elections process activities and documentation, and defining roles. Continued to fine-tune rule language to address comments received by SAC and legal vetting. Continued coordination concerning saline zone investigations, including discussions with GBRA and technology vendor about a desal demo, and the staff of the new A&M center in SA for brackish Edwards studies... Preparation for and participation in TAGD Texas Groundwater Summit, as panelist and moderator. Participated in TAGD Executive Committee and quarterly Membership meetings. Attended GMA-10 meeting. Attended and provided verbal comments at a TWDB hearing on the pre-publication draft of their revised 356 rules. Continued coordinating revisions to the Management Plan, and process for its promulgation. Prepared and made an invited presentation on drought management and alternative water supplies at a Hays Trinity GCD workshop. Met with attorneys to discuss options concerning the appellate court's decision and direction in the Kyle case. Met with new owners of the Hays (formerly KBDJ) Quarry, who are a prospective permittee for the Trinity well at the quarry, to discuss permitting requirements. Met with USGS to discuss technical work areas of common interest. Met with a liaison for the environmental community to discuss groundwater management issues, especially as related to the upcoming session. Attended the awards ceremony recognizing Camp Fire-Balcones water conservation project, which we supported. Drafted District and GM goals and objectives, and participated in a Board workshop to establish same. Established framework for a new Assistant General Manager role and discussed that with Board. Initiated discussions with staff concerning their 2013 individual incentive projects. Met with Board President on a variety of current-interests topics. Prepared and participated in salary and performance reviews for all staff. Participated in monthly Technical Team meeting and followed up with stakeholders on technical topics. --CLICK for MORE -- Coordinated with Team Leaders on current work areas. Reviewed technical reports prepared by staff. Held one on ones with Team Leaders. Prepared agendas for and attended Board meetings, and reviewed and revised Minutes and prepared meeting
Potential Future Board Considerations	WFH	21-Sep-12	Possible future Board agenda items (not necessarily next Board meeting)	Hold public hearing on revision to rules, and consider their adoption. Adopt proposed management plan, as revised after TWDB for approval, and send to GMA GCDs for comment, and then to TWDB for approval. Continue to address elections requirements. Consider options for addressing Kyle case. Briefings on various ongoing or recently completed staff projects and initiatives. Approve specific task-orders in various work areas to supplement staff resources. Approve ILA(s) with COA for HCP related activities, and set public hearing on same. Approve permit applications. Review new or revised Management Plans of other GCDs in GMAs 9 and 10.
<b>GENERAL SERVICES TEAM</b>				
	Dana Christine Wilson			
Accounts Receivable	DCW	20-Sep-12	Initial FY 2013 billings have gone out and most have been paid.	Several permittees have missed the payment deadline and are currently being contacted.
Election 2012	DCW	20-Sep-12	Various and many election duties.	Including but not limited to ballot proofing for all 3 counties, and in process of additional Election Order to contain Travis County Joint Election Agreements and revised polling places.
Election 2012	DCW	20-Sep-12	Next important task -	Period for posting notice of election October 7 through 27, last day to post notice of election October 16.
Accounts Receivable	DCW	20-Sep-12	October invoices mailed out - due On October 5th and late on October 16th.	Total invoices amount - \$25,301.21.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Accounts Receivable / Drought Management Fees	DCW	20-Sep-12	All DMFs for FY 2012 have now been received/paid.	Total FY 2012 DMFs collected is \$9650.
Audit 2012	DCW	20-Sep-12	Preparing for FY 2012 annual financial audit.	Many tasks not yet completed for process to begin (conservation credit application, DMF final calculations and entry, September bank statement reconciliations, etc.)
Budget	DCW	20-Sep-12	In process of entering new FY 2013 budget into accounting system.	Not yet done.
Tax Reporting	DCW	20-Sep-12	Quarterly Taxes - C3 and 941.	For period July/August/September.
Pension / Trust Accounting	DCW	20-Sep-12	Trust Accounting	Annual payroll consensus reporting in process.
Administration - Policy	DCW	20-Sep-12	Beginning to red-line the employee policy manual	To include several sub-policies, and updates and edits.
District Management Plan	DCW/KH	20-Sep-12	Management Plan has been submitted to TWDB.	Waiting for response from TWDB.
