



Every drop counts!

Board Meeting
&
Workshop

Clearwater Underground Water Conservation District
700 Kennedy Court
Belton, Texas

Wednesday
September 16, 2020
1:30 p.m.

Clearwater Underground Water Conservation District Board Members

Leland Gersbach, Director Pct. 1

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Vice President

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Revised Dec. 26, 2018

Agenda

**NOTICE OF THE MEETING OF THE
CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT
TO BE HELD BY TELECONFERENCE AND VIDEOCONFERENCE
September 16, 2020**

In accordance with Governor Abbott's declaration of the COVID-19 public health threat, action to temporarily suspend certain provisions of the Texas Open Meetings Act, and Executive Order, a quorum of CUWCD's Board of Directors will hold its regular Board meeting and Public Hearing by telephonic conference call and, for redundancy, videoconference. The public may access this meeting and make public comment by phone, pc, tablet and/or notebook using the contact information and instructions on pages 2 of this notice.

Notice is hereby given that the above-named Board will hold a Workshop and Board meeting on Wednesday, September 16, 2020 beginning at 1:30 p.m., in the Clearwater UWCD Board Room located at 700 Kennedy Court, Belton, Texas. The following items of business will be discussed¹.


Workshop:

1. Receive legislative and interim report update from Ty Embrey, Lloyd Gosselink Attorneys at Law.
2. Receive followup presentation from CUWCD Geoscience Consulting Teams related to the proposed Trinity Aquifer research effort in FY21.
3. Receive update related to GMA8 Round III DFC determination, per TWC section 36.108.
4. Receive update related to the BCAMC efforts in responding to the Critical Habitat Designation for the Salado Salamander.

Board Meeting:

1. Invocation and Pledge of Allegiance.
2. Public comment.²
3. Approve minutes of the August 31, 2020 Board meeting.
4. Discuss, consider and take appropriate action if necessary, to accept the monthly Financial Report for August 2020 (FY20) as presented.
5. Discuss, consider, and take appropriate action if necessary, to accept the monthly Investment Fund account report as presented.
6. Discuss, consider and take appropriate action if necessary, to approve the FY20 line item budget amendments as requested.
7. Discuss, consider and take appropriate action if necessary, to cancel the November 3rd General Election for Directors representing Precinct 1 and Precinct 3.
8. General Manager's Report concerning office management and staffing related to District Management Plan³.
9. Receive monthly report and possible consideration and Board action on the following:³
Drought Status Reports, Education Outreach Update, Monitoring Wells, Rainfall Reports,
Well Registration Update, Aquifer Status Report & Non-Exempt Monthly Well Production
Reports
10. Director comments and reports³.
11. Discuss agenda items for next meeting
12. Set time and place for next meeting
13. Adjourn.

Dated the 11th day of September 2020. Leland Gersbach, Board President

By: 
Dirk Aaron, Asst. Secretary

Agenda items may be considered, deliberated and/or acted upon in a different order than set forth above.

CUWCD 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 CUWCD's office at 254-933-0120 at least 24 hours in advance if accommodation is needed.

¹ During the meeting, the Board reserves the right to go into executive session for any of the purposes authorized under Chapter 551 of the Texas Government Code, for any item on the above agenda or as otherwise authorized by law.

² Please limit comments to 3 minutes. 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 No formal action will be taken by the Board on these agenda items. These items are on the agenda to provide CUWCD's staff, Stakeholder Committees, and Directors with an opportunity to bring to the public's and each other's attention important activities and issues pertinent to the management of groundwater within the District, including, but not limited to, current events in the District involving groundwater, wells, or CUWCD permittees, state or regional developments related to water management, and activities of the staff, and Directors. Substantive deliberation and formal action on any of these issues will be conducted pursuant to a specific item on a future agenda.

GUIDELINES FOR PUBLIC PARTICIPATION IN CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT BOARD MEETING, WORKSHOP AND HEARINGS

Clearwater UWCD, in order to maintain governmental transparency and continued government operation while reducing face-to-face contact for government open meetings, is implementing measures according to guidelines set forth by the Office of the Texas Governor, Greg Abbott. In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various open-meetings provisions that require government officials and members of the public to be physically present at a specified meeting location. CUWCD's adherence to the Governor's guidance temporary suspension procedure ensures public accessibility and opportunity to participate in CUWCD's open meeting, workshop and hearings.

