



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

Thursday, June 8, 2023

5:00 PM

IN-PERSON

Notice is given that a **Regular Meeting** of the Board of Directors (Board) of the Barton Springs/Edwards Aquifer Conservation District will be held on **Thursday, June 8, 2023** commencing at **5:00 p.m.** at the **District office, located at 1124 Regal Row, Austin, Texas.**

This meeting will be audio recorded and the recording will be available on the District's website after the meeting.

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

AGENDA

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to meet in Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

- 1. Call to Order.**
- 2. Citizen Communications (Public Comments of a General Nature).**
- 3. Consent Agenda.** *(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)*
 - a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **Pg. 4**
 - b. Approval of minutes of the Board's May 11, 2023 Regular Meeting and Public Hearing. **Not for public review at this time**
- 4. General Manager's Report. Discussion and possible action. Topics**

- a. Review of key team activities/projects. **Pg. 30**
 1. Draft MOU with City of Austin for new monitoring wells
 2. Magellan Partners – negotiation over water quality sample funding
 3. In-house model – final report update
 4. Six-month staff-performance reviews completed
- b. Communications and Outreach – Shay Hlavaty starts on June 12
- c. Aquifer Status Update
- d. Upcoming events of possible interest.

5. Discussion and Possible Action.

- a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments. **NBU**
- b. Discussion and possible action on the Preliminary FY 2024 Budget and setting a public hearing date. **Pg. 43**
- c. Discussion and possible action on an amendment to the Magellan Partners 2013 Letter Agreement. **Pg. 50**
- d. Discussion and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the General Manager. **NBU**

6. Director Reports.

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

7. Adjournment.

Please note: This agenda and available related documentation, if any, have been posted on the District website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you. The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

Item 1

Call to Order

Item 2

Citizen Communications

Item 3

Consent Agenda

(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)

- a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
- b. Approval of minutes of the Board's May 11, 2023 Regular Meeting and Public Hearing.**

Financial Reports – May 2023

June 8, 2023 Board Meeting

(These reports cover the first nine months of FY 2023)

1. Profit and Loss Budget vs Actual

September 1, 2022 through May 31, 2023

2. Profit and Loss Previous Year Comparison

September 1, 2022 through May 31, 2023

3. Balance Sheet Previous Year Comparison

As of May 31, 2023 (compared to May 31, 2022)

4. Check Register – TRUIST Bank Account

May 1, 2023 through May 31, 2023

5. Profit and Loss Budget vs Actual (Expanded Version of 1)

September 1, 2022 through May 31, 2023

1. Profit and Loss Budget vs Actual

September 1, 2022 - May 31, 2023

BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT

BUDGET VS ACTUAL PROFIT AND LOSS

September 1, 2022 - May 31, 2023

| | Sept 1, 2022 - May 31, 2023 | Budget | % of Budget | Notes |
|--|-----------------------------|---------------------|----------------|---|
| INCOME | | | | |
| 4400.0 · Interest Income | 47,263.13 | 1,600.00 | 2,953.95% | For all funds, including TexPool |
| 4625.0 · MISCELLANEOUS INCOME | 41,654.09 | 0.00 | 100.0% | \$39,875 Intra Database Payment (unbudgeted account by design) |
| 4800.0 · USAGE AND PRODUCTION FEES | 1,581,786.45 | 1,619,554.00 | 97.67% | Permittees, Co/AWU, Transport, Annual Renewals |
| 4810.0 · OTHER FEES | 105,892.71 | 12,300.00 | 860.92% | Well Development, Applications, DMFs, Pluggings, etc. |
| | | | | \$74,705 = Aqua and PCSI overpumpage, Aqua Bond, and Aqua Enforcement payments; and \$16,760 = DMFs |
| TOTAL INCOME | 1,776,596.38 | 1,633,454.00 | 108.76% | |
| EXPENSE | | | | |
| 6000.0 · UTILITIES | 14,160.76 | 22,000.00 | 64.37% | Electricity, Water, Phone, Internet, Smartphone, Telemetry |
| 6005.0 · Print/Copy/Photo Services | 1,457.10 | 2,000.00 | 72.86% | High percentage due to large envelope order |
| 6007.0 · Postage/Freight/Shipping | 904.38 | 2,000.00 | 45.22% | |
| 6010.0 · Office Supplies | 3,810.21 | 6,000.00 | 63.5% | |
| 6010.2 · Office Furniture | 0.00 | 1,000.00 | 0.0% | |
| 6011.0 · Comp Hardware-Plotter Supplies | 7,694.35 | 6,000.00 | 128.24% | in general, meant to cover two employee desktop replacements |
| 6014.0 · Software Acquisition and Upgrades | 4,505.80 | 6,000.00 | 75.1% | |
| 6015.0 · IT Monthly Maintenance | 20,107.90 | 44,100.00 | 45.6% | |
| 6016.0 · Meeting Expense | 3,237.58 | 4,500.00 | 71.95% | Includes retirement party |
| 6017.3 · Sponsorships | 2,000.00 | 3,750.00 | 53.33% | |
| 6019.0 · Subscriptions/Publications | 1,948.76 | 5,000.00 | 38.98% | |
| 6020.0 · Advertising | 1,988.25 | 4,000.00 | 49.71% | |
| 6021.0 · MISCELLANEOUS EXPENSES | 1,493.61 | 0.00 | 100.0% | Includes monthly bank service charge fees |
| 6022.0 · Accounting System Operation | 3,822.16 | 6,000.00 | 63.7% | Includes Journyx timekeeping software, Quickbooks Subscription, Payroll |
| 6023.0 · MAINTENANCE (Office and Auto) | 16,462.71 | 21,500.00 | 76.57% | Includes A/C Repair, Alarm, Landscaping, Janitorial, Brush removal |
| 6040.0 · LEASES | 7,428.16 | 9,650.00 | 76.98% | Copier and Postage Machine |
| 6065.0 · DIRECTOR EXPENSES | 405.00 | 2,500.00 | 16.2% | |
| 6066.0 · Directors Compensation | 6,850.00 | 25,000.00 | 27.4% | |

| | Sept 1, 2022 - May 31, 2023 | Budget | % of Budget | Notes |
|---|-----------------------------|---------------------|-----------------|--|
| 6075.0 · DUES & MEMBERSHIPS | 4,638.00 | 6,100.00 | 76.03% | |
| 6080.0 · COMMUNICATIONS AND OUTREACH | 2,183.03 | 17,050.00 | 12.8% | |
| 6081.0 · REGULATORY COMPLIANCE | 3,250.00 | 7,500.00 | 43.33% | |
| 6084.92 · GENERAL MANAGEMENT | 0.00 | 5,000.00 | 0.0% | |
| 6089.0 · AQUIFER SCIENCE | 5,421.67 | 15,000.00 | 36.14% | |
| 6095.0 · CONTRACTED SUPPORT - All Teams | 8,264.79 | 40,750.00 | 20.28% | New placement (moved out of Team Budgets) |
| 6100.0 · INSURANCE - DISTRICT | 5,844.50 | 7,047.00 | 82.94% | Property, Liability, Auto, E&O |
| 6150.0 · INSURANCE - GROUP | 87,232.10 | 150,660.00 | 57.9% | Employee Health, Dental, Life/Disability, Vision |
| 6160.0 · LEGAL SERVICES | 49,742.50 | 85,000.00 | 58.52% | General Matters |
| 6170.0 · PROFESSIONAL SERVICES | 83,899.10 | 183,850.00 | 45.64% | Audit, Database, Retirement Fees, Election |
| 6179.0 · LEGISLATION | 26,000.00 | 36,000.00 | 72.22% | In session |
| 6180.0 · PROFESSIONAL DEVELOPMENT | 3,271.05 | 20,000.00 | 16.36% | All Teams |
| 6199.0 · SALARIES AND WAGES | 608,145.23 | 852,865.00 | 71.31% | |
| 6203.0 · TAXES & BENEFITS | 70,465.97 | 128,327.00 | 54.91% | Includes Payroll Tax, Workers Comp Insurance, Retirement Match |
| 6800.0 · PROJECTS | 0.00 | 17,500.00 | 0.0% | Sustainability Studies, HCP ILA Commitments |
| TOTAL EXPENSE | 1,056,634.67 | 1,743,649.00 | 60.6% | |
| NET ORDINARY INCOME | 719,961.71 | -110,195.00 | -653.35% | Negative effect to the budget (shortfall), before accounting for the transfers to balance the budget, shown below. |
| OTHER INCOME | | | | |
| 9000.00 · Transfer from Reserves | 0.00 | 110,200.00 | | |
| TOTAL OTHER INCOME | 0.00 | 110,200.00 | | \$107,200 FROM General and \$3000 from TexPool Aquifer Reserve (General sub-account). |
| NET INCOME | 719,961.71 | 5.00 | | This is the difference between the negative amount in Net Ordinary Income before the transfers in from other accounts, needed to balance the budget. |

2. Profit and Loss - Previous Year Comparison

September 1, 2022 – May 31, 2023

**BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT
PROFIT AND LOSS - PREVIOUS YEAR COMPARISON**

September 1, 2022 - May 31, 2023

| | <u>Sept 1, 2022-May 31, 2023</u> | <u>Sept 1, 2021-May 31, 2022</u> | <u>\$ Change</u> | <u>% Change</u> |
|---|----------------------------------|----------------------------------|-------------------|-----------------|
| INCOME | | | | |
| 4400.0 · Interest Income | 47,263.13 | 1,800.04 | 45,463.09 | 2,525.67% |
| 4625.0 · MISCELLANEOUS INCOME (includes \$39,875 Intra database payment) | 41,654.09 | 16,849.57 | 24,804.52 | 147.21% |
| 4800.0 · USAGE AND PRODUCTION FEES (permitees, CoA, transport, renewals) | 1,581,786.45 | 1,442,124.78 | 139,661.67 | 9.68% |
| 4810.0 · OTHER FEES (well development, applications, DMF's, pluggings, penalties) * | 105,892.71 | 13,113.30 | 92,779.41 | 707.52% |
| TOTAL INCOME | <u>1,776,596.38</u> | <u>1,473,887.69</u> | <u>302,708.69</u> | <u>20.54%</u> |
| EXPENSE | | | | |
| 6000.0 · UTILITIES | 14,160.76 | 13,708.69 | 452.07 | 3.3% |
| 6005.0 · Print/Copy/Photo Services | 1,457.10 | 1,722.51 | -265.41 | -15.41% |
| 6007.0 · Postage/Freight/Shipping | 904.38 | 817.03 | 87.35 | 10.69% |
| 6010.0 · Office Supplies | 3,810.21 | 3,975.36 | -165.15 | -4.15% |
| 6010.2 · Office Furniture | 0.00 | 113.63 | -113.63 | -100.0% |
| 6011.0 · Comp Hardware-Plotter Supplies | 7,694.35 | 4,455.26 | 3,239.09 | 72.7% |
| 6014.0 · Software Acquisition and Upgrades (new-ArcGIS, and Adobe now posts here) | 4,505.80 | 1,148.58 | 3,357.22 | 292.29% |
| 6015.0 · IT Monthly Maintenance | 20,107.90 | 12,957.50 | 7,150.40 | 55.18% |
| 6016.0 · Meeting Expense (FY 2023 includes retirement party for \$1,859) | 3,237.58 | 1,246.59 | 1,990.99 | 159.72% |
| 6017.3 · Sponsorships | 2,000.00 | 0.00 | 2,000.00 | 100.0% |
| 6019.0 · Subscriptions/Publications | 1,948.76 | 2,802.48 | -853.72 | -30.46% |
| 6020.0 · Advertising | 1,988.25 | 2,218.84 | -230.59 | -10.39% |
| 6021.0 · MISCELLANEOUS EXPENSES | 1,493.61 | 591.06 | 902.55 | 152.7% |
| 6022.0 · Accounting System Operation (includes Journy timekeeping, QB, and P/R) | 3,822.16 | 2,861.15 | 961.01 | 33.59% |
| 6023.0 · MAINTENANCE (Office and Auto) - \$4400 in FY 2023 for A/C repairs | 16,462.71 | 15,845.70 | 617.01 | 3.89% |
| 6040.0 · LEASES (Copier and Postage Machine) | 7,428.16 | 7,515.72 | -87.56 | -1.17% |
| 6065.0 · DIRECTOR EXPENSES | 405.00 | 0.00 | 405.00 | 100.0% |
| 6066.0 · Directors Compensation | 6,850.00 | 12,050.00 | -5,200.00 | -43.15% |
| 6075.0 · DUES and MEMBERSHIPS | 4,638.00 | 5,437.63 | -799.63 | -14.71% |
| 6080.0 · COMMUNICATIONS AND OUTREACH | 2,183.03 | 8,798.21 | -6,615.18 | -75.19% |
| 6081.0 · REGULATORY COMPLIANCE | 3,250.00 | 2,347.22 | 902.78 | 38.46% |
| 6084.92 · GENERAL MANAGEMENT | 0.00 | 3,889.01 | -3,889.01 | -100.0% |

