

Calhoun County 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 Calhoun County Groundwater Conservation District Board of Directors will hold a meeting on October 23, 2023, at 5:30 PM at the 131-A N. Virginia St., Port Lavaca, 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.
 - a. Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230425-03 finding Juan Cruz Cervantes, failed to report groundwater production for calendar year 2022 for non-exempt-use well NW-00087 as required by Rule 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.
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.
10. Consideration of and possible action on matters related to legal counsel report.
11. Adjourn.

The Calhoun County 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 Calhoun County 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.

CCGCD - Matters for Consideration - 20231023

Item 1.0 - Convene Meeting

Management Discussion: the District completed all necessary public notification requirements for the meeting. See: [Public Notice - 20231023 - Board Meeting](#).

Management Recommendation: none.

_____ called the meeting to order at _____ AM with the following representatives being present:

Precinct 1: Mr. Steven Dierschke, Director: _____ .

Precinct 2: Mr. Wesley (Clay) Brett, Vice-President: _____ .

Precinct 3: Mr. Galen Johnson, Secretary: _____ .

Precinct 4: Mr. Michael (Mike) Hahn, Treasurer: _____ .

At Large: Mr. Harold (Danny) May, President: _____ .

General Manager: Tim Andruss: _____ .

General Counsel: Jim Allison: _____ .

Item 2.0 - Receive Public Comment

Management Discussion: offer to accept public comment from attendees.

Management Recommendation: none.

Item 3.0 - Report regarding Groundwater Management

Previous Consideration by the Board: [MFC-20230724-3.0 - Report regarding Groundwater Management](#).

Related Programs: [Program - PRG-3000 - Groundwater Management - FY2024](#).

Related Projects:

1. Project - PRJ-20243100.01 - Well Registration Processing for FY2024.
2. Project - PRJ-20243100.02 - Production Permit Renewal Processing for FY2024.
3. Project - PRJ-20243100.03 - Permit Processing for FY2024.
4. Project - PRJ-20243100.04 - Groundwater Production Report Processing for CY2023.
5. Project - PRJ-20243100.05 - Manage Investigations related to Permitting Violations for FY2024.
6. Project - PRJ-20243100.06 - Manage Enforcement Cases related to Permitting Violations for FY2024.

Management Discussion: in FY2024, staff will continue efforts to investigate potential failures to obtain permits for the production of groundwater for non-exempt uses and assist those individuals with achieving voluntary compliance. In an attempt

to systematically approach the problem, staff will conduct "windshield surveys" throughout the county to identify potential violations.

Regarding Well Registration Processing

As of October 20, 2023, staff had received 33 well registration applications (ARWs) since October 1, 2022:

1. [ARW-20221003-01 - Edgeofit Development, LLC and Jerald R. Edgett - WL-20220516-33](#)
2. [ARW-20221003-02 - Richard Williams - WL-20220516-35](#)
3. [ARW-20221003-03 - Brian Scott Gonzales - WL-20220516-36](#)
4. [ARW-20221003-04 - Jeffrey L. Maresh - WL-20220516-37](#)
5. [ARW-20221003-05 - Lorrie Phillips - WL-20220516-38](#)
6. [ARW-20221005-01 - B. Wayne Woodard - WL-20220516-39](#)
7. [ARW-20221005-02 - Cyrus T. Rogers - WL-20220516-40](#)
8. [ARW-20221005-03 - Cinco Communications, LLC - WL-20220516-43](#)
9. [ARW-20221005-04 - John M. Bees - WL-20220516-44](#)
10. [ARW-20221005-05 - Clark Builders - WL-20220516-45](#)
11. [ARW-20221010-01 - Kevin D. Sprague - WL-20220824-01](#)
12. [ARW-20221010-02 - Santanna Rowe Ayres - WL-20220824-02](#)
13. [ARW-20221010-03 - David E. Emery - WL-20220824-03](#)
14. [ARW-20221010-04 - Mark Daniel - WL-20220824-06](#)
15. [ARW-20221010-05 - Shanna L. Louis - WL-20220824-08](#)
16. [ARW-20221011-01 - William T. Mauldin - WL-20220824-12](#)
17. [ARW-20221011-02 - Edward R. Power - WL-20220824-14](#)
18. [ARW-20221012-01 - John Daniel - WL-20220824-15](#)
19. [ARW-20221012-02 - Melissa L. Gray - WL-20220824-16](#)
20. [ARW-20221012-03 - Rita J. Randall - WL-20220920-01](#)
21. [ARW-20221012-04 - Jeff R. Randall - WL-20220920-02](#)
22. [ARW-20221014-01 - Leticia Poindexter - WL-20220331-01](#)
23. [ARW-20221019-01 - Richard F. Dudley and Donna Dudley - WL-20221017-01](#)
24. [ARW-20221102-01 - Kenneth L. Cooley - WL-20221102-01](#)
25. [ARW-20230125-01 - Russell Pagel](#)
26. [ARW-20230223-01 - Ross Russell](#)
27. [ARW-20230330-01 - Harold Green](#)
28. [ARW-20230330-02 - Harold Green](#)
29. [ARW-20230330-03 - James Woods](#)
30. [ARW-20230405-01 - Lowel Raun](#)
31. [ARW-20230405-02 - City of Seadrift](#)
32. [ARW-20230405-03 - R and R RV Resort- Administratively Incomplete](#)
33. [ARW-20230418-01 - Ingram Readymix](#)

As of October 20, 2023, staff had received 21 Notices of Intent to Drill a Well (NIDWs) since October 1, 2022:

1. [NIDW-20230217-01 - James Morgan \(Well in GIS Waiting on link note\)](#)
2. [NIDW-20230217-02 - John Winger Jr.](#)
3. [NIDW-20230217-03 - Kyle Mckay](#)
4. [NIDW-20230223-01 - Joseph Tate - Administratively Incomplete](#)
5. [NIDW-20230307-01 - Mario DesiLos](#)
6. [NIDW-20230307-02 - Mark & Mary Hesch](#)
7. [NIDW-20230307-03 - Jyoti Naik](#)
8. [NIDW-20230307-04 - Michael Boudreaux](#)
9. [NIDW-20230307-05 - Bob & Lucy Shank](#)
10. [NIDW-20230613-01 - Arturo Perez](#)
11. [NIDW-20230629-01 - Jose Huerta](#)
12. [NIDW-20230629-02 - Jason Kautz](#)

13. [NIDW-20230911-01 - J. Helm](#)
14. [NIDW-20230911-02 - Jose Aguilar](#)
15. [NIDW-20230911-03 - M. Hurly](#)
16. [NIDW-20230911-04 - Craig Jones](#)
17. [NIDW-20230911-05 - Sandra Miller](#)
18. [NIDW-20230911-06 - Dulce Flores](#)
19. [NIDW-20230911-07 - Howard Tillis](#)
20. [NIDW-20230911-08 - J. Wesley](#)
21. [NIDW-20230911-09 - Magnolia Beach VFD](#)

Regarding Production Permit Renewal Processing

As of October 20, 2023, staff had received 1 production permit renewal requests (ARPs) since October 1, 2022:

1. [ARP-20230510-01 - 118 Trinity Shores Dr LLC](#)

Regarding Permit Processing

As of October 20, 2023, staff had initiated 40 permitting request cases (PRCs) since October 1, 2022:

1. [PRC-20221003-01 - ARW-20220930-05 - Everett O. Ruddick](#)
2. [PRC-20221003-02 - ARW-20220930-06 - Devian Cantu](#)
3. [PRC-20221003-03 - ARW-20221003-01 - Edgeofit Development, LLC and Jerald R. Edgett](#)
4. [PRC-20221003-04 - ARW-20221003-02 - Richard Williams](#)
5. [PRC-20221003-05 - ARW-20221003-03 - Brian Scott Gonzales](#)
6. [PRC-20221003-06 - ARW-20221003-04 - Jeffrey L. Maresh](#)
7. [PRC-20221003-07 - ARW-20221003-05 - Lorrie Phillips](#)
8. [PRC-20221007-01 - ARW-20221005-01 - B. Wayne Woodard](#)
9. [PRC-20221007-02 - ARW-20221005-02 - Cyrus T. Rogers](#)
10. [PRC-20221007-03 - ARW-20221005-03 - Cinco Communications, LLC](#)
11. [PRC-20221007-04 - ARW-20221005-04 - John M. Bees](#)
12. [PRC-20221007-05 - ARW-20221005-05 - Clark Builders](#)
13. [PRC-20221010-01 - ARW-20221010-01 - Kevin D. Sprague](#)
14. [PRC-20221010-02 - ARW-20221010-02 - Santanna Rowe Ayres](#)
15. [PRC-20221010-03 - ARW-20221010-03 - David E. Emery](#)
16. [PRC-20221010-04 - ARW-20221010-04 - Mark Daniel](#)
17. [PRC-20221010-05 - ARW-20221010-05 - Shanna L. Louis](#)
18. [PRC-20221012-01 - ARW-20221011-01 - William T. Mauldin](#)
19. [PRC-20221012-02 - ARW-20221011-02 - Edward R. Power](#)
20. [PRC-20221012-03 - ARW-20221012-01 - John Daniel](#)
21. [PRC-20221012-04 - ARW-20221012-02 - Melissa L. Gray](#)
22. [PRC-20221012-05 - ARW-20221012-03 - Rita J. Randall](#)
23. [PRC-20221012-06 - ARW-20221012-04 - Jeff R. Randall](#)
24. [PRC-20221014-01 - ARW-20221014-01 - Leticia Poindexter](#)
25. [PRC-20221019-01 - ARW-20221019-01 - Richard F. Dudley and Donna Dudley](#)
26. [PRC-20221102-01 - ARW-20221102-01- Kenneth L. Cooley](#)
27. [PRC-20221109-01 - ADW-20221107-01 - David Solis](#)
28. [PRC-20221209-01 - ADW-20221209-01 - Bradley J. Morris](#)
29. [PRC-20221215-01 - ADW-20221202-01 - Michelle Tyson](#)
30. [PRC-20221230-01 - ADW-20221230-01 - Jeannie M. Eure](#)
31. [PRC-20230315-01 - Application to Request the Protection of Historic Use of a Grandfathered Well - AVHUW-20230131-01 - Harold Green - Port Alto HOA District 1](#)
32. [PRC-20230315-02 - Application to Request the Protection of Historic Use of a Grandfathered Well - AVHUW-20230131-02 - Harold Green - Port Alto HOA District 1](#)
33. [PRC-20230315-03 - AVHUW-20230208-01 - Jesse Wood - Farmers Transport - Sunilanding Utilities](#)
34. [PRC-20230512-01 - AVHUWF-20230512-01 - Harold Green - Port Alto HOA District 1](#)
35. [PRC-20230621-01 - ANHUPPW-20230209-01- El Campo Beach POA](#)

36. [PRC-20230626-01 - AVHUWF-20230621-01 - Port Alto WSC](#)
37. [PRC-20230721-01 - ARP-20230510-01 - Trinity Shores Dr. LLC.](#)
38. [PRC-20230921-01 - AVHUWS-20230915-01- City of Seadrift - Pending](#)
39. [PRC-20230921-02 - ANHUPPW-20230616-01 - Justin Boyd - Pending/Uncontested](#)
40. [PRC-20230921-03 - ANHUPPW-20230915-01 - Port Alto Investments - Pending/Uncontested](#)

As of October 20, 2023, staff had 11 permitting request cases pending:

1. [PRC-20191126-01 - ADW-20191126-01/03/AOW-20191126-02/04 - LaSalle WCID # 1A - Pending](#)
2. [PRC-20200310-02 - ADW-20200207-01/03/05/07/AOW-20200207-02/04/06/08 - Alan Roberts, Roberts Ranch and Investments- Pending](#)
3. [PRC-20200401-01 - ADW-20200401-01/03/05/07/AOW-20200401-02/04/06/08 - Trull Service - Pending](#)
4. [PRC-20200710-01 - ADW-20200707-01/03/05/ AOW-2020070702/04/06 - Monterrey Cove, LLC - Pending](#)
5. [PRC-20201228-01 - ADW-20201218-01/AOW-20201218-02 - Justin B. Boyd - Pending](#)
6. [PRC-20210416-02 - ADW-20210412-02/04-AOW-20210412-03/05- ARW-20210416-01- 03 - Son Thanh Nguyen/Brandon Nam Van Nguyen - Pending](#)
7. [PRC-20210617-02 - ADW-20210518-01/AOW-20210518-01 - R2 Investments, LLC - Pending](#)
8. [PRC-20210701-01 - ADW-20210526-01/AOW-20210526-02 - Mark Dietzel/Big Bear Shrimp and Seafood - Pending](#)
9. [PRC-20210713-01 - ADW-20210713-01/AOW-20210713-02 - Antonio Santos - Pending](#)
10. [PRC-20220317-02 - ADW-20220308-01/AOW-20220314-01 - D and T River Properties LLC - Pending](#)
11. [PRC-20220617-01 - ARW-20220617-01/ ADW-20220617-02,03,04,05,06 /AOWS-20220124-07, AWR-20220124-08 - POID - Pending](#)

Regarding Groundwater Production Report Processing

As of October 20, 2023, staff had processed 39 groundwater production reports since October 1, 2022:

1. [GPR-20230110-01 - GW-00078 - 2022](#)
2. [GPR-20230110-02 - GW-00031 - 2022](#)
3. [GPR-20230123-01 - NW-00049 - 2022](#)
4. [GPR-20230130-01 - NW-00048 - 2022](#)
5. [GPR-20230130-02 - NW-00016 - 2022](#)
6. [GPR-20230130-03 - NW-00017 - 2022](#)
7. [GPR-20230130-04 - NW-00055 - 2022](#)
8. [GPR-20230130-05 - NW-00056 - 2022](#)
9. [GPR-20230130-06 - NW-00064 - 2022](#)
10. [GPR-20230130-07 - NW-00065 - 2022](#)
11. [GPR-20230130-09 - GW-00078 - 2022](#)
12. [GPR-20230130-10 - NW-00015 - 2022](#)
13. [GPR-20230130-11 - GW-00036 - 2022](#)
14. [GPR-20230130-12 - GW-00035 - 2022](#)
15. [GPR-20230130-13 - NW-00069 - 2022](#)
16. [GPR-20230130-14 - GW-00031 - 2022](#)
17. [GPR-20230201-01 - NW-00047 - 2022](#)
18. [GPR-20230201-02 - NW-00046 - 2022](#)
19. [GPR-20230201-03 - NW-00045 - 2022](#)
20. [GPR-20230201-04 - NW-00068 - 2022](#)
21. [GPR-20230209-01 - NW-00024 - 2022](#)
22. [GPR-20230217-01 - NW-00071 - 2022](#)
23. [GPR-20230217-02 - NW-00071 - 2022](#)
24. [GPR-20230217-03 - NW-00070 - 2022](#)
25. [GPR-20230217-04 - NW-00070 - 2022](#)
26. [GPR-20230224-01 - NW-00037 - 2022](#)
27. [GPR-20230324-01 - NW-00001 - 2022](#)
28. [GPR-20230328-01 - Multiple - 2022](#)
29. [GPR-20230328-02 - GW-00029 - 2022](#)

30. [GPR-20230328-03 - GW-00028 - 2022](#)
31. [GPR-20230328-04 - GW-00027 - 2022](#)
32. [GPR-20230328-05 - GW-00026 - 2022](#)
33. [GPR-20230329-01 - R1GW-00015 - 2022](#)
34. [GPR-20230329-02 - GW-00015 - 2022](#)
35. [GPR-20230417-01 - NW-00039 - 2022](#)
36. [GPR-20230428-01 - NW-00044 - 2022](#)
37. [GPR-20230531-01 - NW-00054 - 2022](#)
38. [GPR-20230622-01 - NW-00007 - 2022](#)
39. [GPR-20230913-01 - NW-00133 - 2022.](#)

Regarding Management of Investigations

As of October 20, 2023, staff had initiated 3 investigations related to groundwater management (i.e., permitting) since October 1, 2022:

1. [INV-20221012.1455 - Failure to Obtain a Production Permit - Active](#)
2. [INV-20221012.1455 - Failure to Obtain a Production Permit - Closed](#)
3. [INV-20230303.1006 - Failure to Satisfy Rules of the District - Production Reporting for CY2022 - Closed](#)

As of October 20, 2023, staff had 1 active investigation related to groundwater management (i.e., permitting):

1. [INV-20221012.1455 - Failure to Obtain a Production Permit - Active](#)

Regarding Management of Enforcement Cases

As of October 20, 2023, the Board had initiated 5 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2022:

1. [ECV-20221027-01 - Carl Critendon - Failure to Notify of Intent to Place Casing - Resolved](#)
2. [ECV-20230425-01 - Short Pleze \(Buffalo Creek RV Retreat\) - Failure to Report Groundwater Production CY2022 for Well - NW-00007 - Resolved](#)
3. [ECV-20230425-02 - 118 TRINITY SHORES DR LLC \(Calhoun County RP, LTD\) - Failure to Report Groundwater Production CY2022 for Well - NW-00054 - Resolved](#)
4. [ECV-20230425-03 - Cervantes Juan Cruz \(Juan Cruz Cervantes-Vega\) - Failure to Report Groundwater Production CY2022 for Well - NW-00087 - Unresolved](#)
5. [ECV-20230425-04 - CBPB Partners, LLC \(CBPB Partners, LLC.\) - Failure to Report Groundwater Production CY2022 for Well - NW-00133 - Resolved](#)

As of October 18, 2023, staff had 0 unresolved enforcement cases related to groundwater management (i.e., permitting):

1. [ECV-20230425-03 - Cervantes Juan Cruz \(Juan Cruz Cervantes-Vega\) - Failure to Report Groundwater Production CY2022 for Well - NW-00087 - Unresolved](#)

Management Recommendation: none.

Item 3.1 - Investigation related to Failures to Obtain Production Permits

Previous Consideration by the Board: [MFC-20230724-3.9 - Investigation INV-20221012.1455 related to Failures to Obtain Production Permits.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management - FY2024.](#)

Related Projects: Project - PRJ-20243100.05 - Manage Investigations related to Permitting Violations for FY2024.

Management Discussion: on October 12, 2022, staff initiated an investigation to gather information regarding active utilities within Calhoun County that obtain water from groundwater-based public water systems that do not have valid groundwater production permits issued by the District.

As of October 18, 2023, staff had an open investigation related to groundwater management associated with 3 entities that had not submitted administratively complete permitting applications. The entities are:

1. Sea Port Lakes Water Systems LLC.
2. Shoalwater Flats Association
3. Machaceks Rocking M. RV Park and Campground

See:

1. [INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Machaceks Rockin M RV Park and Campground - Active](#)
2. [INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Sea Port Lakes Water Systems LLC - Active](#)
3. [INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Shoalwater Flats Association - Active](#)

The relevant provisions of the rules of the district associated with the investigations are:

- RULE 3.1: GENERAL POLICIES RELATED TO REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS
 3. The well owner or authorized agent of a grandfathered non-exempt-use well within the boundary of the district shall apply for the registration of the grandfathered non-exempt-use well prior to operating the subject well for non-exempt use.
- RULE 4.1: GENERAL POLICIES RELATED TO PERMITS
 15. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.
- RULE 11.2: GENERAL POLICIES RELATED VIOLATIONS
 5. Any person that produces groundwater from a well for non-exempt uses in any amount without a valid production permit authorizing the groundwater production violates the rules of the district.
 6. Any person that produces groundwater from a well for non-exempt uses for any purpose of use not authorized by production permits associated with well violates the rules of the district.
 10. Any person that engages in an activity that requires a permit from the district under the rules of the district prior to receiving such permit violates the rules of the district.

If the boards find that violations have occurred in the instances identified for Potential Failure to Obtain Production Permits and instruct staff to proceed with enforcement efforts, staff will:

- a) mail and attempt hand-delivery of 1st notice of violation and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by November 1, 2023;
- b) mail and attempt hand-delivery of the 2nd notice of violation and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by December 1, 2023,
- c) mail and attempt hand-delivery of the notice of need to file suit and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by January 1, 2024,
- d) publish an enforcement hearing notice for any unresolved violations for the January 22, 2024 board meeting by January 3, 2024, and
- e) present any unresolved violations to the board at the January 22, 2024, meeting with a recommendation that board: 1) confirm the findings of violation and penalties and 2) referred to the violations to legal counsel for filing suit before the meeting scheduled for January 22, 2024.

Management Recommendation 1: move to:

1. find that the **Sea Port Lakes Water Systems LLC** violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the **Sea Port Lakes Water Systems LLC** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;

3. set a **\$2,000.00** penalty to be paid by the **Sea Port Lakes Water Systems LLC** for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the **Sea Port Lakes Water Systems LLC** consents to the following conditions by December 31, 2023:
 1. acknowledges the violation by December 31, 2023;
 2. pays a settlement fee of **\$0.00** by December 31, 2023; and
 3. submits a administratively complete production permit application to the District.

