

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.middlepecosgcd.org

Directors

Jerry McGuairt, President Janet Groth, Vice President M. R. Gonzalez, Secretary/Treasurer
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper
Weldon Blackwelder Allan Childs Jeff Sims Puja Boinpally Larry Drgac

Employees

Ty Edwards, General Manager
Office: Gail Reeves Field Technician: Anthony Bodnar

NOTICE OF REGULAR BOARD MEETING, PUBLIC HEARINGS, AND BUDGET WORKSHOP¹

August 15, 2023
Call to Order at 10:00 a.m.

In accordance with the Texas Open Meetings Act, a quorum of the Board will meet in person and less than a quorum may participate by videoconference. The public may also join this meeting in person or as follows:

Join Zoom Meeting:

<https://us02web.zoom.us/j/84246257395?pwd=azRUSm9uTWgwc1dKWkFPY1lueWo1dz09>

Meeting ID: 842 4625 7395
Passcode: 438283

Toll-Free Number: 1-888-992-1129

Members of the public wishing to make public comment during the meeting, hearings, or workshop must register in person at the time of the meeting or by emailing mpgcd@mpgcd.org prior to 9:30 a.m. on August 15, 2023.

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

REGULAR BOARD MEETING

- I Call to order regular Board meeting and roll call.
- II Comments from **public and media** (limit 5 minutes per person cumulative for all items addressed). Members of the public may address the Board for a limited time concerning any subject whether or not it is on the agenda (each person wishing to speak must submit a completed public comment form).²

FILED
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- III Consider and/or act to approve **Minutes of Regular Meeting on June 20, 2023.**
- IV Consider and/or act upon **Treasurer’s Report for the Month Ending June 30, 2023.**
- V Consider and/or act upon **Treasurer’s Report and Line Item Transfers for the Month Ending July 31, 2023.**

**PUBLIC HEARING ON DRILLING PERMIT
APPLICATION FOR DANIEL JOSEPH³**

- I Call to order at **10:00 a.m.** the public hearing on **Application for a Drilling Permit Daniel Joseph.**
- II Adjourn Hearing and consider and/or act on **Application for a Drilling Permit Daniel Joseph.**

REGULAR BOARD MEETING – CONTINUED

- VI Executive Session pursuant to the Texas Open Meetings Act, Sections 551.071 and 551.074 of the Texas Government Code, to consult with our attorney and to deliberate annual review of the District’s General Manager Ty Edwards and compensation of the District’s employees.
- VII Consider and/or take action on **Annual Review and Compensation of District’s Employees.**

WORKSHOP ON PROPOSED BUDGET AND PROPOSED TAX RATE

- I Call to Order.
- II Workshop to **review Proposed Budget and Proposed Tax Rate** for Fiscal Year ending 09/30/2024.
- III Adjourn.

PUBLIC HEARING ON PROPOSED BUDGET AND PROPOSED TAX RATE³

- I Call to Order.
- II Receive public input on Proposed Budget and Proposed Tax Rate for Fiscal Year ending 09/30/2024.
- III Adjourn.

REGULAR BOARD MEETING – CONTINUED

- VIII Consider and/or approve **Budget for Fiscal Year Ending 09/30/2024 and sign the Resolution to Adopt the Annual Budget.**
- IX Consider and/or adopt a **Proposed Tax Rate for 2023-2024.**

- X Consider and/or act upon **Setting a Public Hearing Time, Place and set a Meeting Date/Time/Place to Adopt a Tax Rate for 2023-2024.**
- XI Update on **San Andres well plugging.**
- XII Update on **Hydrogeologic Research Initiatives.**
- XIII Legislative Update and briefing and take action as necessary on **possible rule changes to implement legislation enacted during the 88th Legislative Session.**
- XIV Update on **Fort Stockton Holdings, L.P. (FSH)-MPGCD Joint Study, Implementation and Threshold Water Levels.**
- XV Briefing and take action as necessary on **Cockrell Investment Partners, L.P. v. MPGCD and its Board President in his official capacity, FSH and Republic Water Company of Texas, L.P., Case No. 08-21-00017-CV (El Paso Court of Appeals)(Cockrell I) and/or Cockrell Investment Partners, L.P. v. MPGCD and its General Manager in his official capacity, and FSH, Case No. 08-21-00200-CV (El Paso Court of Appeals)(Cockrell II).**
- XVI Briefing and take action as necessary on **Cockrell Investment Partners, L.P. v. Ty Edwards, In His Capacity as General Manager, and FSH, Case No. 08-23-00178-CV (El Paso Court of Appeals)(Cockrell III).**
- XVII **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map, Water Quality Analysis, and General Manager's Correspondence.⁴**
- XVIII **Directors' Comments⁴ and consider and/or act upon agenda for next meeting.**
- XIX **Adjourn Board meeting.**

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

² The Board will apply relatively new statutory law governing public comment. If more than 5 minutes (cumulative) is requested, there must be good cause in the sole discretion of the Presiding Officer. 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.

³ Additional more detailed notice required by state law and the District's rules was separately issued by the District.

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 such that any substantive deliberation and formal action on any of these issues will be conducted under a specific item on a future agenda.