Administration	DCW	20-Sep-12	Transferring last year's files out and new year's files in.	End of year tasks still in process (vacation payable, pre-paid calculations, etc.)
<b>REGULATORY COMPLIANCE TEAM</b>				
John Dupnik				
Enforcement	JD, KBE	19-Sep-12	Circle C (GreyRock) Golf Club	The well modification application has been approved and sampling prior to modification has been conducted. Water quality parameters (specifically sulfate and TDS) were elevated as expected. Staff will continue to work with Grey Rock on next steps which include the well recompletion, pump test planning, water quality sampling, and processing of a production permit application.
Drought Management	JD, KBE	19-Sep-12	Drought Compliance Monitoring and Enforcement	The District is currently in "no drought" status. There are no pending enforcement cases.
Rule Development and Review	JD, KH	19-Sep-12	Identify scope and develop provisions for future possible rule changes.	A markup of the rules incorporating the concepts approved by the Board have been distributed to the SAC with a deadline for comments to be submitted prior to the next Board meeting. The rule package is the subject of a public hearing and possible action at the upcoming Board meeting.
Well Drilling in Austin	JD	19-Sep-12	Assist the City in developing processes and protocol for permitting.	Staff has attended workshops and meetings and presented information to the City to assist them in developing a permitting program that will ensure that all new wells drilled within the City of Austin city limits and outside of the District are in compliance with existing codes and ordinance and minimum state construction standards. Staff will continue to assist in this effort.
Sky Ranch Water Quality Protection Land/City of Austin	JD	19-Sep-12	Well Modification	Staff has been working with the City of Austin to refine the well modification design.
Avana Well	JD, KBE	19-Sep-12	Well plugging	A plugging application is expected to be filed soon. Avana is working with the Well Spec Company to determine the appropriate plugging method.
The Inn on Onion Creek	JD, KBE	19-Sep-12	Permitting options for additional supply	Staff met with the current owner and prospective owner of The Inn on Onion Creek to discuss permitting options for additional water supply. The prospective owner has plans to expand the business.
Wildflower Center well	JD, KBE	19-Sep-12	Well Modification, Middle Trinity Production Permit	Staff has been discussing well modification and Middle Trinity Production Permit options with the Wildflower Center. The well would need to be recompleted to comply with well construction standards before a production permit could be issued.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
<b>KBDJ/Summit Materials</b>	JD, KH	19-Sep-12	Middle Trinity Production Permit	Staff attended a meeting with new ownership of KBDJ and their lawyer to discuss moving forward with Middle Trinity Production Permit. An application is expected to be filed shortly.
<b>Current Active Applications</b>	JD, KBE	19-Sep-12	Gene Burruss Trinity Well, Small Middle School Monitor well, Mike Kelly NDU, Ray Stevens NDU, Jared Ralston Exempt Well	Gene Burruss's Middle Trinity application was deemed administratively complete as of August 27, 2012. Staff then received and email from Mr. Burruss about a week later stating that he would like to withdraw his application; expressed the reasons were due to final cost estimate exceeding expectations, uncertainty in Middle Trinity water quality, and City of Austin involvement. Mr. Burruss is now considering a Class C Conditional Edwards permit. The Ralston exempt well has been drilled, staff is waiting for state well report. All other applications are not administratively complete and are currently under review.
<b>EDUCATION &amp; OUTREACH</b>				
<b>Groundwater to the Gulf</b>	RG	10-Sep-12	Strategic planning meeting	To better secure stable funding for G2G, the sponsorship committee started working on a sponsorship plan and timeline. The goal is to develop better relationships with sponsors & to secure multi-year commitments.
<b>Creek Cleanup</b>	RG	11-Sep-12	Williamson Creek Cleanup	In collaboration with the City of Sunset Valley and Keep Austin Beautiful, the District will host a Williamson Creek Cleanup on Saturday, October 13, 2012, from 9:30-12:30. Advertising and posting has begun. Website, Facebook, and flyers have been updated and posted.
<b>College and Camp Scholarships</b>	RG, JG	12-Sep-12	2013 Scholarship Applications Updated	The 2013 Camp Scholarship and Kent Butler Memorial Groundwater Stewardship College Scholarship rules and applications have been updated and posted online. Active advertisement will begin after the first of the year.