Management Recommendation 2: move to:

1. find that the **Shoalwater Flats Association** violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the **Shoalwater Flats Association** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$2,000.00** penalty to be paid by the **Shoalwater Flats Association** for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the **Shoalwater Flats Association** consents to the following conditions by December 31, 2023:
 1. acknowledges the violation by December 31, 2023;
 2. pays a settlement fee of **\$0.00** by December 31, 2023; and
 3. submits a administratively complete production permit application to the District.

Management Recommendation 3: move to:

1. find that the **Machaceks Rocking M. RV Park and Campground** violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the **Machaceks Rocking M. RV Park and Campground** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$2,000.00** penalty to be paid by the **Machaceks Rocking M. RV Park and Campground** for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the **Machaceks Rocking M. RV Park and Campground** consents to the following conditions by December 31, 2023:
 1. acknowledges the violation by December 31, 2023;
 2. pays a settlement fee of **\$0.00** by December 31, 2023; and
 3. submits a administratively complete production permit application to the District.

Item 3.2 - Enforcement Hearing re ECV-20230425-03 - Juan Cruz Cervantes - Failure to Report Groundwater Production CY2022

Previous Consideration by the Board: [MFC-20230724-3.7 - Enforcement Hearing re ECV-20230425-03 - Juan Cruz Cervantes - Failure to Report Groundwater Production CY2022.](#)

Related Programs: [Program - PRG-3000 - Groundwater Management - FY2024.](#)

Related Projects: Project - PRJ-20243100.06 - Manage Enforcement Cases related to Permitting Violations for FY2024.

Management Discussion: on April 24, 2023, the Board passed a motion to:

1. find that **Juan Cruz Cervantes** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-00087** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$100.00** penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District; and


4. offer to settle the violation if **Juan Cruz Cervantes** consents to the following conditions:
 1. acknowledges the violation by September 30, 2023;
 2. pays a settlement fee of **\$0.00** by September 30, 2023; and
 3. submits a administratively complete groundwater production report for calendar year 2022 by September 30, 2023.

In response to the action taken by the Board, staff recorded violation [ECV-20230425-03](#)

On May 2, 2023, staff attempted to provide notice of violation ECV-20230425-03 to Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 7553). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027907553%2C&tABt=false>
CCGCD - Returned Certified Mail - Juan Cruz Cervates - 7021 0350 0000 2790 7553.pdf

 3.2.1 CCGCD - Returned Certified Mai... 1 MB

On June 1, 2023, staff attempted to provide notice of violation ECV-20230425-03 to Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 9083). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909083%2C>
CCGCD - RTS - Juan Cruz Cervantes - ECV-20230425-03 - 7021 0350 0000 2790 9083.pdf

 3.2.2 CCGCD - RTS - Juan Cruz Cerva... 1 MB

On July 6, 2023, the staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against Juan Cruz Cervantes at the next regularly scheduled meeting of the board of directors to Keep Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 9267). See: <https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70210350000027909267%2C> See: [Public Notice - 20230724 - Enforcement Hearing - ECV-20230425-03 - Juan Cruz Cervantes](#)

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

On July 13, 2023, the staff of the District attempted to deliver notice of need to file suit letter to Mr. Cervantes.

See: [Production Permits - OPW-20211019-02 - Juan Cruz Cervantes-Vega - Approved/Executed](#).
CCGCD - Vicinity Map - Juan Cruz Cervantez-Vega - 20211005.pdf

 3.2.3 CCGCD - Vicinity Map - Juan Cr... 2 MB

On August 8, 2023, staff of the District attempted to hand deliver final notice of offer to settle a violation ECV-20230425-03 to Mr. Juan Cruz Cervantes.

See: [CCGCD - GMO - Pre - Daily Field Records - DFR-20230808-01](#)

CCGCD - Final Notice of Offer to Settle a Violation - ECV-20230425-03 - Juan Cruz Cervantes - Image.pdf

 3.2.4 CCGCD - Final Notice of Offer t... 2 MB

Management Recommendation: move to re-open and record the enforcement hearing recessed on July 24, 2023.

Management Recommendation: move to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator.

Management Recommendation: move to instruct the General Manager to attempt to notify **Juan Cruz Cervantes** that if the required groundwater production report for calendar year 2022 is not submitted September 30, 2023 by the District, the Board of Directors will consider entering a finding that:

1. **Juan Cruz Cervantes** has committed a violation of District Rule 4.2 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well NW-00087 and that such violation is continuing. Each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
2. The penalty for this violation is assessed at **\$2,000.00**. Additional penalties are assessed at **\$50.00** per day for each day following adoption of this order until the groundwater production for 2022 is properly reported.
3. Further, any associated permit for well No. NW-00087 is hereby cancelled and further production is prohibited from the well until said permit is reinstated by the district. District staff is ordered to place a seal upon the well to prevent further production.
4. Legal Counsel is hereby instructed to file suit if necessary to enforce this order.

Item 4.0 - Report regarding Groundwater Protection

Previous Consideration by the Board: [MFC-20230724-4.0 - Report regarding Groundwater Protection.](#)

Related Programs: [Program - PRG-6000 - Groundwater Protection - FY2024.](#)

Related Projects:

1. Project - PRJ-20246100.01 - Well Inspections for FY2024.
2. Project - PRJ-20246100.02 - Manage Investigations related to Groundwater Protection for FY2024.
3. Project - PRJ-20246100.03 - Manage Enforcement Cases related to Groundwater Protection for FY2024.

Management Discussion: on October 25, 2023, staff will participate in a local emergency management training course titled *Rail Car Incidents Response for Crude, Ethanol, and Other Flammable Liquids* hosted by the Victoria Office of Emergency Management. This training will better prepare the District for responding to potential groundwater contamination events in the future such as the diesel spill at Dry Creek in Victoria County.

Regarding Well Inspections

As of October 20, 2023, staff had recorded 11 well inspection forms (WIFs) since October 1, 2022:

1. [Well Inspections - WIF-20230310-01 - GW-00003](#)
2. [Well Inspections - WIF-20230310-02 - NW-00024](#)
3. [Well Inspections - WIF-20230310-03 - GW-00005](#)
4. [Well Inspections - WIF-20230310-04 - GW-00001](#)
5. [Well Inspections - WIF-20230310-05 - GW-00009](#)
6. [Well Inspections - WIF-20230726-01 - GW-00001](#)
7. [Well Inspections - WIF-20230726-02 - GW-00003](#)
8. [Well Inspections - WIF-20230726-03 - GW-00004](#)
9. [Well Inspections - WIF-20230726-04 - NW-00024](#)
10. [Well Inspections - WIF-20230726-05 - NW-00014](#)
11. [Well Inspections - WIF-20230919-01 - Audra Henke](#)

Regarding Management of Investigations related to Groundwater Protection

As of October 20, 2023, staff had initiated 0 investigations related to Groundwater Protection since October 1, 2022:

As of October 20, 2023, staff had 0 active investigation related to Groundwater Protection:

Regarding Management of Enforcement Cases related to Groundwater Protection

As of October 20, 2023, the Board had initiated 0 enforcement cases related to Groundwater Protection since October 1, 2022:

As of October 20, 2023, staff had 0 unresolved enforcement case violations related to Groundwater Protection:

Management Recommendation: none.