| | Sept 1, 2022-May 31, 2023 | Sept 1, 2021-May 31, 2022 | \$ Change | % Change |
|---|---------------------------|---------------------------|-------------------|---------------|
| 6089.0 · AQUIFER SCIENCE | 5,421.67 | 6,556.35 | -1,134.68 | -17.31% |
| 6095.0 · CONTRACTED SUPPORT - used to be under Teams (GSI-Modeling, AAG-HR) | 8,264.79 | 0.00 | 8,264.79 | 100.0% |
| 6100.0 · INSURANCE - DISTRICT (Property, Liability, Auto, E&O) ** | 5,844.50 | 4,625.90 | 1,218.60 | 26.34% |
| 6150.0 · INSURANCE - GROUP (Employee Health, Dental, Life/Disability, Vision) | 87,232.10 | 88,411.83 | -1,179.73 | -1.33% |
| 6160.0 · LEGAL SERVICES (General Matters) | 49,742.50 | 43,059.59 | 6,682.91 | 15.52% |
| 6170.0 · PROFESSIONAL SERVICES (Audit, Database, Retirement Fees) *** | 83,899.10 | 41,422.76 | 42,476.34 | 102.54% |
| 6179.0 · LEGISLATION (Increase is because Lege is currently in Session) | 26,000.00 | 8,000.00 | 18,000.00 | 225.0% |
| 6180.0 · PROFESSIONAL DEVELOPMENT (All Teams) | 3,271.05 | 4,977.32 | -1,706.27 | -34.28% |
| 6199.0 · SALARIES AND WAGES (GM vacancy 9/3/2021 - 1/24/2022) | 608,145.23 | 579,843.69 | 28,301.54 | 4.88% |
| 6203.0 · TAXES and BENEFITS | 70,465.97 | 91,339.86 | -20,873.89 | -22.85% |
| 6690.0 · Reconciliation Discrepancies (credit card payment transfer that is now reconciled) | 0.00 | 10,847.25 | -10,847.25 | -100.0% |
| 6800.0 · PROJECTS (Jacobs Well Project is completed) | 0.00 | 31,281.04 | -31,281.04 | -100.0% |
| TOTAL EXPENSE | 1,056,634.67 | 1,014,867.76 | 41,766.91 | 4.12% |
| NET INCOME | 719,961.71 | 459,019.93 | 260,941.78 | 56.85% |

CAPITALIZATION INDICATES ACCOUNTS THAT HAVE SUB-CATEGORIES.

Those sub-categories have been collapsed.

* \$74,705 is Aqua and PCSI overpumpage, Aqua bond, and Aqua enforcement payments that did not occur in the previous fiscal year.

Also included in this total is \$16,760 in DMFs.

** FY 2023 includes \$1,188 Crime Policy that renews every 4 years.

*** Database in FY 2023 is \$45,000 vs -0- in FY 2022.

3. Balance Sheet - Previous Year Comparison

As of May 31, 2023
(compared to May 31, 2022)

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

As of May 31, 2023

| | <u>May 31, 2023</u> | <u>May 31, 2022</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|---------------------|---------------------|-------------------|-----------------|
| ASSETS | | | | |
| Current Assets | | | | |
| Checking/Savings | | | | |
| 1000.0 · Cash in Bank-Checking Truist | 108,077.84 | 72,695.01 | 35,382.83 | 48.67% |
| 1010.0 · Cash in Bank - Payroll Truist | 31,430.55 | 33,255.84 | -1,825.29 | -5.49% |
| 1030.0 · TexPool Funds - General | | | | |
| 1030.1 · Aquifer Protection Reserve- Drought Mgmt | 53,749.00 | 56,750.00 | -3,001.00 | -5.29% |
| 1030.12 · Aquifer Protection Reserve - Well Pluggings (new sub-account) | 1.00 | 0.00 | 1.00 | 100.0% |
| 1030.21 · Cash Flow Reserve (to cover unexpected expenses) | 175,000.00 | 175,000.00 | 0.00 | 0.0% |
| 1030.0 · TexPool Funds - General - Operational | 909,370.35 | 929,774.25 | -20,403.90 | -2.2% |
| Total 1030.0 · TexPool Funds - General | 1,138,120.35 | 1,161,524.25 | -23,403.90 | -2.02% |
| 1040.0 · TexPool Funds - Contingency | 622,250.83 | 505,329.10 | 116,921.73 | 23.14% |
| 1045.0 · TexPool Funds - Reserve (Vacation and Comp payable) | 66,574.14 | 64,629.70 | 1,944.44 | 3.01% |
| Total Checking/Savings | 1,966,453.71 | 1,837,433.90 | 129,019.81 | 7.02% |
| Accounts Receivable | | | | |
| 1200.0 · Accounts Receivable | | | | |
| 1200.1 · A/R DMF (Drought Management Fees - invoiced but not yet paid) | 1,635.00 | 0.00 | 1,635.00 | 100.0% |
| 1200.0 · Accounts Receivable (Permittee Production Fees - invoiced but not yet paid, includes CoA/AWU) | 295,341.06 | 65,263.16 | 230,077.90 | 352.54% |
| Total 1200.0 · Accounts Receivable | 296,976.06 | 65,263.16 | 231,712.90 | 355.04% |
| Total Accounts Receivable | 296,976.06 | 65,263.16 | 231,712.90 | 355.04% |
| Other Current Assets | | | | |
| 1100.0 · Petty Cash | 300.00 | 300.00 | 0.00 | 0.0% |
| 1300.0 · Pre-paid Expenses | 6,635.91 | 5,889.69 | 746.22 | 12.67% |
| 1499.0 · Undeposited Funds-A/R payments (received, posted, not yet deposited) | 0.00 | 28,932.63 | -28,932.63 | -100.0% |
| Total Other Current Assets | 6,935.91 | 35,122.32 | -28,186.41 | -80.25% |
| Total Current Assets | 2,270,365.68 | 1,937,819.38 | 332,546.30 | 17.16% |

| | <u>May 31, 2023</u> | <u>May 31, 2022</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|----------------------------|----------------------------|--------------------------|----------------------|
| Fixed Assets | | | | |
| 1400.0 · Field Equipment | 376,487.89 | 376,487.89 | 0.00 | 0.0% |
| 1410.0 · Office Equipment and Furniture | 19,722.90 | 19,722.90 | 0.00 | 0.0% |
| 1410.1 · Computer Hardware and Software | 19,329.69 | 19,329.69 | 0.00 | 0.0% |
| 1420.0 · Vehicles | 52,363.03 | 52,363.03 | 0.00 | 0.0% |
| 1430.0 · Accumulated Depreciation | -608,852.24 | -608,852.24 | 0.00 | 0.0% |
| 1440.0 · Land (Antioch Cave) | 165,415.00 | 165,415.00 | 0.00 | 0.0% |
| 1445.0 · Office Building | 268,588.04 | 268,588.04 | 0.00 | 0.0% |
| Total Fixed Assets | <u>293,054.31</u> | <u>293,054.31</u> | <u>0.00</u> | <u>0.0%</u> |
| Other Assets | | | | |
| 1500.0 · Organizational Costs | 300,783.26 | 300,783.26 | 0.00 | 0.0% |
| 1510.0 · Accumulated Amortization | -326,324.26 | -326,324.26 | 0.00 | 0.0% |
| 1600.0 · Deposits Paid (Utilities) | 71.00 | 71.00 | 0.00 | 0.0% |
| Total Other Assets | <u>-25,470.00</u> | <u>-25,470.00</u> | <u>0.00</u> | <u>0.0%</u> |
| TOTAL ASSETS | <u>2,537,949.99</u> | <u>2,205,403.69</u> | <u>332,546.30</u> | <u>15.08%</u> |
| LIABILITIES & EQUITY | | | | |
| Liabilities | | | | |
| Current Liabilities | | | | |
| Credit Cards | | | | |
| 2007.0 · Truist VISA | 0.00 | 12,186.13 | -12,186.13 | -100.0% |
| Total Credit Cards | <u>0.00</u> | <u>12,186.13</u> | <u>-12,186.13</u> | <u>-100.0%</u> |
| Other Current Liabilities | | | | |
| 2010.0 · Rebates Payable - Conservation Credits (program discontinued) | 0.00 | 44,741.10 | -44,741.10 | -100.0% |
| 2100.0 · Deferred Revenue | 75,741.00 | 75,741.00 | 0.00 | 0.0% |
| 2110.0 · Direct Deposit Liabilities | 1,035.01 | 1,035.01 | 0.00 | 0.0% |
| 2200.0 · Fica and Medicare Withheld | -11.31 | 0.00 | -11.31 | -100.0% |
| 2220.0 · Federal Income Tax Withheld | -1,065.01 | -1,035.01 | -30.00 | -2.9% |
| 2230.0 · Employer Fica & Med Payable | -150.56 | -139.25 | -11.31 | -8.12% |
| 2250.0 · TWC Unemployment Tax Payable | 0.00 | 0.58 | -0.58 | -100.0% |
| 2270.0 · Payroll Liabilities | 0.09 | 0.09 | 0.00 | 0.0% |
| 2300.0 · Accrued Vacation Payable | 47,462.12 | 67,239.95 | -19,777.83 | -29.41% |
| Total Other Current Liabilities | <u>123,011.34</u> | <u>187,583.47</u> | <u>-64,572.13</u> | <u>-34.42%</u> |

| | May 31, 2023 | May 31, 2022 | \$ Change | % Change |
|---------------------------------------|----------------------------|----------------------------|--------------------------|----------------------|
| Total Current Liabilities | <u>123,011.34</u> | <u>199,769.60</u> | <u>-76,758.26</u> | <u>-38.42%</u> |
| Total Liabilities | <u>123,011.34</u> | <u>199,769.60</u> | <u>-76,758.26</u> | <u>-38.42%</u> |
| Equity | | | | |
| 3000.0 · Fund Balance | 1,329,577.22 | 1,181,186.90 | 148,390.32 | 12.56% |
| 3000.3 · Invested in Capital Assets | 365,127.26 | 365,127.26 | 0.00 | 0.0% |
| 3110.0 · Reserve for Petty Cash | 300.00 | 300.00 | 0.00 | 0.0% |
| Net Income | <u>719,934.17</u> | <u>459,019.93</u> | <u>260,914.24</u> | <u>56.84%</u> |
| Total Equity | <u>2,414,938.65</u> | <u>2,005,634.09</u> | <u>409,304.56</u> | <u>20.41%</u> |
| TOTAL LIABILITIES & EQUITY | <u>2,537,949.99</u> | <u>2,205,403.69</u> | <u>332,546.30</u> | <u>15.08%</u> |

