

## **Texana Groundwater Conservation District Meeting Notice and Agenda**

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.064 of the Texas Water Code that the Texana Groundwater Conservation District Board of Directors will hold a meeting on August 15, 2024 at 6:00 PM at the County Services Building, 411 N. Wells, Edna, Texas.

### **AGENDA**

1. Call the meeting to order and welcome guests.
2. Receive public comments.
3. Consideration of and possible action on matters related to groundwater management including the efforts and activities of the District regarding permitting, complaints, investigations, violations, and enforcement cases associated with permitting.
4. Consideration of and possible action on matters related to groundwater protection including complaints, investigations, violations, and enforcement cases related to groundwater contamination and waste.
5. Consideration of and possible action on matters related to groundwater monitoring.
6. Consideration of and possible action on matters related to groundwater conservation.
7. Consideration of and possible action on matters related to groundwater resource planning including Groundwater Management Area 15 Joint Planning and regional water planning.
8. Consideration of and possible action on matters related to groundwater policy including the Management Plan of the District and the Rules of the District.
9. Consideration of and possible action on matters related to administration and management including the minutes of previous meetings, the annual budget of the district, bank accounts, investments, financial reports of the district, bills and invoices of the district, management goals and objectives of the district, administrative policies, staffing, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.
  - a. Budget recommendation for Fiscal Year 2025.
  - b. Tax rate for Tax Year 2024.
  - c. Certified tax roll for Tax Year 2024.
10. Consideration of and possible action on matters related to legal counsel report.
11. Adjourn.

The Texana Groundwater Conservation District may close the meeting, if necessary, to conduct private consultation with legal counsel regarding matters protected by the attorney-client privilege pursuant to Section 551.071 of the Government Code or to discuss matters regarding personnel pursuant to Section 551.074 of the Government Code. The Texana Groundwater Conservation District will return to open meeting, if necessary, to take any action deemed necessary based on discussion in closed meeting pursuant to Section 551.102 of the Government Code.

In Accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of event you wish to attend.

# Small Taxing Unit Notice

The Texana Groundwater Conservation District will hold a meeting at 6:00 PM on August 15, 2024 at the County Services Building, 411 N. Wells, Edna, TX 77957 to consider adopting a proposed tax rate for tax year 2024. The proposed tax rate is 0.0072 per \$100 of value.

Visit [Texas.gov/PropertyTaxes](https://Texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

# TGCD - Meeting Packet - 20240815

## Item 1.0 - Convene Meeting

### Management Discussion:

Staff completed all necessary public notification requirements for the meeting.

Public Notices:

See: [Public Notice - 20240815 - Board Meeting](#).

See: [Public Notice - 20240815 - Small Taxing Unit Notice](#).

### Management Recommendation:

Call the meeting to order and call the roll of representatives:

Precinct 1: Mr. Boone, Director, \_\_\_\_\_.

Precinct 2: Mr. Michael Skalicky, President, \_\_\_\_\_.

Precinct 3: Mr. Clifford Born, Director, \_\_\_\_\_.

Precinct 4: Mr. Marr, Treasurer, \_\_\_\_\_.

At Large 1: Mr. Jim Revel, Secretary, \_\_\_\_\_.

At Large 2: Mr. Tupa, Vice-President, \_\_\_\_\_.

At Large 3: Mr. Robert Gendke, Jr., Director, \_\_\_\_\_.

General Manager: Tim Andruss, \_\_\_\_\_.

General Counsel: Jim Allison, \_\_\_\_\_.

## Item 2.0 - Receive Public Comment

### Management Discussion:

None.

### Management Recommendation:

Offer to accept public comment from attendees.

## Item 4.0 - Report regarding Groundwater Protection

### Previous Consideration by the Board:

[Meeting Packet for 20240718](#)

### Management Discussion:

Regarding [Well Inspections for FY2024](#).

See: [Item 5.1 - Texas Well Owner Network Well Screening](#).

Regarding [Manage Investigations related to Groundwater Protection for FY2024](#).

