

**COASTAL BEND GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING**

AGENDA PREPARED AND POSTED: May 03, 2018
DATE OF MEETING: May 08, 2018
TIME OF MEETING: 8:00 A.M.

PLACE WHERE MEETING WAS HELD: Coastal Bend GCD, 109 E. Milam,
WHARTON, TEXAS 77488.

I. In Attendance:

Ronald Gertson – President CBGCD; L.G. Raun – Vice-President; Edmund Weinheimer – Secretary CBGCD; Daniel Berglund – Director CBGCD; Aland Wittig – Director CBGCD; Neil Hudgins – Manager CBGCD; Jaime Bosch – Office Manager CBGCD; Greg Ellis; Steve Cooper; and Judge Spenrath.

II. Call to Order:

The meeting was called to order at 8:04 A.M. by President Gertson.

III. Public Comments:

None

IV. Approval of Minutes:

Vice-President Raun made a motion to accept the meeting minutes, with the change to the 2nd line of the Quarterly Investment Report (add Vice-President Raun), the permit hearing minutes, and management plan hearing minutes as presented for April 10, 2018. Director Wittig seconded. All voted for; motion carried.

V. Manager's Report:

Financial Report – Mr. Hudgins reported a checking account balance of \$401,524.36; a money market balance of \$384,797.77; and CD balance of \$512,915.16. A budget vs. actual and the balance sheet for April was also presented. After discussion and review, Secretary Weinheimer made a motion to approve the financials as presented. Director Wittig seconded. All voted for; motion carried.

Director Berglund Joined the Meeting

Well Monitoring Update – Mr. Hudgins presented the board with the monitor well levels as of May 01, 2018. The index well graph shows a 1 foot decline from the previous month of April. The critical depletion study area monitor wells shows a slight recovery from April. The combined index wells and bi-annual wells shows both sets on the same trend.

Upcoming Meetings – TAGD May 21 & 22

VI. Discussion to Approve Permit Applications: After discussion and review of the permit application, Director Berglund made a motion to approve the permit application OP-18042501 for 1994 Wray Family LLC and OP-05010631 for Beulah & David Buchanek. Secretary Weinheimer seconded. All voted for; motion carried.

VII. Discuss and Consider Legislative Representation Agreement with GM Ellis Law Firm PC: After review and discussion of the legislative representation agreement, Director Berglund made a motion to approve OPTION 2 (contingent on Coastal Plains GCD approving to share the cost 60% Coastal Bend GCD and 40% Coastal Plains GCD. Vice-President Raun seconded. All voted for; motion carried.

- VIII. **Litigation Update a) City of Conroe, et al v. Lone Star Groundwater Conservation District, et al (District Court) b) Fazzino v Brazos Valley Groundwater Conservation District (District Court):** None
- IX. **Legislative Update:** None
- X. **Possible Future Agenda Items:** None
- XI. **Public Comments/Announcements:** None.
- XII. **Set Next Meeting Date and Agenda:** Director Berglund made a motion that the next CBGCD board meeting be set for Tuesday, June 26, 2018 at 8:00 am. Vice-President Raun Seconded. All voted for; motion carried.
- XIII. **Adjournment:** Meeting adjourned at 9:19 a.m.

Gregory M. Ellis
Attorney at Law

ATTACHMENT A

LEGISLATIVE REPRESENTATION AGREEMENT

THIS AGREEMENT is entered into as of the date it is signed by the District representative and is by and between **GM ELLIS LAW FIRM, PC** (hereinafter "Ellis") and the **COASTAL BEND GROUNDWATER CONSERVATION DISTRICT** (hereinafter referred to as "District").

Ellis is hereby retained by District to provide legislative representation services on the following terms and conditions (select one option):

 OPTION 1. MONITORING LEGISLATIVE ACTION

Ellis agrees to monitor legislative activities in the Texas Legislature related to groundwater issues, groundwater conservation districts specifically and political subdivisions generally, open government, and public fund investment and collateral, and provide regular reports to the District. "Legislative activities" include interim committee hearings, interim committee reports, interim studies, pre-filed legislation, and all activities during legislative session including bill filings and committee hearings. This option does not include attempting to influence legislation on behalf of the District, communicating the District's opinion on any legislation to any member of the legislative or executive branches of Texas government, or contacting any legislative staffer or lobbyist to attempt to influence legislation.

District agrees to pay Ellis a professional services fee of five hundred dollars per month payable the first of each month from the effective date of this agreement through the end of June 2019.

 AG **OPTION 2. GENERAL LEGISLATIVE REPRESENTATION**

In addition to the services included in Option 1, Ellis will communicate the District's position on any legislation to appropriate members and staff of the Texas Legislative and Executive branches of government while complying with all applicable laws and regulations.

2104 Midway Court * League City, TX 77573

Phone: (713) 705-4861 * Fax: (512) 296-5265

Greg@gmellislaw



Communication may include testimony at interim or session committee hearings, meeting with elected officials or their staff members, and meeting with lobbyists or other stakeholders.

District agrees to pay Ellis a professional services fee of one thousand dollars per month payable the first of each month from the effective date of this agreement through the end of December 2018, and an in-session fee of three thousand dollars per month payable the first of each month through the end of June 2019.

_____ OPTION 3. SESSION-ONLY LEGISLATIVE REPRESENTATION

In addition to the services included in Options 1 and 2, Ellis will help draft legislation specifically sought by District, negotiate terms and language of that legislation with stakeholders, or seek to influence the passage or defeat of legislation in accordance with District's directive, and communicate the District's positions to appropriate members and staff of the Texas Legislative and Executive branches of government while complying with all applicable laws and regulations.

District agrees to pay Contractor a professional services fee of thirty thousand dollars (\$30,000) paid at the rate of five thousand dollars (\$5,000) per month each month of legislative session (January through June of odd-numbered years).

_____ OPTION 4. FULL LEGISLATIVE REPRESENTATION

In addition to the services included in Options 1 and 2, Ellis will help draft legislation specifically sought by District, negotiate terms and language of that legislation with stakeholders, or seek to influence the passage or defeat of legislation in accordance with District's directive, and communicate the District's positions to appropriate members and staff of the Texas Legislative and Executive branches of government while complying with all applicable laws and regulations.

District agrees to pay Contractor a professional services fee of forty-eight thousand dollars (\$48,000) paid at the rate of one thousand dollars (\$1,000) per month during the interim and five thousand dollars (\$5,000) per month each month of legislative session (January through June of odd-numbered years).

PROVISIONS APPLICABLE TO ALL OPTIONS:

District shall designate a single-point of contact for all communications with Ellis, which contact may be the President of the Board, Chairman of the District's Legislative Committee,

General Manager, or other Board member designated by the Board. If multiple Groundwater Conservation Districts (no more than 5 Districts and only utilizing Option 3 or Option 4) desire to contract with Ellis jointly they shall jointly designate a single point of contact. The Districts shall enter into an interlocal agreement for the purposes of legislative representation and select one District as administrator of that agreement. All invoices will be directed to that single administrator District.


Any notices or communications required hereunder shall be in writing addressed as follows:

If to Districts: Coastal Bend Groundwater Conservation District
109 E. Milam
Wharton, TX 77488

If to Ellis: Gregory M. Ellis
713-705-4861
greg@gmellis.law
2104 Midway Court
League City TX 77573

Payments shall be made to **GM Ellis Law Firm, PC** at the address above.

ON BEHALF OF THE DISTRICT:


By: President
[Name and Title]

GM ELLIS LAW FIRM, PC

By: 
Gregory M. Ellis