<b>Sewage Spill Research</b>	RG	19-Sep-12	Texas State University Advanced GIS Class	Robin will help guide this year's Advanced GIS project looking at sewage leaks, septic systems, and trends in the Barton Springs segment of the Edwards Aquifer with Annalisa Pence of the Greater Edwards Aquifer Alliance. This is a continuation of project last semester dealing with the same topic, but focused on the San Antonio segment of the Edwards Aquifer.
<b>Well Owner Guide</b>	RG	20-Sep-12	Well Owner Guide	Robin has started development of a Well Owner Guide designed for residential exempt and NDU well owners. Categories covered are District overview, regional aquifers, well head protection, well construction, water quality, filtration/treatment options, drought history, drought impacts, research, and resources.
<b>Internet Traffic Report</b>	RG	20-Sep-12	Page views and visits to the District Website	On the District website over the past month, we've had 2,331 page views from 1,001 unique visits. Top pages viewed (in order of hits) are the home page (628 views), Drought Status (260 views), and the Staff page (92 views). On the District Facebook page we have 76 people who have signed up to 'Like' us and have reached 148 with posts this month.
<b>AQUIFER SCIENCE</b>				
<b>Dye Tracing</b>	BS, BH	20-Sep-12	Dye tracing	A report on the Blanco River dye traces conducted in 2009 was finalized by EAA in August 2012. District staff were included as authors on this report. A dye trace was conducted by the District in February in the sinkhole that opened in the bottom of the sedimentation pond at the Arbor Trails shopping center. Initial results of the dye trace indicate that dye injected into the sinkhole reached Barton Springs in a few days.
<b>319(h) Grant</b>	BS, BH	20-Sep-12	Onion Creek Recharge Enhancement Project	The grant officially ended on August 31, but the District is committed to continuing upkeep and improvements to the system at Antioch and Sky Ranch. A final QAPP for the CWQMIN sites has been submitted to TCEQ.
<b>Water-Quality Studies</b>	BS, BH	20-Sep-12	Sampling and analysis of groundwater and surface water	Summer sampling, as part of the TWDB sampling program, has been completed.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Saline Zone Studies	BS, BH	20-Sep-12	Installation of multiport monitor well	Plans are moving forward for installation of a saline Edwards multiport well in conjunction with a test well installed by TDS.
Drought and Water-Level Monitoring	BH, BS	20-Sep-12	Drought status, monitor wells, and synoptic water level events	As of September 20, 2012, flow at Barton Springs is at about 56 cfs and depth to water in the Lovelady well is 163.6 ft.
Information Transfer	BS, BH	20-Sep-12	Presentations, conferences, reports, and publications	Aquifer Science staff presented a paper at the Emerging Issues in Groundwater conference hosted by NGWA. The conference was held on Feb.27-28 in San Antonio. Aquifer Science staff are also working on the GCAGS conference that will be held in Austin in October 2012, and will be presenting several papers at the conference.
<b>AD-HOC TEAMS</b>				
Technical Team	BAS	20-Sep-12	Current areas of discussion	Key topics of discussion for September were saline zone studies and Woodcreek (Wimberley) well sampling. Science staff from Interra visited the District during the Sept. meeting to discuss various projects.
Planning Team	WFH	21-Sep-12	Strategic and tactical planning and discussion topics	Consider staffing needs and plans. Establish AGM role and responsibilities. Prepare master list of Board and Staff new reports and processes specified in new MP. Reconcile current year and next-year budgeted expenditures. Assess holiday vacations and need to close office. Evaluate possible office space reconfiguration for improved efficiency and additional office. Will be evaluating how policy, procedure, and documentation need to be revised to conform to current SAO audit emphases.
<b>UPCOMING ITEMS OF INTEREST</b>				
Second September Board Meeting		27-Sep-12	PH on Proposed Rules: Possibly adoption of new Management Plan	
Hays County Long-range Water Planning and Coordination, a dialogue sponsored by Hays Co. Commissioners		24-Sep-12	6:00-8:30 PM, San Marcos Government Center (JD, BL, GF)	
Regional Water Quality Protection Plan work group meeting		28-Sep-12	11 AM - 1 PM, Cannoli Joe's, SSV (CS, JD)	
Regional Water Educators Meeting		03-Oct-12	9 AM - 2 PM, in San Antonio (KH)	
First October Board Meeting		11-Oct-12	Adoption of new Management Plan	
Annual Creek Cleanup, joint event with Sunset Valley		13-Oct-12	9:30 AM - 12 PM; Meeting Place TBA	
8th Biennial Legislative Communications Conference with Ken Arrbrister and Ceannie Morrison, Kirk Watson, and Agency leaders, moderated by Evan Smith		16-Oct-12	8am-4pm, LBJ School Auditorium (\$\$)	
Gulf Coast Association of Geological Societies Annual Convention, Austin, TX		21-Oct-12	Through 1-/2-1/12	
Second October Board Meeting		25-Oct-12		
TWCA Fall Conference and Membership Meeting		25-Oct-12	Through 10/26/12; at Crowne Plaza Riverwalk, San Antonio (KH?)	