No report.

Regarding [Manage Enforcement Cases related to Groundwater Protection for FY2024](#).

No report.

### Management Recommendation:

None.

## Item 4.1 - Texas Well Owner Network Well Screening

### Previous Consideration by the Board:

None.

### Management Discussion:

On July 24, 2024, Mr. Pigg, Coordinator of the Texas Well Owner Network of the Texas A&M AgriLife Extension Service notified staff of an upcoming well screening program to be held for Jackson, Calhoun, and Matagorda Counties on September 23 and 24, 2024. The program will consist of AgriLife personnel accepting and processing groundwater samples collected by well owners and an informational meeting to discuss sample results with participating well owners. The samples will be screened/tested for the following constituents: coliform bacteria, E. coli bacteria, nitrates, salinity and pH. The processing fee is \$15.00 per sample.

Detection and awareness of contamination by well owners could lead to better protection of groundwater resources within Jackson County. Wells with bacterial and nitrate contamination will likely require some treatment and possibly corrective actions to safeguard groundwater resources at and near the subject well.

If the district were to provide financial and technical support (assistance with collection and delivery of samples), staff anticipate gaining more access to wells for monitoring and inspection purposes to support the full achievement of the goals and objectives established in the management plan of the district.

### Management Recommendation:

Move to pay the processing fee for up to 50 wells at a total authorized cost of \$750.00 contingent upon sponsored well owners 1) registering the well with the district, and 2) authorizing staff to inspect the subject well, measure the water level from the subject well if feasible, and measure water quality field measurement from the subject well if feasible.

## Item 9.0 - Report regarding Administration and Management

### Previous Consideration by the Board:

[Meeting Packet for 20240718](#)

### Management Discussion:

Regarding [Election Coordination for CY2024](#).

On July 19, 2024, Mr. Revel resigned from the Board of Directors of the Texana Groundwater Conservation District.

TGCD - Email - Resignation by J Revel - 20240719.pdf

 **Untitled Attachment**

On July 22, 2024, Mr. Skalicky resigned from the Board of Directors of the Texana Groundwater Conservation District.

TGCD - Email - Resignation by M Skalicky - 20240722.pdf

 **Untitled Attachment**

TGCD - Email - Resignation by M Skalicky - 20240722.pdf

Regarding [Financial Audit for FY2023](#).

No report.

Regarding [Investment Management for FY2024](#).

No report.

Regarding [Financial Record Processing and Reporting for FY2024](#).

No report.

Regarding [Budget Development for FY2025](#).

See: [Item 9.1 - FY2025 Budget](#)

See: [Item 9.2 - Tax Rate for TY2024](#)

See: [Item 9.3 - Appraisal Roll for Tax Year 2024](#)

See: [Item 9.4 - JCTAC Interlocal Agreement for FY2025](#)

See: [Item 9.6 - FY2025 Budgetary Authorizations](#)

See: [Item 9.7 - FY2024 Budget Amendments](#)

Regarding [Asset Tracking for FY2024](#).

No report.

Regarding [Public Funds Training for FY2024](#).

No report.

Regarding [Website Improvements](#).

No report.

Regarding [Public Notice and Meeting Coordination for FY2024](#).

The next meetings of the Board are scheduled for October 17, 2024, with each meeting to convene at 6:00 PM. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

Regarding [Performance Audit for FY2023](#).

No report.

Regarding [Project Management for FY2024](#).

No report.

Regarding [Administrative Policy Review for FY2024](#).

No report.

Regarding [Transparency Reporting for FY2024](#).

No report.

Regarding [Cybersecurity Training for FY2024](#).

No report.

Regarding [Consultant Review for FY2024](#).

See: [Item 9.5 - Review of Consultants](#)

Regarding [Open Government Training for FY2024](#).

No report.

Regarding [District Liability Insurance Review and Renewal](#).

No report.

Regarding [Digital Record Archiving for FY2024](#).

No report.