4. Check Register

TRUIST BANK
May 1 – May 31, 2023

BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT
MONTHLY CHECK REGISTER
May 1, 2023 - May 31, 2023

| Type | Date | Numb | Name | Memo | Amount | Balance |
|-----------------|------------|---------|-------------------------------------|--|------------------|-------------------|
| Liability Check | 05/11/2023 | 26736 | United Healthcare | June Health Insurance | -8,745.51 | 67,790.56 |
| Liability Check | 05/11/2023 | 26737 | AFLAC | May Employee-paid Supplemental Insurance | -107.30 | 59,045.05 |
| Check | 05/11/2023 | 26738 | Ready Refresh | Bottled Water 4/9/2023 - 5/8/2023 | -105.97 | 58,937.75 |
| Check | 05/12/2023 | 26739 | Telco Experts | Telephone Service May 2023 | -588.46 | 58,831.78 |
| Check | 05/15/2023 | 26741 | CIT Technology Fin Serv, Inc | May Copier Lease | -675.00 | 58,243.32 |
| Check | 05/16/2023 | 26742 | Austin Alliance Group | HR On Demand 4/1/2023 - 4/28/2023 | -124.30 | 57,568.32 |
| Check | 05/16/2023 | 26743 | SledgeLaw Group | April Legislative Consulting | -4,000.00 | 57,444.02 |
| Check | 05/16/2023 | 26744 | Fidelity Security Life Insurance Co | June Gap Insurance | -752.27 | 53,444.02 |
| Check | 05/16/2023 | 26745 | Pitney Bowes Global Financial Svcs | Quarterly Postage Machine Lease 6/10/2023 - 9/9/2023 | -264.90 | 52,691.75 |
| Check | 05/16/2023 | 26746 | City of Austin | Water Service 4/11/2023 - 5/10/2023 | -21.40 | 52,426.85 |
| Check | 05/16/2023 | 26747 | ESRI | 5 Arc GIS Primary Maintenance through 7/31/2024 | -1,951.37 | 52,405.45 |
| Check | 05/16/2023 | 26748 | TAGD | Summit Conference Registrations TR/KBE/BSStansberry | -1,215.00 | 50,454.08 |
| Check | 05/16/2023 | 26749 | TAGD | June Business Meeting Registration TL | -180.00 | 49,239.08 |
| Check | 05/17/2023 | 26750 | Camp, Justin P. | Reimbursement for Pipe and Meter Supplies | -99.74 | 49,059.08 |
| Check | 05/17/2023 | 26751 | Vivint | Alarm Monitoring and a part 5/15/2023 - 6/14/2023 | -104.37 | 48,959.34 |
| Liability Check | 05/18/2023 | 5182023 | United States Treasury | 74-2488641 Employee Bi-weekly Payroll Liabilities | -7,518.21 | 48,854.97 |
| Liability Check | 05/18/2023 | 51823 | Reliance Trust Company | Employee Bi-weekly Retirement | -2,402.08 | 41,336.76 |
| Transfer | 05/18/2023 | | | Funds Transfer (to replenish low balance in checking) | 60,000.00 | 38,934.68 |
| Transfer | 05/18/2023 | | | Funds Transfer - Payroll | -22,000.00 | 98,934.68 |
| Liability Check | 05/19/2023 | 5192023 | United States Treasury | 74-2488641 Directors Comp Liabilities CW VPW | -61.20 | 76,934.68 |
| Check | 05/19/2023 | 26753 | Sun Life Assurance | June Dental/Life/Disability/Vision | -1,036.64 | 75,836.84 |
| Check | 05/19/2023 | 26754 | National Ground Water Association | 2023 Annual Membership Renewal | -680.00 | 75,156.84 |
| Check | 05/19/2023 | 26755 | LRE Water | Database Services through 4/25/2023 | -9,000.00 | 66,156.84 |
| Check | 05/19/2023 | 26756 | TAGD | Conference Registration B Smith | -405.00 | 65,751.84 |
| Check | 05/24/2023 | 26757 | Vintage IT Services | June IT Services | -2,284.50 | 63,467.34 |
| Check | 05/24/2023 | 26758 | Brian Zavala | Website Maintenance 3/1/2023 - 5/22/2023 | -675.00 | 62,792.34 |
| Check | 05/24/2023 | 26759 | Wex Bank | Gasoline April | -85.59 | 62,706.75 |
| Deposit | 05/24/2023 | | | Deposit - permittee production fees, and drought management fees | 45,436.09 | 108,142.84 |
| Check | 05/25/2023 | 26760 | Orsak Landscape Services | May Lawn Maintenance | -65.00 | 108,077.84 |
| | | | | | <u>40,287.28</u> | <u>108,077.84</u> |
| | | | | | <u>40,287.28</u> | <u>108,077.84</u> |

5. Profit and Loss Budget vs Actual
(Expanded Version of 1)

NEW REPORT

September 1, 2022 - May 31, 2023

BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT
BUDGET VS ACTUAL - EXPANDED VERSION OF REPORT 1
September 1, 2022 - May 31, 2023

| | <u>Sept 1, 2022 - May 31, 2023</u> | <u>Budget</u> | <u>% of Budget</u> |
|--|------------------------------------|---------------------|--------------------|
| INCOME | | | |
| 4400.0 · Interest Income | 47,263.13 | 1,600.00 | 2,953.95% |
| MISCELLANEOUS INCOME | 41,654.09 | 0.00 | 100.0% |
| 4800.0 · USAGE AND PRODUCTION FEES | | | |
| 4801.0 · Permittees Water Production Fee | 568,960.45 | 606,653.00 | 93.79% |
| 4803.0 · CoA Water Use Fee Assessment | 879,976.00 | 879,976.00 | 100.0% |
| 4805.0 · Permittees Annual Permit Fee | 8,850.00 | 8,925.00 | 99.16% |
| 4807.0 · Permittees Water Transport Fees | 124,000.00 | 124,000.00 | 100.0% |
| Total 4800.0 · USAGE AND PRODUCTION FEES | 1,581,786.45 | 1,619,554.00 | 97.67% |
| 4810.0 · OTHER FEES | | | |
| 4806.0 · Permittees Late Payment Fees | 1,027.71 | 0.00 | 100.0% |
| 4815.0 · Well Develop Application Inspec | 9,825.00 | 9,800.00 | 100.26% |
| 4816.0 · Meter Reading Fees/Pluggings | 1,075.00 | 0.00 | 100.0% |
| 4816.1 · Shared Territory Monitoring | 0.00 | 2,500.00 | 0.0% |
| 4817.0 · Enforcement Fines and Penalties | 74,705.00 | | |
| 4818.0 · Drought Management Fees | 16,760.00 | 0.00 | 100.0% |
| 4810.0 · OTHER FEES - Other | 2,500.00 | | |
| Total 4810.0 · OTHER FEES | 105,892.71 | 12,300.00 | 860.92% |
| TOTAL INCOME | 1,776,596.38 | 1,633,454.00 | 108.76% |
| EXPENSE | | | |
| 6000.0 · UTILITIES | | | |
| 6001.0 · Electricity & Water Service | 3,626.44 | 6,000.00 | 60.44% |
| 6002.0 · Phone, Internet, Telemetry | | | |
| 6003.0 · Smartphone Reimbursements | 4,200.00 | 0.00 | 100.0% |
| 6002.0 · Phone, Internet, Telemetry - Other | 6,334.32 | 16,000.00 | 39.59% |
| Total 6002.0 · Phone, Internet, Telemetry | 10,534.32 | 16,000.00 | 65.84% |
| Total 6000.0 · UTILITIES | 14,160.76 | 22,000.00 | 64.37% |
| 6005.0 · Print/Copy/Photo Services | 1,457.10 | 2,000.00 | 72.86% |
| 6007.0 · Postage/Freight/Shipping | 904.38 | 2,000.00 | 45.22% |
| 6010.0 · Office Supplies | | | |
| 6010.1 · Canteen | 1,866.91 | 0.00 | 100.0% |
| 6010.0 · Office Supplies - Other | 1,943.30 | 6,000.00 | 32.39% |
| Total 6010.0 · Office Supplies | 3,810.21 | 6,000.00 | 63.5% |
| 6010.2 · Office Furniture | 0.00 | 1,000.00 | 0.0% |
| 6011.0 · Comp Hardware-Plotter Supplies | 7,694.35 | 6,000.00 | 128.24% |
| 6014.0 · Software Acquisition & Upgrades | 4,505.80 | 6,000.00 | 75.1% |
| 6015.0 · IT Monthly Maintenance | 20,107.90 | 44,100.00 | 45.6% |
| Meeting Expense | 3,237.58 | 4,500.00 | 71.95% |

| | Sept 1, 2022 - May 31, 2023 | Budget | % of Budget |
|--|------------------------------------|------------------|--------------------|
| 6017.3 · Sponsorships | 2,000.00 | 3,750.00 | 53.33% |
| 6019.0 · Subscriptions/Publications | 1,948.76 | 5,000.00 | 38.98% |
| 6020.0 · Advertising | | | |
| 6020.12 · Public Notices | 1,988.25 | 0.00 | 100.0% |
| 6020.0 · Advertising - Other | 0.00 | 4,000.00 | 0.0% |
| Total 6020.0 · Advertising | 1,988.25 | 4,000.00 | 49.71% |
| MISCELLANEOUS EXPENSES | 1,493.61 | 0.00 | 100.0% |
| 6022.0 · Accounting System Operation | | | |
| 6022.1 · Timekeeping Service-prepaid | 3,114.20 | 4,500.00 | 69.2% |
| 6022.0 · Accounting System Operation - Other | 1,056.96 | 1,500.00 | 70.46% |
| Total 6022.0 · Accounting System Operation | 4,171.16 | 6,000.00 | 69.52% |
| 6023.0 · MAINTENANCE | | | |
| 6024.0 · Auto Maintenance | 694.38 | 5,500.00 | 12.63% |
| 6025.0 · Office Complex Maintenance | | | |
| 6025.3 · Security System Monitoring | 0.00 | 0.00 | 0.0% |
| 6025.0 · Office Complex Maintenance - Other | 9,319.33 | 11,000.00 | 84.72% |
| Total 6025.0 · Office Complex Maintenance | 9,319.33 | 11,000.00 | 84.72% |
| 6025.4 · Facilities Repairs | 6,449.00 | 5,000.00 | 128.98% |
| Total 6023.0 · MAINTENANCE | 16,462.71 | 21,500.00 | 76.57% |
| 6040.0 · LEASES | | | |
| 6040.2 · Copier Lease & Maintenance | 6,368.56 | 8,500.00 | 74.92% |
| 6040.3 · Postage Machine Lease - Pre-Pd | 1,059.60 | 1,150.00 | 92.14% |
| Total 6040.0 · LEASES | 7,428.16 | 9,650.00 | 76.98% |
| 6065.0 · DIRECTOR EXPENSES | | | |
| 6065.1 · Directors Travel/Meals | 0.00 | | |
| 6065.2 · Directors Registration Fees | 405.00 | 0.00 | 100.0% |
| 6065.0 · DIRECTOR EXPENSES - Other | 0.00 | 2,500.00 | 0.0% |
| Total 6065.0 · DIRECTOR EXPENSES | 405.00 | 2,500.00 | 16.2% |
| 6066.0 · Directors Compensation | 6,850.00 | 25,000.00 | 27.4% |
| 6075.0 · DUES & MEMBERSHIPS | | | |
| 6076.0 · District Dues & Memberships | 4,219.00 | 0.00 | 100.0% |
| 6077.0 · Staff Dues & Memberships | 419.00 | 0.00 | 100.0% |
| 6075.0 · DUES & MEMBERSHIPS - Other | 0.00 | 6,100.00 | 0.0% |
| Total 6075.0 · DUES & MEMBERSHIPS | 4,638.00 | 6,100.00 | 76.03% |
| 6080.0 · COMMUNICATIONS AND OUTREACH | | | |
| 6080.20 · Communications and Outreach | | | |
| 6080.23 · Media and PR | 50.00 | 0.00 | 100.0% |
| 6080.33 · Neighborhoods and Schools | 0.00 | 0.00 | 0.0% |
| 6080.20 · Communications and Outreach - Other | 916.27 | 2,750.00 | 33.32% |
| Total 6080.20 · Communications and Outreach | 966.27 | 2,750.00 | 35.14% |
| 6080.29 · Equipment and Supplies | 766.76 | 1,000.00 | 76.68% |