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Edwards Aquifer Monitoring Technical Group (new)		26-Oct-12	8:30 AM - 12:30 PM, 3rd Floor Conference Room, One Texas Center (BH, BAS, JD)	
TAGD Quarterly Meeting, Speakers and Business Sessions		30-Oct-12	through Noon, 10/31; at Lone Star GCD office, in Conroe (KH, JD)	
2012 Texas Water Law Institute		01-Nov-12	through 11/2/12, at AT&T Conference Center, UT Austin (KH, ??)	
General Election Day		06-Nov-12	Including Director Precincts 1, 3, and 4	
Veterans Day Holiday - Office Closed		12-Nov-12		
Leadership Austin panel on water issues		14-Nov-12	10-11 AM, at AMD's Lonestar campus; KH on panel	
November Board Meeting		15-Nov-12	Tentative - subject to Board approval; Canvass election (must be between 11/14-11/19)	
Thanksgiving Holidays - Office Closed		22-Nov-12	and 11/23/12.	
December Board Meeting		13-Dec-12	Tentative - subject to Board approval	
Last Day of Mandatory Election Office Hours		17-Dec-12		
Christmas Holidays - Office Closed Monday, Tuesday, and Wednesday		24-Dec-12	Through 12/26	

## **Item 3**

### **Routine Business**

**c. Directors' Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.**

**Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:**

- **Meetings and conferences attended or that will be attended;**
- **Conversations with public officials, permittees, other stakeholders, and private citizens;**
- **Kudos and recognition of people doing good things for groundwater management in the District;**
- **Concerns about specific issues or problems for groundwater management in the District.**

## **Item 4**

### **Public Hearing**

**The Board will hold a public hearing on proposed revisions to the District Rules and Bylaws related generally to: definitions, permit application requirements, considerations for actions on permits, provisions related to adjusting permitted volumes, multi-user well requirements, nonexempt domestic use wells, temporary transfer permits, designation and retirement of historic-use status, Desired Future Conditions (DFCs) and Modeled Available Groundwater (MAG) estimates for District aquifers, permit and drought requirements for conditional permits, conservation-oriented rate structures for public water systems, drought stage triggers, drought contingency plans, curtailment of historical permits in Emergency Response Periods (ERP), alternate curtailment schedules for historical permits, enforcement of drought rules, officer election dates, hearing and protest procedures, well construction standards, and other general administrative clarifications and corrections. (6:05 p.m.)**