Regarding [Physical Record Archiving for FY2024](#).

No report.

**Management Recommendation:**

None.

## Item 9.1 - FY2025 Budget

**Previous Consideration by the Board:**

None.

**Management Discussion:**

On July 19, 2024, the Board of Directors of the Victoria Groundwater Conservation District considered the operations of the district and their support services provided to other groundwater conservation district including

Texana GCD. Based on this consideration, the VCGCD Board has elected to terminate the existing interlocal agreement with the district (as well as the agreements with RGCD and CCGCD) and offer an agreement intended to improvement of performance of VCGCD staff in providing services to the boards of the VCGCD and cooperating district by increasing VCGCD staffing to 7 full-time employees at a consolidated office for at least a 5-year period. This arrangement would result in significant expenses to be incurred related to additional personnel and associated equipment and office expenses that would be offset by increases to the fees paid to the VCGCD by cooperating districts. (The budgetary information was developed on the presumption that each cooperating district would agree to the arrangement proposed by the VCGCD.)

VCGCD - Notices of ILA Termination - 20240730.pdf

 **Untitled Attachment**

**Annual Fee Schedule for Regular and Routine Expenses**

<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>
\$157,200	\$119,400	\$125,200	\$131,200	\$137,600

**Payment Schedule of fees by Cooperating GCDs to VCGCD (Continual 1-Year Prepay)**

- Fiscal Year 2024 Fees:
  - 4th Quarter of the fiscal year
    - Expense Reimbursement for previous quarter: \$ TDB
    - Regular and Routine Fees for next fiscal year: \$114,000
    - Office and Equipment Fees for FY2025 - FY2029: \$43,000
- Fiscal Year 2025 Fees:
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 1st Quarter of the next fiscal year: \$29,850
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 2nd Quarter of the next fiscal year: \$29,850
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 3rd Quarter of the next fiscal year: \$29,850
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 4th Quarter of the next fiscal year: \$29,850
- Fiscal Year 2026 Fees:
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 1st Quarter of the next fiscal year: \$31,300
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 2nd Quarter of the next fiscal year: \$31,300
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 3rd Quarter of the next fiscal year: \$31,300
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 4th Quarter of the next fiscal year: \$31,300
- Fiscal Year 2027 Fees:
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 1st quarter of the next fiscal year: \$32,800
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 2nd Quarter of the next fiscal year: \$32,800

- Expense Reimbursement for previous quarter: \$ TDB
- Regular and Routine Fees for the 3rd Quarter of the next fiscal year: \$32,800
- Expense Reimbursement for previous quarter: \$ TDB
- Regular and Routine Fees for the 4th Quarter of the next fiscal year: \$32,800
- Fiscal Year 2028 Fees:
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 1st quarter of the next fiscal year: \$34,400
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 2nd Quarter of the next fiscal year: \$34,400
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 3rd Quarter of the next fiscal year: \$34,400
  - Expense Reimbursement for previous quarter: \$ TDB
  - Regular and Routine Fees for the 4th Quarter of the next fiscal year: \$34,400

Staff developed a recommended budget for the fiscal year ending September 30, 2025, that attempts to fund the operations of the District in a manner that provides for 1) the accomplishment of the management plan goals and objectives, 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2024-2025.

Staff developed the proposed budget anticipating continued cooperation with Victoria County GCD through a new long-term interlocal cooperation agreement.

Staff developed the proposed budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 10%
- Groundwater Monitoring: 25%
- Groundwater Protection: 25%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff developed the proposed budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024. The proposed revenue exceeds the proposed expenses for the operating fund by **\$45,700**.