| | Sept 1, 2022 - May 31, 2023 | Budget | % of Budget |
|---|------------------------------------|-------------------|--------------------|
| 6080.34 · Scholarship Programs/Awards | 0.00 | 7,500.00 | 0.0% |
| 6080.35 · Programs/Events | | | |
| 6080.35 · Programs/Events - Other | 500.00 | 5,800.00 | 8.62% |
| Total 6080.35 · Programs/Events | 500.00 | 5,800.00 | 8.62% |
| Total 6080.0 · COMMUNICATIONS AND OUTREACH | 2,233.03 | 17,050.00 | 13.1% |
| 6081.0 · REGULATORY COMPLIANCE | | | |
| 6081.1 · Projects & Services | 3,250.00 | 5,000.00 | 65.0% |
| 6081.5 · Contracted Support | 0.00 | 0.00 | 0.0% |
| 6081.6 · Equipment and Supplies | 0.00 | 2,500.00 | 0.0% |
| Total 6081.0 · REGULATORY COMPLIANCE | 3,250.00 | 7,500.00 | 43.33% |
| 6084.92 · GENERAL MANAGEMENT | | | |
| 6086.4 · Non-contracted Support | 0.00 | 5,000.00 | 0.0% |
| Total 6084.92 · GENERAL MANAGEMENT | 0.00 | 5,000.00 | 0.0% |
| 6089.0 · AQUIFER SCIENCE | | | |
| Hydrogeologic Characterization | 0.00 | 3,000.00 | 0.0% |
| 6089.2 · Water Chemistry Studies | 0.00 | 4,000.00 | 0.0% |
| 6089.3 · Monitor Wells, Equipment /Suppl | 5,421.67 | 8,000.00 | 67.77% |
| Total 6089.0 · AQUIFER SCIENCE | 5,421.67 | 15,000.00 | 36.14% |
| 6095.0 · CONTRACTED SUPPORT | | | |
| 6095.1 · Aquifer Science Team | 3,600.00 | | |
| 6095.3 · General Management | 4,664.79 | | |
| 6095.0 · CONTRACTED SUPPORT - Other | 0.00 | 40,750.00 | 0.0% |
| Total 6095.0 · CONTRACTED SUPPORT | 8,264.79 | 40,750.00 | 20.28% |
| 6100.0 · INSURANCE - DISTRICT | | | |
| 6101.0 · Liability & Property - Pre-paid | 5,047.72 | 7,047.00 | 71.63% |
| 6102.0 · Insurance not pre-paid (bonds) | 1,362.00 | 0.00 | 100.0% |
| Total 6100.0 · INSURANCE - DISTRICT | 6,409.72 | 7,047.00 | 90.96% |
| 6150.0 · INSURANCE - GROUP | | | |
| 6151.1 · Health Insurance Employee | 72,529.06 | 105,700.00 | 68.62% |
| 6151.11 · Health Insurance Dependents | 3,643.04 | 11,525.00 | 31.61% |
| 6151.2 · Dental Insurance Employee | 3,917.66 | 6,230.00 | 62.88% |
| 6151.3 · Life Insurance Employee | 6,515.70 | 10,205.00 | 63.85% |
| 6151.4 · Vision Insurance Employee | 626.64 | 1,000.00 | 62.66% |
| 6150.0 · INSURANCE - GROUP - Other | 0.00 | 16,000.00 | 0.0% |
| Total 6150.0 · INSURANCE - GROUP | 87,232.10 | 150,660.00 | 57.9% |
| 6160.0 · LEGAL SERVICES | | | |
| 6161.0 · General Matters / Personnel | 41,717.50 | 0.00 | 100.0% |
| 6163.0 · Needmore | 0.00 | 0.00 | 0.0% |
| 6168.3 · DSWW TPDES | 0.00 | 0.00 | 0.0% |
| 6168.5 · EP | 0.00 | 0.00 | 0.0% |
| 6168.9 · Permian Hwy Pipeline | 0.00 | 0.00 | 0.0% |
| 6169.0 · Legislation | 0.00 | 0.00 | 0.0% |

| | Sept 1, 2022 - May 31, 2023 | Budget | % of Budget |
|--|------------------------------------|---------------------|--------------------|
| 6160.0 · LEGAL SERVICES - Other | 8,025.00 | 85,000.00 | 9.44% |
| Total 6160.0 · LEGAL SERVICES | 49,742.50 | 85,000.00 | 58.52% |
| 6170.0 · PROFESSIONAL SERVICES | | | |
| 6173.0 · Financial Annual Audit | 14,250.00 | 13,650.00 | 104.4% |
| 6176.0 · Website and Database | 675.00 | | |
| 6176.1 · District Database Project | 45,000.00 | 50,000.00 | 90.0% |
| 6176.4 · Shared Territory | 0.00 | 2,500.00 | 0.0% |
| 6176.6 · GMA-10 Planning Cycle | 0.00 | 7,500.00 | 0.0% |
| 6177.0 · Standard Retirement Plan Admin | 23,703.60 | 35,200.00 | 67.34% |
| 6178.0 · Elections/Redistrict/Co Coding | 270.50 | 75,000.00 | 0.36% |
| Total 6170.0 · PROFESSIONAL SERVICES | 83,899.10 | 183,850.00 | 45.64% |
| LEGISLATION | 26,000.00 | 36,000.00 | 72.22% |
| 6180.0 · PROFESSIONAL DEVELOPMENT | | | |
| 6180.1 · Aquifer Science | 405.00 | 0.00 | 100.0% |
| 6180.2 · RegComp | 350.00 | 0.00 | 100.0% |
| 6180.3 · Education | 0.00 | 0.00 | 0.0% |
| 6180.4 · GM Team | 2,111.05 | 0.00 | 100.0% |
| 6180.0 · PROFESSIONAL DEVELOPMENT - Other | 405.00 | 20,000.00 | 2.03% |
| Total 6180.0 · PROFESSIONAL DEVELOPMENT | 3,271.05 | 20,000.00 | 16.36% |
| SALARIES AND WAGES | 608,145.23 | 852,865.00 | 71.31% |
| 6203.0 · TAXES & BENEFITS | | | |
| 6203.1 · Workers Comp Insurance Pre-p | 1,935.69 | 3,812.00 | 50.78% |
| 6203.2 · Payroll Tax Expenses-FICA-Med | 46,107.94 | 67,157.00 | 68.66% |
| 6203.3 · Retirement-District Contributio | 36,848.07 | 55,000.00 | 67.0% |
| 6203.4 · Texas Workforce C3 Taxes | 96.88 | 2,358.00 | 4.11% |
| 6203.7 · Accrued Vacation and Comp | -17,223.09 | 0.00 | 100.0% |
| Total 6203.0 · TAXES & BENEFITS | 67,765.49 | 128,327.00 | 52.81% |
| 6800.0 · PROJECTS | | | |
| 6905.1 · Hays Co/HTGCD Jacobs Well | 0.00 | | |
| 6905.2 · Sustainability Studies | 0.00 | 12,000.00 | 0.0% |
| 6905.5 · HCP ILA Commitments | | | |
| 6905.6 · Abandoned Well Program | 0.00 | 3,000.00 | 0.0% |
| 6905.7 · Antioch R & M | 0.00 | 2,500.00 | 0.0% |
| Total 6905.5 · HCP ILA Commitments | 0.00 | 5,500.00 | 0.0% |
| Total 6800.0 · PROJECTS | 0.00 | 17,500.00 | 0.0% |
| TOTAL EXPENSE | 1,054,898.41 | 1,743,649.00 | 60.5% |
| NET ORDINARY INCOME | 721,697.97 | -110,195.00 | |
| OTHER INCOME | | | |
| 9000.00 · Transfer from Reserves | 0.00 | 110,200.00 | |
| TOTAL OTHER INCOME | 0.00 | 110,200.00 | |
| NET INCOME | 721,697.97 | 5.00 | |

Item 4

General Manager's Report Discussion and possible action topics

Topics

- a. Review of key team activities/projects.**
 - 1. Draft MOU with City of Austin for new monitoring wells**
 - 2. Magellan Partners – negotiation over water quality sample funding**
 - 3. In-house model -final report update**
 - 4. Six-month staff – performance reviews completed**
- b. Communications and Outreach – Shay Hlavaty starts on June 12**
- c. Aquifer Status Update**
- d. Upcoming events of possible interest.**

Summary of June 2023 Team Activities and On Deck for July/August 2023

Aquifer Science Team

June Activities:

- Analyzing Edwards and Trinity water-level data for responses to ongoing drought and May rainfall.
- Comments from the TAC on the final draft of In-house Model (IHM) report are being reviewed.
- Sampling for summer TWDB program being conducted in May and June.
- Magellan pipeline sampling.
- Aqua Texas (Woodcreek) aquifer test in two Middle Trinity wells.

On Deck:

- Barton Springs discharge measurements with USGS and COA.
- Planning for installation of monitor wells in Zilker and Garrison Parks.
- Finalize In-house Model report.

Administration Team

June Activities:

- July monthly billings to go out on June 16, 2023.
- Drought Management Fees now being assessed for 9th month. Details in Status Report.

On Deck: (July/August)

- FY 2024 Preliminary Budget presented at this meeting. Proposed and Final Budget, and Fee Schedule will be brought to the Board in July.
- New HR E-file structure-building will be completed in June.

Regulatory Compliance Team

June Activities:

- Staff continues to work on new applications and assisting permittees with drought compliance.
- Staff continues analyzing monthly pumpage to confirm compliance/non-compliance of drought curtailments.
- Staff will continue working through the enforcement process with all non-compliant permittees.
- Staff will work with permittees with Agreed Orders to ensure deadlines are known and met.
- Staff will begin looking at applications for the vacant specialist/coordinator position.

On Deck:

- Upcoming drilling of Creedmoor MT well; looking to begin drilling at the beginning of August 2023.
- Ongoing review of potential updates to current enforcement plan and rules.