Members of the public wishing to make public comment during the meeting must register by emailing schapman@cuwcd.org prior to 11:30 a.m. on September 16, 2020. This meeting will be recorded and the audio will be available online <http://www.cuwcd.org> or by requesting a copy from daaron@cuwcd.org . A copy of the agenda packet is available on the CUWCD's website prior to the meeting.

You may join CUWCD's Board meeting as follows:

- ✓ Clearwater UWCD Board Workshop & Regular Board Meeting
Wed, Sep 16, 2020 1:30 PM - 4:30 PM (CDT)
- ✓ **Please the meeting from your computer, tablet or smartphone.**
<https://global.gotomeeting.com/join/376537309>
- ✓ **You can also dial in using your phone.**
United States (Toll Free): [1 877 309 2073](tel:18773092073) Access Code: 376-537-309

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2020 SEP 11 A 10:25
SHELLEY COSTON
CO. CLERK, BELL CO. TX

Workshop Item #2



Memorandum

To: Mr. Dirk Aaron, General Manager –
Clearwater Underground Water Conservation District

From: Michael Keester, PG – LRE Water

Copy to: Dr. Joe Yelderman, PG – Baylor University
Allan Standen, PG – Allan R. Standen LLC

Date: September 16, 2020

Subject: Proposed scope of work to delineate potential management area(s)
and zone(s) in southwestern Bell County

The results of research directed by Clearwater Underground Water Conservation District (“CUWCD”) along with the reports of local well owners and drilling contractors has confirmed that the hydrogeologic conditions and groundwater availability of the Trinity Aquifer are distinctly different in the southwestern area of Bell County from other parts of the county. However, the District’s consultants have generally each focused on specific hydrogeologic conditions rather than the system as a whole. For the Trinity Aquifer in southwestern Bell County, the primary research area for each of the District’s consultants was:

- Allan R. Standen LLC – Allan Standen focused on the geology and structure resulting in the development of the District’s 3D model;
- Baylor University – Dr. Joe Yelderman focused on the hydraulic characteristics through aquifer testing; and,
- LRE Water – I focused on pumping and changes in water levels in the aquifer layers

While we each have the expertise and capability to perform an investigation that incorporates each of the focus areas into a single evaluation, by conducting a collaborative project we are able to draw on each investigator’s experience to efficiently synthesize the results of our efforts. This proposed work would involve bringing together new research and the research projects conducted over the last several years to clearly delineate, based on available data, where the changes occur in the subsurface to create the distinct hydrogeologic conditions in southwestern Bell County. To accomplish the proposed work, we will focus on the study area shown in Figure 1 (study area delineation is approximate and may be modified based on data availability). The proposed study area

extends into northwestern Williamson County to allow for the investigation of the geology, structure, historical water levels, and hydraulic properties that will inform how groundwater may be moving through the subsurface into Bell County. In addition, the proposed study area extending into Williamson County will allow us to gather data that will complement the information presented in the *Hydrogeologic Atlas of Southwest Travis County Central Texas*^{*}.