**Summary of Substantive Proposed Rule Changes**  
**Public Hearing: 9-27-12**

Rule	Section	Summary
General	throughout rules	<ul style="list-style-type: none"> <li>• Incorporated statutory changes from new legislation including SB 332, SB 660, SB 691, SB 692, SB 693, SB 727, and SB 737</li> <li>• Incorporated DFCs adopted by GMA 10 and MAGs provided by the TWDB</li> <li>• Replaced term "<i>Managed Available Groundwater</i>" with "<i>Modeled Available Groundwater</i>" to reflect new legislative changes and revised definition to be consistent with TWC §36</li> <li>• Updated rules to clarify that information on new wells must be submitted with registration to determine exempt status and clarify that prior authorization for drilling is only required for nonexempt wells</li> <li>• Added provision to authorize the reduction in permitted pumpage if permitted pumpage is no longer commensurate with reasonable non-speculative demand or actual pumpage.</li> <li>• Deleted references to "Well development/Registration" applications</li> <li>• Deleted all provisions related to old rule requiring complete curtailment of historical non-public supply pumpage during ERP</li> <li>• Deleted all provisions related to Temporary Transfer Permits</li> <li>• Added new provisions related to applicant's option to have hearings conducted by SOAH</li> </ul>
2-1	Definitions	<ul style="list-style-type: none"> <li>• Revised definition of "<i>Desired Future Condition</i>" to be consistent with TWC §36 and TWDB §356 definitions</li> <li>• Replaced term "<i>Drilling Authorization</i>" with "<i>Well Drilling Authorization</i>," revised to clarify that authorization for drilling is only required for nonexempt wells, and made distinction from production permit</li> <li>• Revised definition for "<i>Exempt Well</i>" to clarify that exempt status is designated on the basis of well use and characteristics</li> <li>• Revised definition for "<i>Extreme Drought Withdrawal Limitation</i>" to distinguish from the extreme drought MAG</li> <li>• Added new definition for "<i>Multi-user Well</i>" to include a new well type for non-public supply wells used by multiple users on adjacent properties.</li> <li>• Revised definition for "<i>Nonexempt Well</i>" to clarify that both a well drilling authorization and production permit is needed to authorize pumpage from a new nonexempt well</li> </ul>



**Summary of Substantive Proposed Rule Changes  
For August 23, 2012 Board Meeting**

<b>Rule</b>	<b>Section</b>	<b>Summary</b>
		<ul style="list-style-type: none"> <li>Deleted definition for "Well development/Registration Application." Term was unnecessary</li> </ul>
<b>2-4</b>	Rules Procedure for Rulemaking	Moved section to new section 4-10 of Bylaws
<b>3-1.4</b>	Application Requirements	<ul style="list-style-type: none"> <li>Removed payment of water use fees as a requisite component of an administratively complete application</li> <li>Added application information requirements for "multi-user wells" and new well construction schematics</li> </ul>
<b>3-1.4.C</b>	Decision to Hold a Public Hearing	Revised to clarify actions triggering hearings and procedures for both District and SOAH hearings
<b>3-1.6.A.</b>	Action on Permits	<ul style="list-style-type: none"> <li>Revised to clarify that requests for authorized pumpage shall be commensurate with reasonable non-speculative demand for the proposed use</li> <li>Added compliance with the extreme drought MAG for the freshwater Edwards management zone as a consideration in permit actions</li> <li>Added compliance with DFCs established for all other management zones using specified criteria as a consideration in permit actions</li> </ul>
<b>3-1.8</b>	Permit Renewal	Added provision related to reduction in permitted pumpage upon renewal
<b>3-1.11</b>	Permit Conditions and Requirements	Added new standard permit conditions related to Multi-user wells and permitted pumpage reductions
<b>3-1.13</b>	Modification of Permits	Added provision related to reduction in permitted pumpage by permit modification
<b>3-1.17.M</b>	Fees	Deleted provision allowing certain water use fee credits during an ERP. Rule referenced is no longer a rule
<b>3-1.20.B</b>	Nonexempt Domestic Use Permits	Clarified eligibility criteria to include wells located in service area of a water supplier unable to readily supply water
<b>3-1.20.E</b>	Temporary Transport Permits	Deleted section due to limited utility and applicability
<b>3-1.22.B</b>	Designation of Historic Use Status	Added provision allowing historic use status designation for additional pumpage authorized by an agreement to comply with an alternative accelerated curtailment schedule
<b>3-1.22.E</b>	Retirement of Historic Use	<ul style="list-style-type: none"> <li>Reorganized and edited provisions for clarity</li> <li>Added provision describing procedures for recognizing transactions to retire historical freshwater Edwards permits</li> </ul>
<b>3-1.23</b>	Maximum Allowable Withdrawals	Incorporated extreme drought and all-conditions DFCs adopted by GMA 10 and MAGs provided by the TWDB for each management zone