Policy and Project Team

June Activities:

- Database project with LRE.
- Trinity Sustainability Project and Well Inventory meetings with INTERA.
- Internal and board subcommittee meetings on Trinity Sustainability Project.

On Deck:

- Ongoing sustainable yield data compilation, research, and decision-making framework.
- Helping with regulatory compliance duties when asked.

Communications and Outreach Team (position recently filled)

- Institute for Government Innovation (IGI) at TSU is currently providing support with social media updates and communications strategy ideas.

**STATUS REPORT UPDATE
FOR THE JUNE 8, 2023 BOARD MEETING**

Summary of Significant Activities – Prepared by Staff Leads

Upcoming Dates of Interest

- Texas Water Conservation Association (TWCA) Summer Conference – June 14-16, Woodlands, TX
- Texas Alliance of Groundwater Districts (TAGD) Texas Groundwater Summit – August 29-31, San Antonio, TX

DROUGHT MANAGEMENT

Drought Status and Water-Level Monitoring (Justin)

We're over halfway through calendar spring and, while April and May rains have provided much-needed recharge to the Edwards and Trinity aquifers, we remain in Critical Drought status (Stage III). It was officially declared on October 20, 2022 when one of the District's drought triggers, Lovelady monitor well, passed below its Critical Drought (Stage III) trigger on October 17, 2022.

April rainfall delivered 4 to 5 inches across the Hill Country, about 2 inches above the monthly historical average. This makes April the first month with above average rainfall since November 2022. May rainfall came in just under its historical monthly average (4.4 inches) providing 3.6 inches. In January through May 2023, we received an average of 11 inches, just 2.4 inches short of this year's historical average.

On June 1, the Lovelady well had a level of 460.6 ft msl, 2.1 ft below the trigger level for Critical drought (Stage III) and about 3.5 ft above Stage IV Exceptional drought. Lovelady crossed under the Stage II trigger on May 26 and under Stage III on October 17.

Also on June 1, Barton Springs was flowing at 31 cfs (10-day average). 7 cfs below the Stage II Alarm drought trigger point of 38 cfs. The Stage III Critical trigger is 20 cfs. Barton Springs crossed under the Stage II drought trigger in late June 2022. April and May showers helped keep spring flow above Stage III.

Trinity groundwater levels have essentially remained in a holding pattern, not significantly rising, or falling since early spring. Some minimal flow has also been restored at Jacob's Well and the Blanco River.

We are still amid the wettest months of the year, typically March through June, and we've seen some improvement since last year. In 2022, April and May provided just 3.3 inches. This year we've received more than double that (7.5 inches). While Memorial Day weekends have had a history of producing big rains and notable floods across Central Texas, the drought buster we desperately need in 2023 has yet to materialize and groundwater levels and spring flows remain alarmingly low. We're through the meteorological spring and this is distressing as we enter summer and the beginning of the low-rain/high-water-use period in Central Texas.

On a global climatic scale, the National Oceanic and Atmospheric Administration (NOAA) Climate Prediction Center is observing several weather phenomena and their potential impacts, including El Niño as well as the beginning of hurricane season.

An El Niño Watch remains in place, with El Niño conditions likely to develop within the next couple of months and persist (greater than 90% chance) into the winter. This could mean more average or above average rainfall conditions in the months to come and bolster against the usual Texas summer dryness. This would be a critical step in staving off an unprecedented descent into Stage 4 Exceptional Drought, which has been an expected consequence of slowing spring flow and water level declines.

June 1 also marks the start of hurricane season, which runs through November, and NOAA predicts a "near-normal" year, making this the first time in 8 years that the May outlook hasn't forecast an above-average number of storms. However, this is an unusual year. According to NOAA, depending on certain sets of factors, El Niño conditions have the potential to either increase or disrupt the development of hurricanes, making it difficult to predict if the hurricane season will enhance rainfall for Central Texas.

Drought Communication (Erin)

Critical Drought Communications

Monthly Drought Update via eNews/social media/website: Communications and Outreach is putting out a monthly drought alert via icontact. It is also shared on the District's social media channels and website. In addition, we put out a drought video on Jan. 26. In January, we also put out a 2022 Aquifer Conditions review in the District blog and newsletter.

Drought Update – Jan. 4, 2023 <http://icont.ac/4OtaN>

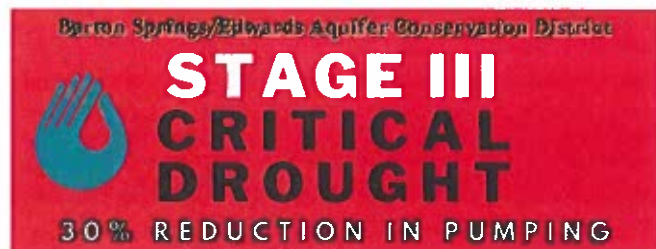
Drought Update – Jan. 26, 2023 <https://www.youtube.com/watch?v=ckRHwBcUVWs&t=2s>

2022 Aquifer Conditions Review <https://bscacdblogs.blogspot.com/2023/01/2022-aquifer-conditions-review.html>

Arroyo Doble picked up mail inserts for Stage III Critical Drought in January.

Signage Put Out by Permittees in November

Arroyo Doble H20 – 1 Sign
City of Hays PGMS – 4 Signs
Ruby Ranch PGMS – 4 Signs
Oak Forest PGMS – 4 Signs
Mystic Oaks – 4 Signs
Forest Oaks MHC – 1 Sign



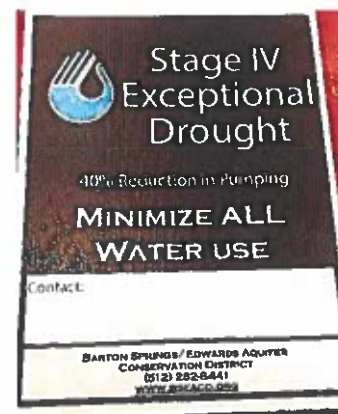
Signage Put Out by Staff in October

FM 150/Kyle (Including Rollingwood Neighborhood) – 8 Signs
Bliss Spillar/FM 1626 – 10 Signs
Wyldeewood Neighborhood – 2 Signs
Lowden Lane – 1 Sign
Ranch Road 12 – 10 Signs
Hilliard Road – 10 Signs

Permittee Signage Pick-Up in October

Arroyo Doble H20 – 2 Signs
Mountain City Water Utility – 4 Signs
Elliot Ranch PGMS – 4 Signs

Exceptional Drought (Stage IV) Material Prep: Regulatory Compliance and Communications and Outreach have started prepping Exceptional Drought (Stage IV) materials in case the District declares Stage IV in the future. Permittee yard signs were ordered and delivered, graphics for website/social media/newsletter have been made, along with mailouts/fliers.



DISTRICT PROJECTS

GMA Joint Planning

➤ *GMA 10 Coordination (Tim)*

The GMA 10 joint-planning group met on May 10th and after receiving two “presentations” selected Collier Consulting to move on and provide a detailed proposal for consulting services related to the current joint-planning process. The proposal is due by June 30th. The next GMA 10 j-planning meeting is scheduled for July 17 at the EAA office in San Antonio.

Trinity Aquifer Sustainable Yield Study & Planning

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

The GM and staff are continuing to research and compile policy concepts related to sustainable yield and unreasonable impacts. Staff had a kick on meeting with Intera on the Trinity well Impact Analysis in mid-March and another meeting with them on the Trinity Sustainability Project in early April. Staff met with Intera on May 11th to get an update on both projects. Wade Oliver provided insight into what other Districts and GMAs are doing and helped to identify measurable attributes or quantifiable conditions associated with unreasonable impacts. He also provided a well inventory of all the wells in the District and identified likely and possible duplicates.

Technical Evaluations (Brian, Jeff)

Aquifer Science staff continue to collect data on the geology and hydrogeology related to the Trinity Aquifers. We are evaluating water-level data for a number of Trinity wells to look for long-term trends and aquifer responses to the ongoing and worsening drought. The results of this analysis should provide insight on both the severity and spatial distribution of drought impacts at various locations within the district, and should also inform us as to whether the District’s current drought triggers provide an adequate gage of Trinity Aquifer health at worsening stages of drought. Aquifer Science staff are reviewing water-quality data from Trinity wells and springs. An update to previous assessments is needed because of new wells and new data from previously sampled wells. These data will help us understand any changes to water quality as a result of drought and pumping.

The Trinity in-house model (IHM), currently under development, will allow for simulation of different pumping and drought scenarios over time, and water-level data collected during the present drought will eventually assist us in calibrating/validating the model for drought conditions in future iterations of the model. A Technical Advisory Committee (TAC) consisting of 12 professionals with knowledge of the hydrogeology of central Texas and of numerical groundwater models, has reviewed the final draft of the IHM model draft report and a number of the TAC members have submitted comments on the report. Aquifer Science staff are reviewing the comments and preparing the final report. The IHM will provide a valuable tool for guiding policymaking discussions for the Trinity Sustainable Yield project.

We are members of a technical committee to guide the development of a numerical groundwater model (BRAAT) of the aquifers influenced by the Blanco River. Southwest Research Institute started work on the BRAAT model in September of 2021 but contracting issues stalled development of the model. Modelling efforts restarted in July 2022 after the contracting issues were resolved. A meeting of the technical committee was held on December 7, in which the head modeler provided an update on BRAAT modeling efforts. The BRAAT team has estimated that the model should be completed by late summer or fall of 2023.

Habitat Conservation Plan (Brian)

- **Planning for Technical Tasks:** Aquifer Science staff are coordinating studies at Barton Springs with COA staff. These studies include measurement of dissolved oxygen (DO) in the Barton Springs pool and the installation of a monitor well within Zilker Park and south of the pool. Deployment of this equipment will take place after the monitor well is installed. We submitted an application for a grant from the City of Austin in February which would help pay for the conversion of a standard monitor well to a multiport well. As of May 2023, we have tentative approval of the grant request and are preparing details of the project with COA staff. The purpose of the monitor well is to understand how groundwater flows from the deeper portions of the Edwards Aquifer to the springs and how DO is distributed vertically in the aquifer. The HCP identified low levels of DO as a threat to the endangered salamanders. A potential remedy for low DO during severe drought is augmentation of DO in the shallow aquifer so that the threat of low DO is reduced.

Database Management System – LRE Water (Tim/Kendall)

District staff has had several meetings with LRE since the kickoff. LRE has completed most of phase 1 (data migration and map) and is getting feedback from staff. Staff has had multiple meetings with LRE in March and early April. District staff completed the first phase of data clean up and QA/QC for our permittees and met with LRE on May 31st. LRE has completed a beta version of the wells and contact modules and map will be shared with staff soon. LRE is working on aspects of project phase 2 (Map and Dashboard Initial Customization) and Phase 3 (Data Management Customization).

ILA Commitments (Brian)

The District has an ILA with COA to coordinate studies for the respective HCPs such as scientific feasibility studies and monitoring evaluations; to collaborate on the planning of future Kent Butler Summits; and to exchange technical information regularly on an annual basis. An annual technical meeting is held between BSEACD and COA in December each year to discuss each organization's activities related to their respective HCPs. The next meeting will be held in December 2023.

Region K Planning Activities (Tim)

The next Region K Planning Group meeting is set for July 12, 2023 in Austin.

Training, Presentations, and Conferences (All Teams):

- Aquifer Science: N/A
- Regulatory Compliance: N/A
- Administration: N/A
- Communications and Outreach: N/A
- General Manager: N/A

New Maps, Publications, or Reports

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

LITIGATION AND LEGISLATION

Litigation and SOAH Activities (Kendall)

There is no activity to report.