Item 5.0 - Report regarding Groundwater Monitoring

Previous Consideration by the Board: [MFC-20230724-5.0 - Report regarding Groundwater Monitoring.](#)

Related Programs: [Program - PRG-4000 - Groundwater Monitoring - FY2024.](#)

Related Projects:

1. Project - PRJ-20244100.01 - Monitor Drought Conditions for FY2024.
2. Project - PRJ-20244100.02 - Synoptic Aquifer Monitoring for FY2024.
3. Project - PRJ-20244100.03 - Continuous Water Level Monitoring for FY2024.
4. Project - PRJ-20244100.04 - Baseline Water Quality Aquifer Monitoring for FY2024.
5. Project - PRJ-20244100.05 - Ad-Hoc Baseline Water Quality Sampling for FY2024.
6. Project - PRJ-20244100.06 - Annual Water Level Assessment for FY2024.
7. Project - PRJ-20244100.07 - Annual Water Quality Assessment for FY2024.
8. Project - PRJ-20244100.08 - Monitoring Network Assessment and Improvement Project for FY2024.
9. Project - PRJ-20234100.09 - Synoptic Aquifer Monitoring for PVGCD for FY2023 (MG4:O1) (MG7:O1) - Active.

Management Discussion:

Regarding Monitoring of Drought Conditions

As of October 20, 2023, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/calhoun>) indicates that 100% of Calhoun County is experiencing extreme drought conditions.

As of October 20, 2023, drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website (<https://www.waterdatafortexas.org/drought/>) indicates that all portions of Calhoun County are experiencing drought conditions.

Regarding Monitoring of Water Levels

As of October 20, 2023, staff had collected 9 water level measurements since October 1, 2022:

1. [Water Level - WLM-20230310-01 - GW-00003](#)
2. [Water Level - WLM-20230310-02 - NW-00024](#)
3. [Water Level - WLM-20230310-03 - GW-00005](#)
4. [Water Level - WLM-20230310-04 - GW-00001](#)
5. [Water Level - WLM-20230310-05 - GW-00009](#)
6. [Water Level - WLM-20230726-01 - GW-00001](#)
7. [Water Level - WLM-20230726-02 - GW-00003](#)
8. [Water Level - WLM-20230726-04 - NW-00024](#)
9. [Water Level - WLM-20230726-05 - GW-00014](#)

Regarding Monitoring of Water Quality

As of October 20, 2023, staff had collected 8 water quality field measurements since October 1, 2022:

1. [Water Quality Field Measurement - WQFM-20221006-02 - NW-00151](#)
2. [Water Quality Field Measurement - WQFM-20221006.0816 - NW-00064](#)
3. [Water Quality Field Measurement - WQFM-20230726-01 - GW-00001](#)
4. [Water Quality Field Measurement - WQFM-20230726-02 - GW-00003](#)

5. [Water Quality Field Measurement - WQFM-20230726-03 - GW-00004](#)
6. [Water Quality Field Measurement - WQFM-20230726-04 - NW-00024](#)
7. [Water Quality Field Measurement - WQFM-20230726-05 - GW-00014](#)
8. [Water Quality Field Measurement - WQFM-20230919.1541 - Audra Henke](#)

As of October 10, 2023, staff had collected 2 water quality samples since October 1, 2022:

1. [Sampling Inventories - WQSI-20221006-01 - NW-00064](#)
2. [Sampling Inventories - WQSI-20221006-01 - NW-00151](#)

As of October 10, 2023, staff had received 5 water quality lab reports since October 1, 2022:

1. [Water Quality Lab Report - WQLR-20221006.0605](#)
2. [Water Quality Lab Report - WQLR-20221006.0832](#)

Regarding Annual Assessment of Water Levels

As of October 10, 2023, staff had been informed by Dr. Young of Intera that his firm had begun the analysis of CY2022 water levels using the geostatistical approach.

Regarding Assessment and Improvement of the Monitoring Network

During FY2023, staff have attempted to improve the network of wells used to monitor aquifer conditions with the county. The district has attempted to contact owners of wells that had previously cooperated with the district on monitoring effort to regain access to those wells. In addition, staff have attempted to gain access to those wells identified by Dr. Young as preferred additions to the monitoring network. Staff have attempted to make contact via mail (44 letters), email messages, and phone calls. This effort did result in the District gaining access to any new monitoring wells. See: [Matter For Consideration - MFC-20231023-5.1 - Incentivizing Aquifer Monitoring Cooperation](#).

Management Recommendation: none.

Item 5.1 - Incentivizing Aquifer Monitoring Cooperation

Previous Consideration by the Board: None.

Related Programs: [Program - PRG-4000 - Groundwater Monitoring - FY2024](#).

Related Projects: Project - PRJ-20244100.08 - Monitoring Network Assessment and Improvement Project for FY2024.

Management Discussion: the purpose of the groundwater monitoring program is to facilitate the coordination of activities and tasks completed by staff, consultants, and contractors to evaluate the condition of the groundwater resources within the county.

The management plan of the district establishes the following objectives to be achieved through the implementation of the groundwater monitoring program:

Management Plan Goal 4 - Addressing Natural Resource Issues

Objective 1: Develop and maintain a program to monitor the water quality of at least twelve (12) water wells within the district per year.

Management Plan Goal 7 - Addressing the Desired Future Conditions

Objective 1: Develop and maintain a program to monitor the water level of at least twelve (12) water wells within the district per year.

Objective 2: Analyze aquifer monitoring information to evaluate achievement of the desired future conditions of the district based on information available during the fiscal year.

During FY2023, staff have attempted to improve the network of wells used to monitor aquifer conditions with the county. The district has attempted to contact owners of wells that had previously cooperated with the district on monitoring effort to regain access to those wells. In addition, staff have attempted to gain access to those wells identified by Dr. Young as preferred additions to the monitoring network. Staff have attempted to make contact via mail (44 letters), email messages, and phone calls. This effort did result in the District gaining access to any new monitoring wells.

During FY2023, staff were able to collect only 9 water level measurements and 8 water quality measurements, and 2 water samples.

Management Recommendation: move to authorize the General Manager to implement a project to incentivize cooperation with the district regarding aquifer monitoring limiting financial incentives to \$50.00 per monitoring event at a well and \$5,000.00 during the fiscal year.

Item 6.0 - Report regarding Groundwater Conservation

Previous Consideration by the Board: [MFC-20230724-6.0 - Report regarding Groundwater Conservation.](#)

Related Programs: [Program - PRG-2000 - Groundwater Conservation - FY2024.](#)

Related Projects:

1. Project - PRJ-20242100.01 - Promote Conservation for FY2024.
2. Project - PRJ-20242100.02 - Conservation Education and Teacher Professional Development for FY2024.
3. Project - PRJ-20242100.03 - Sponsorship of Wetlands Field Trips in FY2024.