**Summary of Substantive Proposed Rule Changes  
For August 23, 2012 Board Meeting**

<b>Rule</b>	<b>Section</b>	<b>Summary</b>
<b>3-1.24</b>	Conditional Permits	<ul style="list-style-type: none"> <li>• Incorporated the all-conditions MAG into the rules limiting permitted pumpage under Class A, B, and C to an aggregate total of 14.0 cfs which reserves 2.0 cfs for Class D (ASR) permits</li> <li>• Removed the Class-specific permitted pumping limits for Class A, B, and C permits</li> </ul>
<b>3-1.24.C</b>	Class A Conditional Permits	<ul style="list-style-type: none"> <li>• Added a provision allowing certain exempt wells converted to nonexempt uses to be eligible for Class A permits</li> <li>• Deleted Class A eligibility requirement for amendments to existing Historical and Class A permits and moved to section 3-1.24.D to allow eligibility under Class B permits</li> </ul>
<b>3-1.24.E</b>	Class C Conditional Permits	<ul style="list-style-type: none"> <li>• Added provision that limits monthly authorized pumpage under Class C permits to the monthly baseline volume specified in the UDCP during non-drought conditions</li> </ul>
<b>3-2.7</b>	Sub-metering of Multi-user wells	<ul style="list-style-type: none"> <li>• Added section requiring that each connection of a multi-user well be individually sub-metered and reported monthly by the well owner</li> </ul>
<b>3-6.1</b>	Conservation-oriented rate structure	<ul style="list-style-type: none"> <li>• Revised to require that utilities adopt an effective conservation-oriented rate structure within two years of the effective rule date or upon the next rate case, whichever is earlier</li> <li>• Revised to indicate intent to consider whether conservation rate structures were adopted when determining penalties for drought rule violations</li> </ul>
<b>3-7.3</b>	Drought Stages and Triggers	<ul style="list-style-type: none"> <li>• Updated drought trigger levels at the Lovelady Drought Indicator Well to reference water-level elevations rather than depth to water</li> </ul>
<b>3-7.5</b>	User Drought Contingency Plans	<ul style="list-style-type: none"> <li>• Added a UDCP requirement to declare intent to comply with District rules and implement UDCP measures</li> </ul>
<b>3-7.6</b>	Temporary Transfer Permits	<ul style="list-style-type: none"> <li>• Deleted section due to limited utility and applicability</li> </ul>
<b>3-7.7</b>	Permittee Responsibilities	Recodified section as §3-7.6 and renumbered subsequent sections
<b>3-7.6.B(4)*</b>	Emergency Response Period	<ul style="list-style-type: none"> <li>• Added requirement for 50% curtailment during an ERP</li> <li>• Provide 36-month period before 50% curtailment requirement becomes effective</li> <li>• Specify compliance with ERP curtailments to be measured as rolling 90-day average after first 3 months of declared ERP</li> <li>• Allow compliance with Stage IV Exceptional Drought curtailments during initial 3 months of ERP</li> <li>• Allow roll back of ERP curtailment requirement if</li> </ul>