RULEMAKING, PERMITTING, AND ENFORCEMENT

Rulemaking (Erin, Kendall, and Tim)

If there is direction from the Board, staff will initiate a narrow rulemaking effort on administrative or procedural changes regarding rules related to the potential for unreasonable impacts (PUI). Staff has had discussions internally and with legal counsel regarding the Enforcement Plan, including drought enforcement. Other areas that are being discussed are notice language and change of ownership timelines. Some recommendations for rules changes have been shared with the Board President concerning Drought and Enforcement.

In November, staff gave a presentation to the Board on District rules pertaining to the PUI. Staff provided a debrief on the challenges and lessons learned from applying the rules to large permit applications prior to annexation and discussed administrative considerations such as inadequate fees, staff time, timelines, and public comment process for PUI applications. Staff recommended initiating narrow rulemaking on administrative and procedural changes and will be working on the rule concepts in this fiscal year. Staff has started to review and draft rule changes related to the notice for PUI.

Drought (Erin)

- Will continue working with both Creedmoor-Maha WSC and Monarch Utilities to ensure requested additional information is submitted on time per the Agreed Orders.
- Will continue monthly pumpage analysis to determine all permittee's compliance status of drought curtailments.
- Will continue to assist permittees in ensuring they successfully comply with their UDCPs and Stage III drought curtailments for MAY.

Enforcement and Compliance Matters (Erin)

| <i>Compliance/Enforcement</i> | | | |
|---|----------------|-----------------|---|
| <i>Permittee or Entity Name</i> | <i>Aquifer</i> | <i>Use Type</i> | <i>Notes</i> |
| Aqua Texas – Bliss Spillar (Edwards) | Edwards | PWS | Agreed Order Executed; working with permittee to obtain final item requested. |
| Creedmoor-MAHA | Edwards | PWS | Agreed Order Executed; working with permittee to obtain requested material. |
| Monarch Utilities, Inc. | Edwards | PWS | Agreed Order Executed; working with permittee to obtain requested material. |

Permitting Activity (Erin)

| <i>Upcoming</i> | | | | |
|---------------------------------|-----------------------|------------------------------|------------------------|------------------------------|
| <i>Application Type</i> | <i>Aquifer</i> | <i>Applicant Name</i> | <i>Use Type</i> | <i>Volume Request</i> |
| TBD | Edwards | Haley, Ricky | Domestic/Irrigation? | TBD |
| LPP | Middle Trinity | Van Zyl, Jean | Domestic | 500,000 |
| Exempt – Domestic | Middle Trinity | Cavanaugh, Mandy | Domestic | 7GPM – Exempt |
| LPP | TBD | Bruno, Justin | Domestic | 500,000 |
| LPP | TBD | Tabb, Jennifer | Domestic | 500,000 |
| Plugging | Edwards | TBD | Abandon | 0 |
| <i>In Review</i> | | | | |
| <i>Application Type</i> | <i>Aquifer</i> | <i>Applicant Name</i> | <i>Use Type</i> | <i>Volume Request</i> |
| Exempt | Middle Trinity | McKinney, Cindy | Domestic | 500,000 |
| IPP <2MIL | Middle Trinity | Jarrica Investments | Commercial | TBD |
| <i>Recently Approved</i> | | | | |
| <i>Application Type</i> | <i>Aquifer</i> | <i>Applicant Name</i> | <i>Use Type</i> | <i>Volume Request</i> |
| WDA | Middle Trinity | Carpenter Road Ranch, LLC | PWS | 7,400,000 |
| Plugging | Austin Chalk | TX-DOT | Abandon | 0 |
| LPP | Middle Trinity | Wilson, Dax | Domestic | 500,000 |
| Plugging | Austin Chalk | Interpark San Marcos | Abandon | 0 |
| LPP | Upper Trinity | Valdespino, Rafael | Domestic | 500,000 |
| Plugging | Austin | Klinger, Kyle | Abandon | 0 |

AQUIFER STUDIES **(Aquifer Science Team)**

Permitting Hydrogeologic Studies:

Working with Regulatory Compliance on permitting issues as needed. AS staff are reviewing geophysical logs of wells prior to final completion of the wells. In April, AS staff reviewed a drilling proposal submitted by Creedmoor-Maha for a Trinity well to be installed in their Edwards well field off of Twin Creeks Road. The Board of Directors approved a well drilling permit in May.

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

- Coleman’s Canyon-. We are continuing to collect water-level data from the multiport well every month to 6 weeks. Groundwater sampling of these two wells is being conducted in May and June as part of the TWDB summer sampling program.
- There are no dye-trace studies planned at this time because of minimum to no flow in streams and springs.

Field Activities:

- Cooperating with USGS and City of Austin staff to confirm accurate real-time gauge reporting at Barton Springs and Lovelady. Conducting bi-weekly to monthly field measurements.
- Updating telemetry monitoring equipment at the Needmore index well (Amos). Reviewing pumping and water-level data as moderate amounts of rain over the past few months have slowed entry into the next stage of drought. We are reviewing water-level and flow data following the moderate rain in May.
- Antioch- Continuing to maintain the system and to collect data on flow into the vault (when there is flow). A recent visit to Antioch Cave indicated that gravel-sized rocks are entering one of the valves and potentially limiting the amount of recharge into the cave.
- Well monitoring- Because of drought, we are increasing the amount of time maintaining equipment in numerous monitor wells and downloading and interpreting data. We are occasionally checking on wells that have been reported as “dry”.

Trinity Aquifer Modeling Development:

- BRAAT modeling: Southwest Research Institute started work on this model in September 2021, but activity was on hold as funding issues were resolved. SWRI restarted the project in late July and are continuing to make progress. A meeting with the BRAAT review team was held on December 7. It is estimated that the BRAAT model will be completed by late summer or fall of 2023.
- In-house model: A preliminary draft report on the model was completed in May 2022 and a presentation was made to the Board. Subsequently, improvements to the model were made and a final round of model calibration was completed. The Technical Advisory Committee (TAC) has reviewed the final draft of the IHM report. We are reviewing comments from the TAC as we prepare the final report.

COMMUNICATIONS AND OUTREACH

Shay Hlavaty joins the District on June 12th.

The Institute for Government Innovation (IGI) at Texas State University continues to maintain a District presence on social media and has developed a content calendar for such. Becca Cade, a junior in the Communication Studies program, works 17 hours per week on the District project alone.

ADMINISTRATION

(May 6, 2023 – June 1, 2022)

Accounts Receivable / Permittee Cycle Billings

On June 16, July monthly billings will go out for a total of \$20,359.54.

Budget and Fee Schedule FY 2024

Budget preparation has begun. Committee met on May 30 to review initial preliminary budget. Budget and Fee Schedule need to be finalized and approved by July 31 at the latest, according to CoA Settlement Agreement (30 days before the end of the District fiscal year).

Drought Management Fees (DMFs)

Tracking monthly DMFs began in October (for September pumpage).

Three May assessments for April pumpage/DMFs for a total of \$1,080: Aqua-Bliss Spillar, Hays High, and Monarch.

Total DMFs invoiced for FY 2023 (beginning in October) is \$16,760.

Financial Reporting – Website Transparency Section (Texas Comptroller’s Office)

Transparency Star-related: Most current, available financial reports are to be posted on our website and accessible within three clicks, as required by the Texas Comptroller of Public Accounts Transparency Star Program. Balance Sheets, Profit and Loss Statements, and Check Registers (Operating and Payroll) through May 2023 should be posted on the District website.

Miscellaneous

Administration is setting up personnel and benefits e-files as part of a new HR file structure, as instructed. Expected to be completed in June.

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

Item 5

Board Discussions and Possible Action

- a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**

Item 5

Board Discussions and Possible Actions

- b. Discussion and possible action on the Preliminary FY 2024 Budget and setting a public hearing date.**

**DRAFT FY 2024 PUMPAGE ANALYSIS
for AWU/CoA WATER USE FEE CALCULATION**

Last Updated: 5.8.2023 (matches Billing spreadsheet 2,963,093,721 gallons)

| | |
|--|-------------------------|
| FY 2023 Authorized Permittee Pumpage @ 0.17/1000 | 2,632,315,913 glns/year |
| FY 2023 Authorized Permittee Pumpage @ 0.48/1000 | 330,777,808 glns/year |
| 3.5% Growth in Authorized 0.17 Pumpage | 92,131,057 glns/year |
| 3.5% Growth in Authorized 0.48 Pumpage | 11,577,223 glns/year |

Pending (Non-Agriculture) Permit Increases:

| Prospective Permits | FY 2024 Projection/Gallons | Permit Type | Fee (\$/1,000g) | Annual Fee |
|--------------------------------------|-------------------------------|---------------------|-----------------|------------|
| Stinson RV Park (original territory) | 7,000,000 | Trinity | 0.17 | \$1,190 |
| Creedmoor (original territory) | 191,844,000 | Trinity | 0.17 | \$32,613 |
| Buda ASR | 180,000,000 | ASR Class D Trinity | 0.17 | \$30,600 |

| | | |
|---|--------------------|-----------------|
| Potential Increase Sub-Total (not included in growth factor) | 378,844,000 | \$64,403 |
|---|--------------------|-----------------|

| | |
|--|-----------------------------------|
| Projected FY 2024 Budgeted Permitted Pumpage = (FY 2023 Permitted Pumpage + Growth Factor + Potential Increases) | 3,445,646,001 gallons/year |
|--|-----------------------------------|

Nature Center 16,000,000; Grey Rock 35,000,000; and AG 289,180,000 are excluded from all analysis calculations.
5.8.2023 TL ES and DCW met on this.



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

FY 2024 DRAFT PRELIMINARY BUDGET

Budgeted Permitted Pumpage 3,734,826,001 Gallons

| I. INCOME | 2024 Draft Numbers | FY 2023 Approved 7.14.2022 | | FY 2024 DRAFT Preliminary |
|--|---------------------|-------------------------------|---------|------------------------------|
| | | 2024 Draft Numbers | GALLONS | |
| A. Production Fees, and Water Use Fee: | | | | |
| Actual Authorized Pumpage Revenue (17¢ per 1,000 gallons) | 2,632,315,913 | \$447,281 | | \$447,494 |
| Actual Authorized Pumpage Revenue (48¢ per 1,000 gallons) | 330,777,808 | \$158,485 | | \$158,773 |
| Actual Authorized Agriculture Pumpage Revenue (\$1.00/acre-foot) | 289,180,000 | \$887 | | \$887 |
| Total Actual Authorized Pumpage/Production Fees | 3,252,273,721 | \$606,653 | | \$607,154 |
| Growth @3.5% based on Total Actual Pumpage (@ 17¢/1,000 gallons) | 92,131,057 | \$15,655 | | \$15,662 |
| Growth @3.5% based on Total Actual Pumpage (@ 48¢/1,000 gallons) | 11,577,223 | \$5,547 | | \$5,557 |
| Pending Permit Increases (@ 17¢ per 1,000 gallons) | 378,844,000 | \$65,620 | | \$64,403 |
| Total Projected Permitting Revenue less Agriculture | 3,445,646,001 | \$693,475 | | \$692,777 |
| Total Budgeted Permitted Pumpage with Agriculture | 3,734,826,001 | | | |
| Water Use Fee - City of Austin Assessment | | 879,976 | (1,336) | 878,640 |
| | | \$1,573,451 | | \$1,571,417 |
| Pending Permit Increases (@ 17¢ per 1,000 gallons) | | -\$86,822 | | -\$85,623 |
| Water Transport Fees (\$0.31/1,000 gallons) | 400,000,000 gallons | \$124,000 | | \$124,000 |
| Total Production Fees, and Water Use Fee | | \$1,610,630 | | \$1,609,794 |
| B. Other Fees: | | | | |
| Annual Permit Fees | \$75/permit | \$8,925 | | \$8,925 |
| Shared Territory Monitoring (Special Provisions) | | \$2,500 | | \$2,500 |
| Administrative Fees - Permit Application and Development | | \$9,800 | | \$9,800 |
| Total Other Fees | | \$21,225 | | \$21,225 |
| C. Other Income: | | | | |
| Interest Income | TexPool General | \$1,600 | 38,400 | \$40,000 |
| Total Other Income | | \$1,600 | | \$40,000 |
| TOTAL PROJECTED INCOME | | \$1,633,455 | | \$1,671,019 |

