

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

P.O Box 1644 Fort Stockton, TX 79735 Phone (432)336-0698 Fax#432-336-3407
405 North Spring Drive Fort Stockton, Texas 79735
Email: mpgcd@mpgcd.org Website: www.mpgcd.org

Directors

Jerry McQuairt, President John D. Dorris, Vice President M. R. Gonzalez, Secretary/Treasurer
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper Janet Groth
Weldon Blackwelder Terry Whigham Merrell Daggett

Employees

Paul Weatherby, General Manager Ty Edwards, Assistant Manager
Melissa Mills, Office Manager Gail Reeves, Office Assistant

FILED
OCT 13 2016

LIZ CHAPMAN
CLERK COUNTY COURT, PECOS CO., TEXAS

NOTICE OF REGULAR BOARD MEETING and PUBLIC HEARING

Deputy

2:37p

October 18, 2016

Call to Order at 10:00 a.m.

405 North Spring Drive, Fort Stockton, Texas

During the meeting, the Board reserves the right to go into executive session for any of the purposes authorized under the Texas Open Meetings Act, V.T.C.A., Government Code, Chapter 551, for any item on this agenda or as otherwise authorized by law.

This meeting may be recessed to allow the Board to conduct the hearing described on this agenda and the Board may change the order in which one or more of the hearing or meeting items are considered.

PRODUCTION PERMIT HEARING for City of Ft. Stockton.²

- I Call to order at 10:00 a.m. the Public Hearing on **Application for a Production Permit for City of Ft. Stockton on Block 48-9, Section 31.**
- II Adjourn hearing and consider and/or act on **Application for a Production Permit for City of Ft. Stockton Block 48-9, Section 31.**

REGULAR BOARD MEETING

- I Call to order regular Board meeting.
- II Comments from **public and media** (limit 5 minutes per person) - Members of the public may address the Board for a limited time concerning any subject whether or not it is on the agenda.³
- III Consider and/or act upon **Minutes of September 20, 2016/Regular Meeting**
- IV Consider and/or act upon **Minutes of September 20, 2016/Special Called Meeting**
- V Consider and/or act upon **Accounts Payable and Treasurer's Report and Line Item Transfers for the Month Ending September 30, 2016.**
- VI Consider and/or act on **setting a date for a hearing on Republic Water Company of Texas, LLC's (Republic LLC's) pending permit application.**
- VII Briefing on April 25, 2016 **letter complaint submitted by City Water Attorney Mark Harral/Fort Stockton** to 112th District Attorney Laurie English and Attorney General of the State of Texas alleging violation of Texas Open Meetings Act.

- VIII Briefing and take action as necessary on pending lawsuits:
- A. **Republic LLC and Fort Stockton Holdings, LP's federal lawsuit** filed May 20, 2016, Case #4:16-CV-33-PRM
 - B. **Republic LLC's state lawsuit** filed May 10, 2016, Cause # P-11956-112-CV
 - C. **Fort Stockton Holdings, LP v. Pecos County, Middle Pecos GCD, et al.** Court of Appeals # 08-15-00382-CV
- IX Discuss and/or act upon **Republic LLC's settlement offer** dated September 23, 2016, **regarding its pending application and pending lawsuits** in state court (Cause # P-11956-112-CV) and federal court (Case # 4-16:CV-00033-PRM).
- X Consider and/or act upon General Manager's 3rd Quarter Report.
- XI Briefing on interim legislative activity.
- XII **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map and ongoing Water Quality Analysis.**
- XIII **General Manager's Correspondence.**⁴
- XIV Executive Session pursuant to the Texas Open Meetings Act, Section 551.074 of the Texas Government Code, to deliberate evaluation and duties of District's employees.
- XV Consider and/or take action on **Personnel Matters Discussed in Executive Session and Annual Review and Compensation of District's Employees.**
- XVI **Directors' comments.**⁴
- XVII Consider and/or act upon **agenda for next** meeting.
- XVIII **Adjourn Board meeting.**

¹ The Board may break for lunch and commence or continue the Board hearing and/or meeting immediately after lunch. This facility is wheelchair and parking accessible. Requests for accommodations must be made 48 hours prior to this meeting by contacting Paul Weatherby at 432-336-0698.

² Additional more detailed notice of the public hearing required by state law and the District's rules was separately issued by the District.

³ The Board is not allowed to take action on any subject presented that is not on the agenda, nor is the Board required to provide a response; any substantive consideration and action by the Board will be conducted under a specific item on a future agenda.

⁴ No action will be taken on these agenda items. These items are on the agenda to provide the District's General Manager and Directors an opportunity to bring to the public's and each other's attention important issues pertinent to groundwater management within the District. Any substantive deliberation and formal action on any of these issues will be conducted under a specific item on a future agenda.