**Summary of Substantive Proposed Rule Changes  
For August 23, 2012 Board Meeting**

<b>Rule</b>	<b>Section</b>	<b>Summary</b>
		<p>total pumpage (authorized and estimated exempt) is less than the Extreme Drought MAG</p> <ul style="list-style-type: none"> <li>Deleted 85% curtailment requirement during ERP for certain Historical non-public water supply permits including provisions requiring alternative supply demonstration</li> </ul>
<b>3-7.6.B(5)*</b>	Accelerated Curtailment Schedule for Historical Permits	<ul style="list-style-type: none"> <li>Added provision that allows an increase in non-drought historical pumpage in exchange for increased curtailment requirements during drought</li> </ul>
<b>3-7.6.C(1)(a)*</b>	Special Drought Requirements for Conditional Permits	<ul style="list-style-type: none"> <li>Added provision that limits monthly authorized pumpage under Class C permits to the monthly baseline volume specified in the UDCP during non-drought conditions.</li> </ul>
<b>3-7.10*</b>	Enforcement/Penalties During Drought	<ul style="list-style-type: none"> <li>Added use of an effective conservation-oriented rate structure as an example in factors to be considered in determining penalties for drought violations</li> </ul>
<b>4.1.1</b>	Composition of Officers	<ul style="list-style-type: none"> <li>Moved the officer election date from June to December</li> </ul>
<b>4.9.4/4-9.13</b>	Hearings and Protests	<ul style="list-style-type: none"> <li>Added new provisions related to applicant's option to have hearings conducted by SOAH</li> </ul>
<b>5-5.2</b>	Wells in FW/Saline Edwards MZ	<ul style="list-style-type: none"> <li>Added provision to allow additional depth beyond base of Edwards in certain situations</li> </ul>
<b>5-10.A</b>	Standards for Closed Loop Geothermal Wells	<ul style="list-style-type: none"> <li>Added provision that requires more stringent standards if warranted</li> </ul>
<b>5-11.3</b>	Plugging Report	<ul style="list-style-type: none"> <li>Revised language to require reports within 30 days to be consistent with state requirements</li> </ul>

\* denotes revised section references and numbering.

## **Item 5**

### **Board discussions and possible actions**

**a. Discussion and possible action related to Discussion and possible action related to approving the proposed revisions to the District Rules and Bylaws related generally to: definitions, permit application requirements, considerations for actions on permits, provisions related to adjusting permitted volumes, multi-user well requirements, nonexempt domestic use wells, temporary transfer permits, designation and retirement of historic-use status, Desired Future Conditions (DFCs) and Modeled Available Groundwater (MAG) estimates for District aquifers, permit and drought requirements for conditional permits, conservation-oriented rate structures for public water systems, drought stage triggers, drought contingency plans, curtailment of historical permits in Emergency Response Periods (ERP), alternate curtailment schedules for historical permits, enforcement of drought rules, officer election dates, hearing and protest procedures, well construction standards, and other general administrative clarifications and corrections.**

## **Item 5**

### **Board discussions and possible actions**

**b. Discussion and possible action related to approving minor revisions made to the proposed Management Plan in response to comments provided by the TWDB, and then adoption of the proposed District Management Plan and direction to the general manager to transmit the adopted plan to GMA 9 and 10 GCDs for acknowledgement and then to the TWDB for approval.**

## **Item 5**

### **Board discussions and possible actions**

**c. Discussion and possible action related to the November 6, 2012, director elections including: approval of joint election agreements and election services contracts with Hays, Caldwell and Travis Counties; approval of election day polling places; approval of locations, dates and times of early voting; ratification of Board President's actions on election matters since September 13, 2012 Board meeting, adopting orders or amendments to prior Board orders in connection with the election; and, any other action necessary for the November 6, 2012, director elections.**

## **Item 5**

### **Board discussions and possible actions**

**d. Discussion and possible action related to the Austin Court of Appeals decision in *SOS Alliance v. City of Kyle, Goodman et al.*, and the Barton Springs/Edwards Aquifer Conservation District.**

**Item 6**  
**Adjournment**