6.2.2023 Preliminary Budget Version F
(after Committee Review)

| II. EXPENDITURES | | | | |
|---|--|------------------|--------------------|------------------|
| A. Operational Expenses | | | | |
| Electricity & Water | | \$6,000 | | \$6,000 |
| Telecommunications Services | | \$16,000 | Phone/Internet | \$16,000 |
| Printing/Copying/Photo Processing | | \$2,000 | | \$2,000 |
| Postage/Freight /Shipping | | \$2,000 | | \$2,000 |
| Office Supplies/Canteen | | \$6,000 | | \$6,000 |
| Furniture | | \$1,000 | 2,000 | \$3,000 |
| Computer Hardware/Supplies /AV Equipment | | \$6,000 | 4,000 | \$10,000 |
| Computer Software Maintenance/Upgrades/Acquisitions | | \$6,000 | | \$6,000 |
| Information Technology Monthly Maintenance | | \$44,100 | (14,100) | \$30,000 |
| Board Meetings and Staff Meetings | | \$4,500 | | \$4,500 |
| Subscriptions / Publications | | \$5,000 | | \$5,000 |
| Dues and Memberships (Organizational/Staff Professional) | | \$6,100 | | \$6,100 |
| Sponsorships | | \$3,750 | 1,250 | \$5,000 |
| Advertising and Public Notices | | \$4,000 | | \$4,000 |
| Accounting System Operation and Maintenance | | \$6,000 | QuickBooks/Jourmyx | \$7,500 |
| Upgrades, and Repair and Maintenance: | | | | |
| Fleet Maintenance / Repair | | \$5,500 | | \$5,500 |
| Office Complex Maintenance/Offices/Lawn/Alarm | | \$11,000 | | \$11,000 |
| Facilities General Repair and Maintenance | | \$5,000 | 2,000 | \$7,000 |
| Leases: | | | | |
| Postage Meter Lease | | \$1,150 | | \$1,150 |
| Copier Lease and Maintenance | | \$8,500 | | \$8,500 |
| Directors Conferences / Travel | | \$2,500 | | \$2,500 |
| Insurance (Auto, Liability, Property, E&O, Public Bonds) | | \$7,047 | | \$7,047 |
| Professional Development | | \$20,000 | | \$20,000 |
| Total Operational Expenses | | \$179,147 | | \$175,797 |

6.2.2023 Preliminary Budget Version F
(after Committee Review)

| | | | | | | |
|---|--|------------------|------------------------|-----------|--|------------------|
| B. Salaries and Wages | | | | | | |
| Staff Salaries and Wages | | \$830,465 | | 24,500 | | \$854,965 |
| Incentive-type Pay 2023, COLA 2024 | | \$22,400 | | 3,600 | | \$26,000 |
| Directors' Fees of Office | | \$25,000 | 9000 Legislative Cap | | | \$25,000 |
| Total Salaries and Wages | | \$877,865 | | | | \$905,965 |
| C. Employment Taxes and Benefits, and Group Insurance | | | | | | |
| Employment Taxes and Benefits: | | | | | | |
| Payroll Taxes | | \$67,157 | 7.65% | 2,150 | | \$69,306 |
| Texas Workforce Commission Unemployment Taxes | | \$2,358 | 0.10% | | | \$2,358 |
| Workers Compensation Insurance | | \$3,812 | TML | (1,511) | | \$2,301 |
| Employee Pension Plan Contribution | | \$55,000 | 7.50% | 2,000 | | \$57,000 |
| Total Employment Taxes and Benefits | | \$128,327 | | | | \$130,965 |
| Group Insurance: | | | | | | |
| Group Health Insurance (Employee only) | | \$105,700 | United and SISlink | | | \$105,700 |
| Group Health Insurance (Dependent Coverage) | | \$11,525 | 25% | (6,325) | | \$5,000 |
| Dental Insurance (Employee only) | | \$6,230 | SunLife | (555) | | \$5,675 |
| Life Insurance (Employee only) | | \$10,205 | SunLife | (955) | | \$9,250 |
| Vision Insurance (Employee only) | | \$1,000 | SunLife | | | \$1,000 |
| Estimated Healthcare Cost Increase | | \$16,000 | | | | \$16,000 |
| Total Group Insurance | | \$150,660 | | | | \$142,625 |
| Total Employment Taxes and Benefits, and Group Insurance | | 278,987 | | | | 273,590 |
| D. Professional Services | | | | | | |
| Auditor (Annual) | | 13,650 | Montemayor | 683 | | 14,333 |
| Retirement Plan (Third Party Administration) | | 35,200 | The Standard | | | 35,200 |
| Database | | 50,000 | | (14,000) | | 36,000 |
| Legal - General Services, and Special Services | | 85,000 | | | | 85,000 |
| Legislative Support | | 36,000 | SledgeLaw | (24,000) | | 12,000 |
| GMA-10 Planning Cycle | | 7,500 | | | | 7,500 |
| Shared Territory (Special Provisions) | | 2,500 | | | | 2,500 |
| Election | | 75,000 | Travis, Hays, Caldwell | (65,000) | | 10,000 |
| Total Professional Services | | \$304,850 | | (102,317) | | \$202,533 |

6.2.2023 Preliminary Budget Version F
(after Committee Review)

| | | | | |
|---|-----------------|--------|--|------------------|
| E. Team Expenditures | | | | |
| Aquifer Science Team: | | | | |
| Hydrogeologic Characterization | \$3,000 | | | \$3,000 |
| Water Chemistry Studies | \$4,000 | | | \$4,000 |
| Monitor Well, Equipment and Supplies | \$8,000 | | | \$8,000 |
| Total Aquifer Science Team | \$15,000 | | | \$15,000 |
| Communications Team: | | | | |
| Communications and Outreach | \$2,750 | | | \$2,750 |
| Programs/Events | \$5,800 | | | \$5,800 |
| Scholarship Programs/Awards (General Support) | \$7,500 | | | \$7,500 |
| Equipment and Supplies | \$1,000 | | | \$1,000 |
| Total Communications Team | \$17,050 | | | \$17,050 |
| Regulatory Compliance Team: | | | | |
| Projects and Services | \$5,000 | | | \$5,000 |
| Equipment and Supplies | \$2,500 | | | \$2,500 |
| Total Regulatory Compliance Team | \$7,500 | | | \$7,500 |
| General Management and Administrative Team: | | | | |
| Non-Contracted Support | \$5,000 | | | \$5,000 |
| Additional Administrative Expenses | \$0 | 7,000 | | \$7,000 |
| Total General Management and Administrative Team | \$5,000 | | | \$12,000 |
| Contracted Support - All Teams: | | | | |
| Aquifer Science | \$14,750 | | | \$14,750 |
| Regulatory Compliance | \$3,000 | | | \$3,000 |
| General Management | \$20,000 | | | \$20,000 |
| Policy and Project Management | \$0 | 15,000 | | \$15,000 |
| Communications and Outreach | \$3,000 | 2,600 | | \$5,600 |
| Total Contracted Support - All Teams | \$40,750 | | | \$58,350 |
| Total Team Expenditures | \$85,300 | | | \$109,900 |

6.2.2023 Preliminary Budget Version F
(after Committee Review)

| | | | | |
|--|--|--|-------------|------------|
| F. Project Expenses | | | | |
| F-1 Sustainability Studies: | | | \$12,000 | (12,000) |
| Total Sustainability Studies | | | \$12,000 | \$0 |
| F-2 HCP ILA Commitments: | | | | |
| Abandoned Well Program | | | \$3,000 | (3,000) |
| Antioch Repair and Maintenance. | | | \$2,500 | \$2,500 |
| Total HCP ILA Commitments Expense | | | \$5,500 | \$2,500 |
| Total Projects Expense | | | \$17,500 | \$2,500 |
| G. CAPITAL EXPENSE | | | | |
| District Vehicle | | | \$0 | 35,000 |
| Total Capital Expense | | | | \$35,000 |
| TOTAL PROJECTED EXPENSES | | | \$1,743,649 | (38,363) |
| III. NON-CASH DISBURSEMENTS | | | | |
| Depreciation Expense | | | \$50,000 | \$50,000 |
| Accrued Benefits Payable (Earned Vacation and Nonexempt Comp) | | | \$50,000 | \$50,000 |
| Total Non-Cash Disbursements | | | \$100,000 | \$100,000 |
| IV. PROJECTED POSITION | | | | |
| Total District Expenditures | | | \$1,743,649 | (38,363) |
| Total District Revenue | | | \$1,633,455 | 37,564 |
| Current Net Gain / (Loss) | | | (\$110,194) | (\$34,267) |
| V. TRANSFERS | | | | |
| Transfer In (from Aquifer Protection Reserve - TexPool General) | | | \$3,000 | (3,000) |
| Transfer In (from General Fund to balance the budget) | | | \$107,200 | (107,200) |
| Transfer In (from Aquifer Protection Reserve-Drought Management - subaccount of TexPool General) for Vehicle | | | \$0 | 35,000 |
| Total Transfers | | | \$110,200 | (75,200) |
| Adjusted Net Gain (Loss) | | | \$6 | \$733 |
| Contingency Fund | | | \$505,329 | 116,922 |
| | | | | \$622,251 |

Item 5

Board Discussions and Possible Actions

c. Discussion and possible action on an amendment to the Magellan Partners 2013 Letter Agreement.



May 14, 2013

Mr. Kirk Holland, P.G
General Manager
Barton Springs Edwards Aquifer Conservation District
1124 Regal Row
Austin, TX 78748

Dear Mr. Holland

Please find enclosed a fully executed copy of the Letter Agreement between Magellan Pipeline Company and the Barton Springs Edwards Aquifer Conservation District.

Sincerely,

A handwritten signature in black ink that reads "Doug Mitchell". The signature is written in a cursive, slightly slanted style.

Doug Mitchell
Environmental Manager



RICK A. FAHRENKROG
Director Environmental Health & Safety
Phone (918) 574-7480
Fax: (918) 574-7541
Email Rick.Fahrenkrog@magellanlp.com

LETTER AGREEMENT

April 15, 2013

Mr. Kirk Holland, P.G.
General Manager
Barton Springs Edwards Aquifer Conservation District
1124 Regal Row
Austin, Texas 78748

Dear Mr. Holland,

Barton Springs Edwards Aquifer Conservation District ("BSEACD") has requested Magellan Pipeline Company, L.P. ("Magellan"), to assist in the installation of two hydrocarbon detection monitoring wells to be located within the Barton Springs-Edwards Aquifer hydrologic zone. This Letter Agreement sets forth the terms and conditions under which both BSEACD and Magellan agree to participate in the installation, maintenance and operation of the monitoring wells.