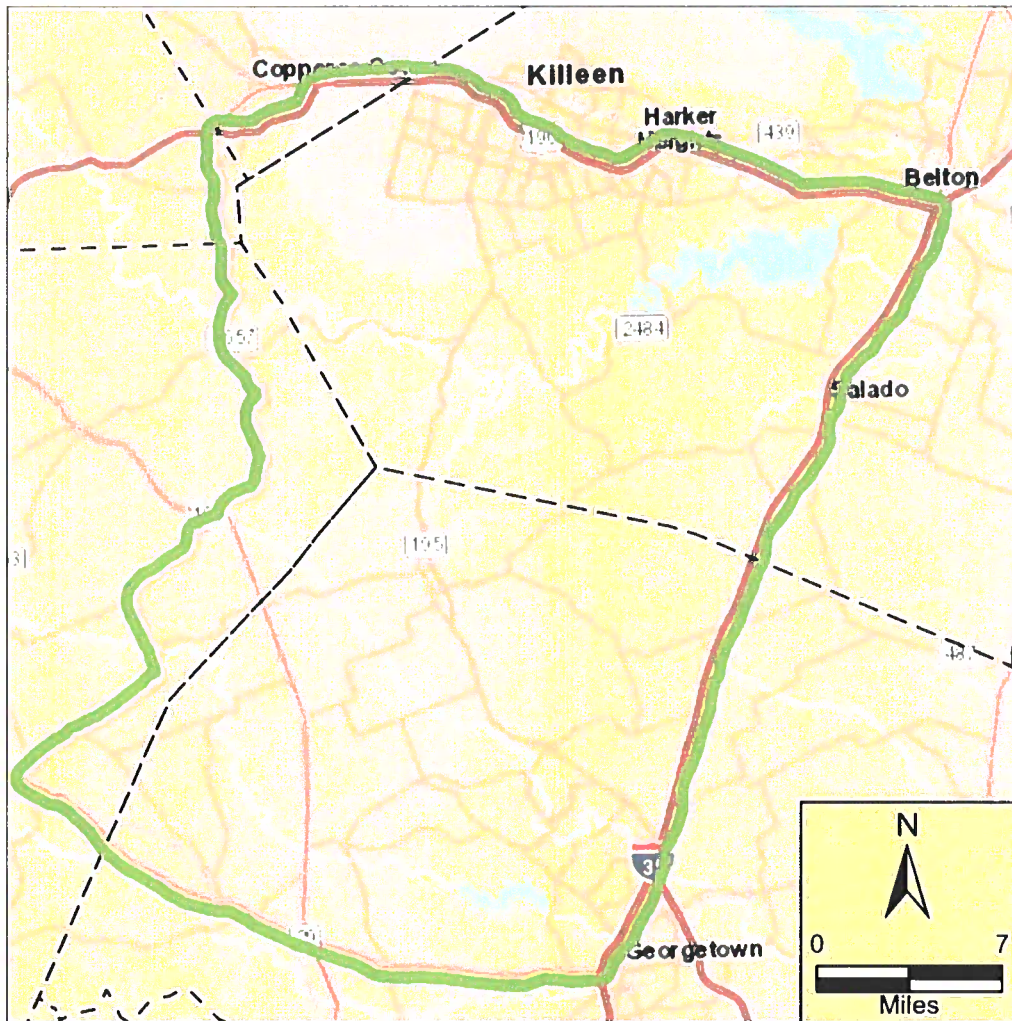


Figure 1. Generalized identification of the proposed study area.

^{*} Hunt, B.B., Cockrell, L.P., Gary, R.H., Vay, J.M., Kennedy, V., Smith, B.A., and Camp, J.P., 2020, Hydrogeologic Atlas of Southwest Travis County, Central Texas: BSEACD Report of Investigations 2020-0429, 80 p.

Based on our understanding of how the hydrogeologic conditions change, the District's consulting team will identify one or more proposed management areas and/or zones for the Board's consideration. We will also develop recommendations for incorporation of results or information into specific parts of the District Rules. The District's consultants have independently provided proposed work tasks for the upcoming fiscal year. As part of our work, we will also work collaboratively to develop a single summary report incorporating our synthesized results. The following identifies the general role of each consultant in the collaboration:

- LRE Water
 - Coordinate research activities between the three project participants
 - Integration of previous research as described in LRE proposed Task 2021.2 with a focus on southwestern Bell County
 - Integration of Trinity Aquifer drawdown analysis described in proposed Task 2021.5 with a focus on southwestern Bell County
 - Preparation of report sections on changes in water level, summary of previous reports, and integration of fiscal year 2021 investigation results
 - Compilation of the summary report from the three project participants
- Allan R. Standen LLC
 - Expand understanding of the hydrostratigraphy of the study area through an expansion of the analyses conducted during fiscal year 2020
 - Integrate existing mapped faults from previous reports and compare with faults identified in southwestern Bell County during fiscal year 2020
 - Update the 3D hydrostratigraphic model for CUWCD
 - Prepare report sections on the hydrostratigraphy and present results to the CUWCD Board
- Baylor University
 - Evaluate the hydraulic properties of the Hensell, Cow Creek, and Hosston formations in southwestern Bell County and other parts of the study area as data allow
 - Potentially conduct additional aquifer testing using one or more wells identified in the study area
 - Based on data availability, evaluate water quality to identify the differences in chemical signatures of groundwater produced from the Hensell, Cow Creek, and Hosston formations
 - Prepare report sections on the hydraulic properties and water quality