TGCD - Annual Budget - Fiscal Year 2024-2025, Version - Management Recommendation (5yr ILA).pdf

 **Untitled Attachment**

Below is a summary of the Operating Fund Budget by Program of the recommended budget:

<b>Revenue</b>	<b>\$276,390.47</b>
1001 - Administration - Revenue	\$276,390.47
<b>Expense</b>	<b>\$(230,700.00)</b>
1003 - Administration - Technology	\$(10,800.00)

1004 - Administration - General	\$(192,300.00)
2000 - Groundwater Conservation	\$(1,500.00)
3000 - Groundwater Management	\$(5,000.00)
4000 - Groundwater Monitoring	\$(13,100.00)
6000 - Groundwater Protection	\$(5,500.00)
8000 - Groundwater Resource Planning	\$(2,500.00)
<b>Grand Total</b>	<b>\$45,690.47</b>

Staff developed an alternate budget for the fiscal year ending September 30, 2025, that attempts to fund the operations of the District in a manner that provides for 1) the accomplishment of the management plan goals and objectives, 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2024-2025.


Staff developed the alternate budget anticipating discontinued cooperation with Victoria County GCD. This budget anticipates significant increases in expenses related to full-time employees and decreased expenses related to support services provided by VCGCD.

Staff developed the alternate budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 10%
- Groundwater Monitoring: 25%
- Groundwater Protection: 25%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff developed the alternate budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024. The proposed revenue exceeds the proposed expenses for the operating fund by **\$81,800**.

TGCD - Annual Budget - Fiscal Year 2024-2025, Version - Management Recommendation (No ILA).pdf

 **Untitled Attachment**

Below is a summary of the Operating Fund Budget by Program of the alternate budget:

<b>Revenue</b>	<b>\$276,390.47</b>
1001 - Administration - Revenue	\$276,390.47
<b>Expense</b>	<b>\$(194,667.50)</b>
1002 - Administration - Employment	\$(122,467.50)
1003 - Administration - Technology	\$(10,800.00)



1004 - Administration - General	\$(33,800.00)
2000 - Groundwater Conservation	\$(1,500.00)
3000 - Groundwater Management	\$(5,000.00)
4000 - Groundwater Monitoring	\$(13,100.00)
6000 - Groundwater Protection	\$(5,500.00)
8000 - Groundwater Resource Planning	\$(2,500.00)
<b>Grand Total</b>	<b>\$81,722.97</b>

TGCD - Order Adopting Budget for FY2025.pdf

 **Untitled Attachment**

**Management Recommendation:**

Move to adopt the recommended budget for Fiscal Year 2025 by order and authorize the presiding officer to execute the draft interlocal agreements with the Victoria County Groundwater Conservation District.

## Item 9.2 - Tax Rate for TY2024

Previous Consideration by the Board:

None.

**Management Discussion:**

The District completed the public notice requirements related to the required public hearing regarding the proposed tax rate for tax year 2024.

Based on calculations completed by the Jackson County Tax Assessor-Collector, the following tax rates exist for the District for Tax Year 2024:

- No-New-Revenue Tax Rate: \$0.0072/\$100
- Voter-Approval Tax Rate: \$0.0077/\$100

TGCD - TNT Worksheet - 2024 Tax Rate Calculations.pdf

 **Untitled Attachment**

TGCD - Order Adopting Tax Rate for Tax Year 2024.pdf

 **Untitled Attachment**

**Management Recommendation:**

Management Recommendation 1: open the public hearing regarding the proposed tax rate.

Management Recommendation 2: move to close the public hearing after accepting public comment regarding the proposed tax rate.

Management Recommendation 3: move to approve and adopt the No-New-Revenue Tax Rate as the adopted tax rate by order.

## Item 9.3 - Appraisal Roll for Tax Year 2024

**Previous Consideration by the Board:**

None.

**Management Discussion:**

TGCD - Certified Appraisal Roll 2024 - 20240725-01.pdf

 **Untitled Attachment**

TGCD - Order Approving 2024 Appraisal Roll.pdf

 **Untitled Attachment**

**Management Recommendation:**

Move to accept and approve the appraisal roll for Tax Year 2024 and adopt the Order Approving the 2023 Appraisal Roll..

## Item 9.4 - JCTAC Interlocal Agreement for FY2025

**Previous Consideration by the Board:**

None.