1. Monitoring Well Installation.

Magellan shall enter into and administer a well installation contract with a third party driller to install two monitoring wells; which will be completed to depths sufficient for collection of representative samples of Edwards Aquifer groundwater (not to exceed 600 feet depth) and with each well at a location to be jointly agreed upon by BSEACD and Magellan. The monitoring wells shall be built to BSEACD design and specifications, attached hereto as Exhibit "A". BSEACD shall be the sole owner of the monitoring wells, subject to the terms of an easement obtained under Section 3 below, and shall be solely responsible for any subsequent well maintenance and operation, including well closure and/or abandonment. The time line for the installation of the wells shall be mutually acceptable to both BSEACD and Magellan.

2. Expense Contribution.

Magellan shall (i) be solely responsible for the third party costs for the well installations as set forth above in Section 1, (ii) make a yearly contribution in the amount of Twelve Hundred Dollars (\$1200.00) to BSEACD to support the well testing program, (iii) acquire and furnish to BSEACD for its exclusive use a new portable pump, generator, and pump-support and power cabling for groundwater sampling of the monitoring wells and (iv) shall sponsor at its sole cost a one day hydrocarbon sample collection training event for the BSEACD staff. The yearly contribution shall be made upon the date of the first well installation and upon each anniversary thereafter, and shall terminate at such time that the pipeline is removed from service. Magellan shall have no other ongoing obligations, responsibility or liability for the installation, testing, maintenance, operation or abandonment for the two monitoring wells. Nor shall Magellan have any ongoing obligations, responsibility or liability for maintenance, operation or replacement of the portable pump, generator, and accessories provided for groundwater sampling.

3. Easement Acquisition.

Magellan will assist BSEACD in the negotiation and acquisition of the easement for the well locations, including paying for survey costs if required. BSEACD shall approve the terms and conditions of the easements and shall be solely responsible for the payment of any easement fees. The time line for the acquisition of the easement shall be mutually acceptable to both BSEACD and Magellan.

4. Monitoring Program.

BSEACD, at its sole cost, except for the \$1,200 contributed by Magellan as required above as an agreed offset for a portion of monitoring costs, shall conduct an annual monitoring well sample program that shall include at a minimum the following elements:

- a. Water samples shall be analyzed for TPH (Method TX1005) and BTEX (Method 8260).
- b. BSEACD will request the selected analytical laboratory to e-mail all monitoring well sample results directly to Magellan. Should the selected analytical laboratory not have the capability to electronically submit the sample results to Magellan, BSEACD will provide the sample results to Magellan within 10 days of receipt by BSEACD.
- c. BSEACD will notify Magellan within 24 hours of BSEACD's receipt of test results of any hydrocarbon detections discovered through the monitoring well testing program. In the event that a sample shows the presence of hydrocarbon, Magellan may at its own expense arrange for the well(s) to be sampled and tested by a third party which at a minimum shall

be tested for TPH (Method TX1005), BTEX (Method 8260) and SVOCs. BSEACD may resample or request split samples at its own expense.

5. Indemnification.

Magellan shall assume no liability arising out of or in regards to BSEACD's ownership, possession, operation, or use of the monitoring wells and BSEACD acknowledges and agrees that BSEACD shall retain and remain solely liable in all respects for any and all such liabilities and, to extent permitted by the Constitution and laws of the State of Texas, shall indemnify, defend and hold Magellan and its parent, affiliates, employees, officers and members harmless from and against any claims arising out of BSEACD's ownership, possession, operation, or use of the monitoring wells except to such extent that such liability is the result of Magellan's negligence.

Magellan shall indemnify, defend and hold BSEACD harmless from and against any claims arising out of the installation of the monitoring wells except to such extent that such liability is the result of BSEACD's negligence.

6. NOTICES.

For Magellan Pipeline Company, L.P.:

Mr. Rick Fahrenkrog
Director, EHS&S
Magellan Pipeline Company, L.P.
One Williams Center, Suite 2800
Tulsa, OK 74172
Tele: 918 574-7480
Fax: 918 574-7480

For BSEACD:

Mr. Kirk Holland, P.G.
General Manager
BSEACD
1124 Regal Row
Austin, Texas 78748
Tele: (512) 282-8444
Fax: (512) 282-7016


This Agreement may not be amended or modified, other than by a written agreement executed by the parties hereto. BSEACD and Magellan, each intending to be legally

Page 4
April 15, 2013

bound, have caused this Letter Agreement to be executed and delivered effective the 14
day of ~~April~~, 2013.

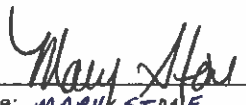
May
day

Magellan Pipeline Company, L.P.
By Magellan Pipeline GP, LLC, its
General Partner


By: 
Name: Rick Fahrerkrog
Title: Director, EHS+S



Barton Springs Edwards Aquifer
Conservation District


Name: MARY STONE
Title: BOARD PRESIDENT

ATTEST:


APPROVED AS TO FORM:


Tammy Raymond

From: Mitchell, Doug <Doug.Mitchell@magellanlp.com>
Sent: Tuesday, May 30, 2023 4:47 PM
To: Tim Loftus
Subject: RE: Annual WQ Monitoring Proposal

Tim,

Hope you had a good holiday weekend. Regarding your question about the lifetime of the pipe, the Longhorn assets have an average of 33 years remaining to fully depreciate for accounting purposes.

Let me know if you need anything else.

Doug

From: Tim Loftus <TLoftus@bseacd.org>
Sent: Wednesday, May 24, 2023 9:11 AM
To: Mitchell, Doug <Doug.Mitchell@magellanlp.com>
Subject: RE: Annual WQ Monitoring Proposal

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Good Morning Doug,

Thank you for working through the details of an alternative arrangement. I have one comment and one question ... As best as our attorney and I can determine from the Letter Agreement, the annual contribution of \$1200 is for BSEACD's ongoing well sampling program and not limited to testing/sampling of the "new" well(s).

What is the lifetime of the pipeline, whether it be in physical practice (i.e., requiring replacement or scheduled maintenance) or in Magellan's amortization schedule?

Tim

Timothy T. Loftus, Ph.D.
General Manager
Barton Springs / Edwards Aquifer Conservation District
1124 Regal Row Austin, Texas 78748
512.282.8441 Ext. 114
www.bseacd.org

From: Mitchell, Doug <Doug.Mitchell@magellanlp.com>
Sent: Tuesday, May 16, 2023 10:29 AM
To: Tim Loftus <TLoftus@bseacd.org>
Subject: Annual WQ Monitoring Proposal

Tim,

I was able to speak to my leadership about a one-time, lump-sum contribution to terminate the annual \$1,200 contribution established in the April 2013 Letter Agreement. Magellan proposes the following.

1. A lump-sum contribution of \$20,000 to terminate the annual \$1,200 contribution identified in Section 2 Expense Contribution of the Letter Agreement. This amount is being proposed for the following reasons:
 1. \$20,000 is the present value equivalent of 25 years of \$1,200 annual contributions at the current 10-yr treasury rate of 3.44%.
 2. Magellan has been providing the annual \$1,200 contribution for the last 10 years, despite the requirement of the Letter Agreement being the contributions would begin on the date of the first well installation. This represents a \$12,000 value that BSEACD has benefited from to date.
2. The lump-sum contribution option will result in the complete removal of Section 4 Monitoring Program from the 2013 Letter Agreement.

If this proposal is acceptable to BSEACD, there will need to be changes made to the Letter Agreement to reflect the one-time, lump sum contribution for the monitoring program.

Speaking of changes to the Agreement, in the future, we will need to discuss moving forward with installation of the two monitoring wells in accordance with the current Agreement or if we need to make additional modifications to accommodate moving forward with the monitoring well installations in a manner that could be more favorable for both parties and the project as a whole.

I look forward to hearing your thoughts on the proposal of a lump-sum contribution.

Regards,
Doug

From: Tim Loftus <TLoftus@bseacd.org>
Sent: Tuesday, May 2, 2023 3:36 PM
To: Mitchell, Doug <Doug.Mitchell@magellanlp.com>
Subject: RE: checking in with project update

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Hi Doug,

I think delaying installation until the winter months might have been an assumption made by staff rather than anything that was suggested to us by City staff. While City staff may still have a say on a window of time that installation can occur, I'm not anticipating that. As such, I'm currently thinking that we'll move forward with the first of two well installations during the summer. The second well should follow two to four weeks later. I'm anticipating the latter installation to be the one in Zilker Park and we have preliminary grant funding approval to make turn a standard monitoring well that Magellan will pay for into a multiport well from the start. That grant funding will need City Council approval and that could hold up the Zilker Park well a wee bit. I imagine a worse-case scenario would delay the Zilker well to late summer or early-fall, but I'm guessing about timing at this point.

Right now, the District and City are hammering out an MOU in lieu of another Interlocal Agreement (ILA). An MOU will provide the extra details to complement an existing 2019 ILA that already allows for these two new wells. Secondly, an MOU doesn't require City Council approval.

Please let me know if you have any other questions. In the meantime, I'll look forward to receiving your proposal for water-quality sampling, later this month.

Thank you,
Tim

Timothy T. Loftus, Ph.D.

General Manager

Barton Springs / Edwards Aquifer Conservation District

1124 Regal Row Austin, Texas 78748

512.282.8441 Ext. 114

www.bseacd.org

From: Mitchell, Doug <Doug.Mitchell@magellanlp.com>

Sent: Monday, May 1, 2023 9:40 AM

To: Tim Loftus <TLoftus@bseacd.org>

Subject: RE: checking in with project update

Tim,

Thanks for the update. I'll speak to my leadership and try to get a proposal for the WQ sampling put together and sent your direction in the next couple of weeks.

If you get everything worked out with the City by the end of May, would you still be looking at monitoring well installation during the winter months when park usage was at its lowest or would you move the schedule up?

Thanks,
Doug

From: Tim Loftus <TLoftus@bseacd.org>

Sent: Friday, April 28, 2023 2:32 PM

To: Mitchell, Doug <Doug.Mitchell@magellanlp.com>

Subject: checking in with project update

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Hello Doug,

I hope you are enjoying springtime much as I have been here in south Austin. It's been nice here, but we continue to need more rain.

Our efforts with the City of Austin (CoA) are making progress. We'll soon be drafting a Memorandum of Understanding (MOU) with the CoA that will serve to complement an existing Interlocal Agreement (ILA) between us, executed in 2019, with greater details about the new monitoring wells that are generally covered in the ILA. I'm hopeful that document can be finalized and agreed upon in May. An MOU would not need to go before City Council for approval. I'm also hopeful that we can finalize well location in each of the two parks during May.

I'm anticipating that once the project gets underway and we begin to receive invoices for costs incurred, that the District will bill you in turn until the two well installations are complete.

On the water quality sampling front, we have not yet produced an alternative to our current arrangement with you. Since you are proposing something different than the current Letter Agreement, please know that we would entertain a

proposal that comes from you. In the meantime, I'm not yet fully prepared to propose an alternative to our current arrangement.

Please let me know if you have any questions.

Thank you,

Tim

Timothy T. Loftus, Ph.D.

General Manager

Barton Springs / Edwards Aquifer Conservation District

1124 Regal Row Austin, Texas 78748

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Item 5

Board Discussions and Possible Actions

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

Item 6

Director's Reports

Directors' Reports.

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- **Meetings and conferences attended or that will be attended;**
- **Committee formation and updates;**
- **Conversations with public officials, permittees, stakeholders, and other constituents;**
- **Commendations; and**
- **Issues or problems of concern.**

Item 7
Adjournment