Management Discussion:

Regarding Conservation Promotion

On September 11, 2023, the staff of the district reviewed and updated the webpage on website of the district related to promotion of groundwater conservation. See: <https://www.vcgcd.org/groundwater-conservation>.

Groundwater Conservation - Calhoun County Groundwater Conservation District - 20230911.pdf

 6.0.1 Groundwater Conservation - C... 222 kB

Regarding Conservation Education and Teacher Professional Development

Regarding Sponsorship of Conservation Efforts

With the adoption of the budget for FY2024, staff published a notice on the website of the district to inform entities wishing to seek sponsorship from the district of a project intended to promote water conservation, especially through rainwater harvesting or brush control within Refugio County, could submit an application for sponsorship. See: <https://www.calhouncountygcd.org/groundwater-conservation-sponsorship-fy2024>.

Management Recommendation: none.

Item 7.0 - Report regarding Groundwater Resource Planning

Previous Consideration by the Board: [MFC-20230724-7.0 - Report regarding Groundwater Resource Planning.](#)

Related Programs: [Program - PRG-8000 - Groundwater Resource Planning - FY2024.](#)

Related Projects:

1. Project - PRJ-20248100.01 - Regional Water Planning Participation for FY2024.
2. Project - PRJ-20248100.02 - GMA 15 Joint Planning for 4th Planning Cycle in FY2024.

Management Discussion:

Regarding Regional Water Planning Participation

Representatives of the district did not participate in the meeting of the South Central Texas Regional Planning Group (Region L) held on August 3, 2023, to continue efforts to develop the 2026 Regional Water Plan. The next meeting of Region P is

scheduled for November 2, 2023.

Regarding GMA 15 Joint Planning

Representatives of the district participated in the meeting of the representatives of Groundwater Management Area 15 on October 12, 2023 to continue joint planning efforts. During the meeting the members received a report from TWDB stating that the report comparing GAM pumping scenario processed using the previous GAM to the new GAM will be delivered in December 2023 and identified Intera as the preferred respondent the the RFP issued by the District on behalf of GMA 15. The next meeting of the representatives of Groundwater Management Area 15 is scheduled for October 12, 2023.

Management Recommendation: none.

Item 8.0 - Report regarding Groundwater Policy

Previous Consideration by the Board: [MFC-20230724-8.0 - Report regarding Groundwater Policy.](#)

Related Programs: [Program - PRG-5000 - Groundwater Policy - FY2024.](#)

Related Projects:

1. Project - PRJ-20245100.01 - Management Plan Revisions for FY2024.
2. Project - PRJ-20245100.02 - Rule Amendments for FY2024.
3. Project - PRJ-20245100.03 - Legislative Support and Lobbying for FY2024.

Management Discussion:

Regarding Revisions to the Management Plan of the District

On July 14, 2023, the Texas Water Development Board designated the management plan for the district, adopted on April 21, 2023, administratively complete.

Regarding Amending the Rules of the District

Staff will review the passed legislation of the previous legislative session, coordinate with legal counsel to develop proposed rule revisions, and post the required rulemaking hearing notice for the meeting scheduled for January 19, 2023.

Regarding Legislative Support and Lobbying

Management Recommendation: none.

Item 9.0 - Report regarding Administration and Management

Previous Consideration by the Board: [MFC-20230724-9.0 - Report regarding Administration and Management.](#)

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects:

1. Project - PRJ-20241100.01 - Employment Management for FY2024.
2. Project - PRJ-20241200.01 - Election Coordination for CY2024.
3. Project - PRJ-20241300.01 - Financial Audit for FY2023.
4. Project - PRJ-20241300.02 - Investment Management for FY2024.
5. Project - PRJ-20241300.03 - Financial Record Processing and Reporting for FY2024.
6. Project - PRJ-20241300.04 - Budget Development for FY2025.
7. Project - PRJ-20241300.05 - Asset Tracking for FY2024.
8. Project - PRJ-20231300.06 - Public Funds Training for FY2024.
9. Project - PRJ-20241400.01 - Website Improvements.
10. Project - PRJ-20241500.01 - Public Notice and Meeting Coordination for FY2024.
11. Project - PRJ-20241600.01 - Performance Audit for FY2023.
12. Project - PRJ-20241600.02 - Program Configuration for FY2024.
13. Project - PRJ-20241700.01 - Administrative Policy Review for FY2024.

14. Project - PRJ-20241700.02 - Transparency Reporting for FY2024.
15. Project - PRJ-20241700.03 - Cybersecurity Training for FY2024.
16. Project - PRJ-20241700.04 - Consultant Review for FY2024.
17. Project - PRJ-20241700.05 - Open Government Training for FY2024.
18. Project - PRJ-20241900.01 - Digital Record Archiving for FY2024.
19. Project - PRJ-20241900.02 - Physical Record Archiving for FY2024.

Management Discussion:

Regarding Cybersecurity Training

The state requires local government entities to complete cyber training on an annual basis. The training requirement applies to employees and elected officials (e.g., directors of the district). While a number of methods are available to satisfy this requirement, the simplest method and least time consuming is the viewing of one of the following YouTube videos:

1. TxDIR Cyber Security Training YouTube Video (28 minutes): https://www.youtube.com/watch?v=YFRK_slmKkQ&t=5s
2. TMLIRP Cyber Security Training Youtube Video (17 minutes): https://www.youtube.com/watch?v=pCRbR2ka_0o

Directors are encouraged to notify staff of their completion of the training for reporting purposes. The district is required to certify to the state the degree to which the requirements were satisfied each year.

Regarding Meetings of the Board

The next meetings of the Board are scheduled for **January 22, 2024, April 22, 2024, July 22, 2024, August 26, 2024** (Budget and Tax Rate Matters), and **October 28, 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.

Management Recommendation: none.

Item 9.1 - Minutes of the Previous Meeting

Previous Consideration by the Board: [MFC-20230724-9.1 - Minutes of the Previous Meeting.](#)

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects: Project - PRJ-20241500.01 - Public Notice and Meeting Coordination for FY2024.

Management Discussion: the minutes for July 24, 2023 and August 28, 2023 were sent to the board members prior to the meeting.

[CCGCD - Adm - MM - Meeting Minutes - 20230724 - Board of Directors](#)

CCGCD - Meeting Minutes - 20230724 - Draft.pdf

 9.1.1 CCGCD - Meeting Minutes - 20... 219 kB

[CCGCD - Adm - MM - Meeting Minutes - 20230828 - Board of Directors](#)

CCGCD - Meeting Minutes - 20230828 - Draft.pdf

 9.1.2 CCGCD - Meeting Minutes - 20... 118 kB

Management Recommendation: accept and approve the meeting minutes for July 24, 2023, and August 28, 2023, as drafted.

Item 9.2 - Financial Reports of the District

Previous Consideration by the Board: [MFC-20230724-9.2 - Financial Reports of the District.](#)

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects: Project - PRJ-20241300.03 - Financial Record Processing and Reporting for FY2024.