**Management Discussion:**

On June 3, 2024, staff received a copy of the interlocal cooperation agreement from the Jackson County Tax Assessor-Collector regarding tax collection services for Tax Year 2024.

 **Untitled Attachment**

Previously, Mr. Allison had identified an error in the agreement in paragraph 6 regarding the payee of a bond to be signed by the JCTAC. Property Tax Code 6.29(b) reads "(b) A taxing unit whose taxes are collected by the collector for another taxing unit, by an officer or employee of another taxing unit or of an appraisal district, or by any other person other than the unit's own collector may require that collector, officer, employee, or other person to give bond conditioned on the faithful performance of his duties. To be effective, the bond must be made payable to and must be approved by and paid for by the governing body of the unit requiring bond in an amount determined by the governing body. The governing body may prescribe additional requirements for the bond."

**Management Recommendation:**

Move to authorize the president of the district to execute the agreement with the Jackson County Tax Assessor-Collector for Tax Year 2024 contingent upon the revision of the agreement and determination that the agreement is legally sufficient by general counsel of the district.

## Item 9.5 - Review of Consultants

**Previous Consideration by the Board:**

[Meeting Packet - 20240118](#)

**Management Discussion:**

The District previously reviewed and considered the services provided by consultants on January 18, 2024. The District has obtained services from Jim Allison of Allison, Bass and Magee, Dr. Venkatesh Uddameri as well as Steve Young of Intera, Inc. in the past. The services provided by each consultant have been considered acceptable by the District. The services provide by Dr. Venkatesh Uddameri and Steve Young of Intera, Inc. have been obtained through interlocal cooperation agreements with the VCGCD..

**Management Recommendation:**

Move to continue the authorization for the General Manager to obtain proposals and services from Dr. Venkatesh Uddameri, Steve Young of Intera, Inc., and other consultants contracted with the VCGCD in accordance with the conditions established in the agreements between VCGCD and the consultants as appropriate.

## Item 9.6 - FY2025 Budgetary Authorizations

**Previous Consideration by the Board:**

None.

**Management Discussion:**

In order to efficiently administer the operations of the district, the board has granted limited authority to the general manager to spend funds on certain expenses that are referred to regular and routine expenses within the constraints of the approved budget. This authorization applies to expenses such as subscription services, lease payments and so on. Other expenses require board consideration and explicit authorization from the board to pay such as invoices from technical consultants and contractors. Regardless of the procedure under which authorization is obtained to spend funds, all expenditure transactions (as well as revenue transactions) are presented to the board for review and oversight within the meeting packets of regular meetings.

When appropriate, the authorization to make payment on non-routine expense is obtained when the associated financial obligation is authorized by the board. This frequently occurs when the Board accepts a proposal from a technical consultant.

However, in some instances, this procedure proves to be inefficient and hinders managements ability to administer the projects of the district designed to achieve the operational objectives of the district. This circumstance frequently arises in instances where the district seeks to sponsor external activities such as proposals to promote water conservation or have a technical matter addressed by a consultant.

**Management Recommendation:**

Move to 1) authorized general manager to engage and pay consultants under the agreements approved by the board and 2) authorize the general manager to award sponsorships and pay the corresponding expenses in accordance with the approved operational budget of the district.

## Item 9.7 - FY2024 Budget Amendments

**Previous Consideration by the Board:**

None.

**Management Discussion:**

Based on a review of the financial transactions recorded by the district though May 31, 2024, and correction of assignment of expenses to budget programs and budget categories, the following amendments are recommended for consideration by the Board.

TGCD - GM Recommended Amendments to FY2024 Budget.pdf

 Untitled Attachment

If approved, the budget surplus anticipated at September 30, 2024, would increase from \$36,700 to \$128,700.

**Management Recommendation:**

Move to approve the recommended amendments to the FY2024 Budget.

## Item 11.0 - Adjourn Meeting

**Management Discussion:**

None.

**Management Recommendation:**

Move to adjourn the meeting after concluding all business of the District.