Mr. Dirk Aaron – Southwestern Bell County Joint Study
September 16, 2020
Page 4 of 4

The goal of our collaboration is to provide CUWCD with a succinct understanding of the hydrogeologic conditions in southwestern Bell County. The results presented will be a consensus of the understanding from three of the District's consultants regarding the potential delineation of management areas and/or zones based on the differing conditions. The final report will document our results and provide a basis for future management decisions regarding local groundwater resources.

Please let me know if you have any questions.



Workshop Item #4



News Release

Public Affairs Office
PO Box 1306
Albuquerque, NM 87103
505/248-6911
505/248-6915 (Fax)

For Release: September 15, 2020

Contacts: Aubry Buzek, 512-962-0289, aubry_buzek@fws.gov

U.S. Fish and Wildlife Service Announces Revision of Proposed Critical Habitat and Reopening of Public Comment Period for two Texas Salamanders

AUSTIN – The U.S. Fish and Wildlife Service today announced it is revising proposed critical habitat for the Georgetown and Salado salamanders. The two salamanders, found only in parts of Texas, were listed as threatened on February 24, 2014, due to the threat of degradation of their habitat and changes in water flow and quality. The public comment period will be open for 60 days starting on September 15, 2020.

For the Georgetown salamander, the Service is now proposing 732 acres of critical habitat in nine units in Williamson County. This represents a decrease of five units and approximately 300 acres over the previous proposal. For the Salado salamander in Bell and Williamson counties, the proposal includes 787 acres of critical habitat in 10 units. This represents an increase of six units and 415 acres over the previous proposal. All the proposed designations are of occupied critical habitat based on the determination of what was sufficient to conserve the species.

Healthy springs and spring-fed streams are important for salamanders and other aquatic life as well as human communities, businesses, and economic enterprises. Efforts and actions to protect and conserve the Edwards Aquifer will also benefit the human communities and businesses dependent on these water sources.

“The Service has carefully considered the information received during previous public comment periods, and based on that information, we have revised the critical habitat proposals for the Georgetown and Salado salamanders,” said Adam Zerrenner, the Service’s Austin Field Office Supervisor. “We believe that the revised critical habitat proposal better reflects the needs of the salamanders.”

Georgetown and Salado salamanders are entirely aquatic, living in springs and caves fed by the northern segment of the Edwards Aquifer. The current known range of the Georgetown salamander is south and east of Lake Georgetown in the North and Middle Forks of the San Gabriel River watershed. The Salado salamander occurs north of Lake Georgetown in the Salado Creek watershed.

Critical habitat is a term in the Endangered Species Act that identifies geographic areas containing features essential for the conservation of a threatened or endangered species, and which may require special management considerations or protection. Designation of critical habitat does not affect land

ownership, establish a refuge or preserve and has no impact on private landowners taking actions on their land that do not require federal funding or permits.

The goal of designating critical habitat is to promote the conservation of the Georgetown and Salado salamanders by encouraging development to proceed in a way that conserves the species while enabling projects to move forward. Federal agencies that undertake, fund or permit activities that may affect critical habitat are required to consult with the Service to ensure such actions do not adversely modify or destroy designated critical habitat.

The Service does not anticipate significant negative economic impacts on private landowners and developers as a result of the proposed revised critical habitat designation for the Salado and Georgetown salamanders.

The revised proposed critical habitat for the Georgetown and Salado salamanders will publish in the *Federal Register* on September 15, 2020. The Service is requesting comments or information from other concerned governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. Comments must be received within 60 days, on or before November 15, 2020.