Management Discussion: the internal control review reports and internal financial reports for June, July and August 2023 have been compiled, reviewed and sent to the board members prior to the meeting.

[CCGCD - Adm - FM - Internal Financial Reports - IFR-20230630-01 - FY2023-M09 - June 2023](#)

CCGCD - Internal Financial Report - June 2023

 [9.2.1 CCGCD - Internal Financial Rep...](#) 784 kB

[CCGCD - Adm - FM - Internal Financial Reports - IFR-20230731-01 - FY2023-M10 - July 2023](#)

CCGCD - Internal Financial Report - July 2023

 [9.2.2 CCGCD - Internal Financial Rep...](#) 804 kB


[CCGCD - Adm - FM - Internal Financial Reports - IFR-20230831-01 - FY2023-M11 - August 2023](#)

CCGCD - Internal Financial Report - August 2023

 [9.2.3 CCGCD - Internal Financial Rep...](#) 818 kB


[CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230630-01 - June 2023](#)

CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230630-01 - June 2023

 [9.2.4 CCGCD - Adm - FM - Internal ...](#) 104 kB


[CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230731-01 - July 2023](#)

CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230731-01 - July 2023

 [9.2.5 CCGCD - Adm - FM - Internal C...](#) 96 kB

[CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230831-01 - August 2023](#)

CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230831-01 - August 2023

 [9.2.6 CCGCD - Adm - FM - Internal C...](#) 99 kB

Management Recommendation: move to accept the internal control review and internal financial reports for June, July, and August 2023.

Item 9.2.1 - Financial Transaction Review

Previous Consideration by the Board: [MFC-20230724-9.2.1 - Financial Transaction Review.](#)

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects: Project - PRJ-20241300.03 - Financial Record Processing and Reporting for FY2024.

Management Discussion: the list below identifies each accounts payable transaction that was recorded since July 21, 2023, as of October 18, 2023:

1. [ACCTP-20230703-01 - \\$4,500.00 - 301 South, LLC - Office Lease](#)
2. [ACCTP-20230706-01 - \\$7,267.49 - VCGCD - District Invoice - April 2023](#)
3. [ACCTP-20230706-02 - \\$7,423.29 - VCGCD - District Invoice - May 2023](#)
4. [ACCTP-20230706-03 - \\$7,344.69 - VCGCD - District Invoice - June 2023](#)
5. [ACCTP-20230707-01 - \\$604.45 - Victoria Advocate](#)

6. [ACCTP-20230707-02 - \\$144.94 - Prosperity Bank - Act# 3070](#)
7. [ACCTP-20230707-03 - \\$474.41 - Prosperity Bank - Act# 8049](#)
8. [ACCTP-20230717-01 - \\$35.62 - MVBA - June 2023](#)
9. [ACCTP-20230814-01 - \\$170.52 - Prosperity Bank - Act# 3070](#)
10. [ACCTP-20230814-02 - \\$312.05 - Prosperity Bank - Act# 8049](#)
11. [ACCTP-20230814-03 - \\$533.15 - Victoria Advocate](#)
12. [ACCTP-20230814-04 - \\$2,031.90 - CCAD - 4th Qtr](#)
13. [ACCTP-20230814-05 - \\$228.62 - MVBA](#)
14. [ACCTP-20230814-06 - \\$1,560.00 - Allison, Bass & Magee - Inv# 6946](#)
15. [ACCTP-20230922-01 - \\$157.73 - Prosperity Bank](#)
16. [ACCTP-20230922-02 - \\$114.10 - Victoria Advocate](#)
17. [ACCTP-20230922-03 - \\$327.50 - Office Systems](#)
18. [ACCTP-20230922-04 - \\$315.36 - MVBA](#)

the list below identifies each accounts receivable transaction that was recorded since July 21, 2023, as of October 18, 2023:

1. [ACCTR-20230726-01 - \\$394.93 - CCAD - Tax Collections](#)
2. [ACCTR-20230726-02 - \\$816.61 - CCAD - Tax Collections](#)
3. [ACCTR-20230731-01 - \\$3,033.78 - Interest](#)
4. [ACCTR-20230731-02 - \\$107.90 - Interest](#)
5. [ACCTR-20230810-01 - \\$93.27 - CCAD - Tax Collections](#)
6. [ACCTR-20230810-02 - \\$333.03 - CCAD - Tax Collections](#)
7. [ACCTR-20230817-01 - \\$250.81 - CCAD - Tax Collections](#)
8. [ACCTR-20230824-01 - \\$1,128.41 - CCAD - Tax Collections](#)
9. [ACCTR-20230831-01 - \\$3,041.90 - Interest](#)
10. [ACCTR-20230831-02 - \\$103.14 - Interest](#)
11. [ACCTR-20230926-01 - \\$101.34 - CCAD - Tax Collections](#)
12. [ACCTR-20230921-02 - \\$356.70 - CCAD - Tax Collections](#)
13. [ACCTR-20230921-01 - \\$213.77 - CCAD - Tax Collections](#)

Management Recommendation: None.

Item 9.3 - Investments of the District

Previous Consideration by the Board: [MFC-20230724-9.3 - Investments of the District.](#)

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects: **Related Projects:** [Project - PRJ-20241300.02 - Investment Management for FY2024.](#)

Management Discussion: the investment reports for June, July, and August 2023, have been developed, reviewed, and sent to the board members prior to the meeting.

[CCGCD - Adm - FM - Investment Report - IR-20230630-01 - FY2023M09 - June 2023](#)

CCGCD - Investment Report - IR-20230630-01- FY23M09 - June 2023

 [9.3.1 CCGCD - Investment Report - I...](#) 151 kB

[CCGCD - Adm - FM - Investment Report - IR-20230731-01 - FY2023M10 - July 2023](#)

CCGCD - Investment Report - IR-20230731-01- FY23M10 - July 2023.pdf

 [9.3.2 CCGCD - Investment Report - I...](#) 151 kB

 9.3.3 CCGCD - Investment Report - I... 151 kB

Management Recommendation: move to accept the investment reports for June, July, and August 2023.

Item 9.4 - Investment Policy and TexPool

Previous Consideration by the Board: None.

Related Programs: [Program - PRG-1000 - Administration - FY2024](#).

Related Projects:

1. Project - PRJ-20241300.02 - Investment Management for FY2024.
2. Project - PRJ-20241700.01 - Administrative Policy Review for FY2024.

Management Discussion: the District has historically invested funds in certificates of deposit at those institutions identified within the Investment Policy. The CDs have varied in terms of maturity periods ranging from 1 to 2 years. While considered liquid assets, the liquidation of a CD before maturity may result in loss of some or all interest earned on the investment. The District has not nor does it anticipate needing to liquidate current CDs. The use of CDs as investment vehicles complicates recordkeeping efforts as each CD represents an account that must be reconciled with the internal financial reports and accounted for in the investment reports of the district.

