

## **Backup Material Submitted**

Board Hearing: December 19, 2012

**Agenda Item 4:** Discussion and possible action on adopting Robert's Rules of Order as its parliamentary procedure.

**ISSUE:** The District is a unit of State Government authorized under Chapter 36 of the Texas Water Code as amended by SB 2 in 2001. As a unit of government, the Board is expected to conduct its meetings in an orderly manner with civility and respect for the members of the Board and for the public, which the District serves. The current Board has not designated a parliamentary authority - the book of rules - to govern its meeting procedures. The Board may wish to consider adopting and following a set of parliamentary procedures that will formally address this expectation.

**ANALYSIS:** Many local governments adopt Robert's Rule of Order as the guideline for conducting meetings. Robert's Rule of Order sets out procedures for meetings that help the Board and the public communicate more effectively and manage the time that the Board spends on issues that are before it. Local experts are available to help train the Board in how to apply Robert's Rule of Order. When the Rules are understood and properly applied, all Board members and the public have a clear understanding of Board procedures and meetings generally are conducted more efficiently.

**FINANCIAL IMPACT:** None to minimal. Local experts may be available for a fee.

**BOARD MEMBER RECOMMENDATION:** It is recommended that the Board: 1) consider adopting Robert's Rules of Order as the standard for conducting the public meetings of the Board and 2) that the Board invite a local expert in Robert's Rules of Order to train the Board in its use.

**BOARD MEMBER REPORT SUBMITTED BY:** Ed Pope, December 13, 2012

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**Agenda Item 5:** Discussion and possible action on inclusion of a monthly report listing the status of all pending permit requests, including outstanding renewals and the applications that were held without action as a result of the previous moratorium.

**ISSUE:** There does not exist a readily available report that shows the status of applications for permits to produce groundwater by non-exempt users. Board members, applicants and the public must contact the District staff to obtain this information.

**ANALYSIS:** Permitting non-exempt well owners for pumping of groundwater is one of the Districts primary responsibilities. Information such as the number of permit holders, amount of acre-feet permitted and applications in process is necessary in order to maintain a current and future picture of demand on the aquifer. This type of running report would be invaluable to the Board whenever there are staff changes, such as extended leave of absence or termination of employment. Reports such as this - updated on a regular basis and readily available - can reduce the amount of administrative work when such inquiries are made.

**FINANCIAL IMPACT:** Administrative time for initial creation and updating. Could reduce inquiries for such and the administrative time spent gathering and presenting information.

**BOARD MEMBER RECOMMENDATION:** It is recommended that the Board direct the staff to create and include as part of the monthly Board reports, a summary of all outstanding and pending permit applications including a summary of any applications received during the previous moratorium.

**STAFF/BOARD MEMBER REPORT SUBMITTED BY:** Ed Pope, December 13, 2012

**Agenda Item 6:** Discussion and possible action on the existing, but unknown list of wells that would be classified as non-exempt and thus require a permit for operation.

**ISSUE:** The District is charged with management of the Trinity Aquifer to conserve and prevent waste of groundwater. Permits are required for all wells that are classified as non-exempt. Staff, Board members, and members of the public are aware of wells within the District that may be non-exempt and are not permitted by the District. In order for the Board and Staff to make sound decisions about managing the aquifer, an accurate accounting of the non-exempt pumping from the aquifer is necessary.

**ANALYSIS:** The District rules (Rule 3, sections 3.1 and 3.2) require that a non-exempt well be permitted with the District and pumping reported on a quarterly basis. There appear to be a number of wells that are not in compliance with this rule. Many non-exempt well owners may not know that they are required to hold a permit and report their pumping.

To obtain a full record of the pumping from the aquifer, the District should endeavor to identify and seek permit applications from those non-exempt wells not currently reporting to the District. Some of these non-exempt wells may predate the formation of the District. The task of bringing these wells into compliance with the District’s rules could be a project undertaken using a non-threatening information campaign and voluntary compliance within a set time period.

**FINANCIAL IMPACT:** Possible public information campaign and staff time.

**BOARD MEMBER RECOMMENDATION:** It is recommended that staff develop a program to inform and identify current non-exempt wells not reporting to the District with the objective of bringing such wells into compliance with District rules and report back to the Board within 60 days.

**BOARD MEMBER REPORT SUBMITTED BY:** Ed Pope, December 13, 2012

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**Agenda Item 7:** Discussion and possible action on the creation of a monthly water budget report of the Trinity Aquifer as it relates to the District.

**ISSUE:** The District is responsible for gathering information about wells and pumping of groundwater in order to monitor aquifer levels and conditions. As part of its management plan, it refers to an estimate of the amount of water available to permit to non-exempt well owners. Currently there is no formal reporting of the water budget to the Board or the public on a monthly basis even though the amount of water available is one of the most crucial aspects of managing the aquifer.

**ANALYSIS:** including projected changes to the budget in the months to follow based on any pending new permit requests, renewals seeking increases and any other relevant information about proposed developments throughout the District. Related question to discuss: what are the options for Board action when the requests for permits to pump exceed the water budget?

**FINANCIAL IMPACT:** Administrative time.

**BOARD MEMBER RECOMMENDATION:** It is recommended that the Board direct the staff to create a water budget report and include it in the monthly Board reports.

**BOARD MEMBER REPORT SUBMITTED BY:** Ed Pope, December 13, 2012

**Agenda Item 8:** Discussion and possible action on adopting a standard form for submitting agenda items.

**ISSUE:** The District Board meets on a regular basis to discuss management of the aquifer, operational issues, permit requests and other business in order to accomplish its mission. In doing so both the staff and Board present items for the agenda. These items can vary in terms of the amount of information presented prior to the meeting for consideration by the staff, Board members and the public. Currently all that is required is a description of the item and an indication of whether it is for discussion only or discussion and possible action by the Board.

**ANALYSIS:** Many city, county and state agencies use a standard format for submitting items that provides a description of the item, a minimum amount of analysis of the issue, any financial impact expected in implementing or pursuing the item further and a recommendation - either from the staff, the Board member submitting the item or a third party. Adopting such a format provides for consistent presentation of items along with sufficient information for all persons to review and consider.

**FINANCIAL IMPACT:** Minimal administrative time.

**BOARD MEMBER RECOMMENDATION:** It is recommended that the Board adopt a standard format for submitting agenda items that includes a description, a statement of the issues (or concerns or opportunities), an analysis of the issue, estimated financial impact and a recommendation.

**BOARD MEMBER REPORT SUBMITTED BY:** Ed Pope, December 13, 2012

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**Agenda Item 10:** Discussion and Possible Action to consider start-up contributions fund amount for District Staff SEP accounts. Minimum funds are required prior to opening investment accounts.

**ISSUE:** The Board of Directors approved the 2013 budget line item Personnel/401 Retirement in the amount of \$4,405.25. To start the SEP account, each District employee account must start with the minimum amount of \$1,000.

**STAFF RECOMMENDATION:** It is recommended that the Board of Directors make a motion to approve the start up funding for a SEP account for Rick Broun and Tressy Gumbert in the amount of \$1,000 each. The remaining funds to be distributed monthly into the SEP accounts during the 2013 calendar as long as Rick and Tressy are employed with the District. The SEP account funding was based on 5% of the Staff's individual 2013 salary: Rick \$2,755.25 Tressy: \$1,650