The use of investment pools, in particular TexPool (www.texpool.com), would reduce the recordkeeping efforts and improve liquidity of invested funds while receiving competitive interest rates. According to information provided by TexPool, "TexPool is the oldest and largest local government investment pool in the State of Texas. TexPool seeks to preserve principal, liquidity, and yield of capital investment consistent with the Texas Public funds Investment Act. This local government investment pool is managed and serviced by Federated Hermes, Inc., one of the nation's leading investment managers. Thirty seven states rely on Federated Hermes for some form of liquidity management."

TexPool - FAQ - G35884-70.pdf

 9.4.1 TexPool - G35884-70.pdf 462 kB

TexPool - Quarterly Update - G35884-22.pdf

 9.4.2 TexPool - G35884-22.pdf 904 kB

TexPool - Pool Profile - G371484_2984.pdf

 9.4.3 TexPool - G371484_2984.pdf 498 kB

TexPool - Investment Policy - G35884-52.pdf

 9.4.4 TexPool - Investment Policy - ... 405 kB

TexPool - Information Statement - G35884-50.pdf

 9.4.5 TexPool - Information Stateme... 310 kB

TexPool - Resolution Authorizing Participation.pdf

 9.4.6 TexPool - Resolution Authorizi... 109 kB

An important consideration of a decision to authorize the investment of funds into TexPool is not insured or guaranteed by any government or government agency such as FDIC.

On January 20, 2023, the Board re-adopted the Investment Policy of the District as originally adopted on March 15, 2012. See: [Matter For Consideration - MFC-20230123-11.2 - Review of Administrative Policies](#) and [Investment Policy](#). The policy authorizes the investment of funds in pools as authorized under Chapter 2256, Texas Government Code but does not specifically authorize the investment of funds in Texas Local Government Investment Pools ("TexPool/TexPool Prime"). A draft revision of the investment policy of the district was developed that identifies Texas Local Government Investment Pools ("TexPool/TexPool Prime") as a qualified broker/dealer with whom the District may engage in investment transactions (page 5).

CCGCD - Investment Policy - Revision 20231013 - Draft.docx

 CCGCD - Investment Policy - Revision... 37 kB

CCGCD - Investment Policy - Revision 20231013 - Draft.pdf

 9.4.7 CCGCD - Investment Policy - R... 140 kB

Management Recommendation: move to adopt the revised investment policy, authorize the investment of reserve funds in the TexPool Investment Pool, and adopt the resolution authorizing participation in the Texas Local Government Investment Pools ("TexPool/TexPool Prime").

Item 9.5 - Unpaid Accounts Payable

Previous Consideration by the Board: [MFC-20230724-9.4 - Unpaid Accounts Payable](#) .

Related Programs: [Program - PRG-1000 - Administration - FY2024](#).

Related Projects: Project - PRJ-20241300.03 - Financial Record Processing and Reporting for FY2024.

Management Discussion: the District has outstanding accounts payable invoices that are not considered regular and routine for which the District has received the goods and services billed for under the invoices.

Management Recommendation: move to authorize the general manager to pay the following items:

1. [ACCTP-20230814-06 - \\$1,560.00 - Allison, Bass & Magee - Inv# 6946](#)
2. [ACCTP-20231005-01 - \\$2,033.75 - Allison, Bass & Magee, LLP](#)
3. [ACCTP-20231019-01 - \\$7,233.72 - VCGCD - July 2023](#)
4. [ACCTP-20231019-02 - \\$7,375.28 - VCGCD - August 2023](#)

Item 9.6 - Financial Audit for the Previous Fiscal Year

Previous Consideration by the Board: [MFC-20230424-10.3 - Financial Audit for FY2022](#).

Related Programs: [Program - PRG-1000 - Administration - FY2024](#).

Related Projects: Project - PRJ-20241300.01 - Financial Audit for FY2023.

Management Discussion: Mr. Goldman of Goldman, Hunt, and Notz LLP has submitted an engagement letter related to performance of a financial audit of the District for FY2023.

Calhoun Co. 2023 Engagement Letter.pdf

 9.6.1 Calhoun Co. 2023 Engagement ... 2 MB

Management Recommendation: move to accept the offer of Goldman, Hunt, and Notz LLP to perform the financial audit for the fiscal year ending September 30, 2023 and authorize the firm to begin the audit upon development of the internal financial reports for September 30, 2023.

Item 9.7 - Records Management

Previous Consideration by the Board: None.

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects:

1. Project - PRJ-20241900.01 - Digital Record Archiving for FY2024.
2. Project - PRJ-20241900.02 - Physical Record Archiving for FY2024.

Management Discussion: the District presently creates, maintains, and stores the records of the district within the Evernote System. The records of the district are electronically archived to the Dropbox System after processing of the records are complete.

Email messages including associated attachments received by staff that essential to the fulfilment of statutory obligations or the documentation of agency functions of the District are imported from the iPower Email System into the Evernote System as records of on-going record series and ultimately archived to the Dropbox System. The District has amassed many emails since its existence and increased to a significant cumulative file size. The size of the mailboxes has resulted in a system that is difficult to maintain.

Management Recommendation: move to designate, as part of the records management policy of the District, email messages received by the District that not essential to the fulfillment of statutory obligations or to the documentation of agency functions as transitory information of temporary usefulness which may be deleted when determined to be no longer useful.

Item 9.8 - Web Maps and GPR Application

Previous Consideration by the Board: None.

Related Programs: [Program - PRG-1000 - Administration - FY2024.](#)

Related Projects: Project - PRJ-20241400.01 - Website Improvements.

Management Discussion: the Victoria County Groundwater Conservation District completed a project to configure and publish interactive web maps. The resulting maps have been published as a map portal using the mapping system offered by GIS Cloud. The map portal can be accessed for the following link: https://vcgcd_map_portal.giscloud.com/. The VCGCD subscribed to the Map Editor and Map Portal services offered by GIS Cloud at a monthly cost of \$169.00 (\$2,040.00 per year). If the VCGCD opts for annual billing for services, a 20% discount will be received.

The portal enables users to investigate and view permitting and monitoring data maintained by the VCGCD using the following maps: Groundwater Permitting, Reported Groundwater Production, Recorded Water Levels, and Recorded Water Quality Measurements.

The VCGCD is considering the development of a custom web application using the GIS Cloud Crowdsourcing service to facilitate the online submittal of groundwater production reports for CY2023 in January 2024. Initial estimates for the custom application range between \$2,000 to \$4,000 annually for the customization.

Management Recommendation: move to 1) authorize the General Manager to completed a project to configure and publish interactive web maps and map portal using the mapping system offered by GIS Cloud for the district at a cost not to exceed \$2,100.00, and 2) develop a a custom web application using the GIS Cloud Crowdsourcing service to facilitate the online submittal of groundwater production reports for CY2023 in January 2024 at a cost not to exceed \$4,000.00.

Item 10.0 - Legal Counsel Report

Previous Consideration by the Board: [MFC-20230724-10.0 - Legal Counsel Report](#).

Related Programs: [Program - PRG-1000 - Administration - FY2024](#).

Related Projects: none.

Management Discussion: none.

Management Recommendation: none.

Item 11.0 - Adjourn Meeting

Management Discussion: none.

Management Recommendation: move to adjourn the meeting after concluding all business of the District.