The U.S. Fish and Wildlife Service works with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more information on our work and the people who make it happen, visit <http://www.fws.gov/>. Connect with our [Facebook page](#), follow our [tweets](#), watch our [YouTube Channel](#) and download photos from our [Flickr page](#).

-FWS-

<http://www.fws.gov/southwest/>



Critical Habitat

What is it?

When the Fish and Wildlife Service proposes a species for listing under the Endangered Species Act, we are required to consider whether there are geographic areas that contain essential features on areas that are essential to conserve the species. If so, we may propose designating these areas as critical habitat.

Here are answers to some of the most frequently asked questions about critical habitat.

What is critical habitat?

Critical habitat is the specific areas within the geographic area, occupied by the species at the time it was listed, that contain the physical or biological features that are essential to the conservation of endangered and threatened species and that may need special management or protection. Critical habitat may also include areas that were not occupied by the species at the time of listing but are essential to its conservation.

An area may be excluded from critical habitat designation based on economic impact, the impact on national security, or any other relevant impact, if we determine that the benefits of excluding it outweigh the benefits of including it, unless failure to designate the area as critical habitat may lead to extinction of the species.

Critical habitat designations affect only Federal agency actions or federally funded or permitted activities. Critical habitat designations do not affect activities by private landowners if there is no Federal “nexus”—that is, no Federal funding or authorization. Federal agencies are required to avoid “destruction” or “adverse modification” of designated critical habitat. The ESA requires the designation of “critical habitat” for listed species when “prudent and determinable.”

What provisions of the Endangered Species Act relate to critical habitat?

To protect endangered and threatened species, the ESA makes unlawful

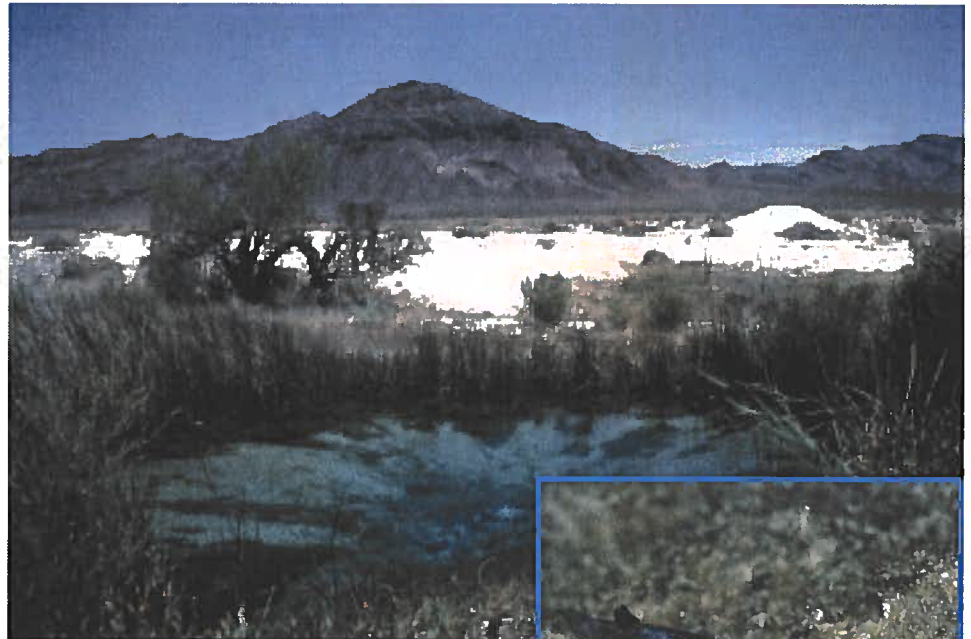


Photo of Ash Meadows National Wildlife Refuge
by Mike Bender; USFWS



Photo of the Devil's Hole pupfish
by Olin Feurerbacher; USFWS

a range of activities involving such species without a permit for purposes consistent with conservation goals of the ESA. These activities include take, import, export, and interstate or foreign commerce. “Take” includes kill, harm, harass, pursue, hunt, capture, or collect or to attempt to engage in any such conduct.

The ESA requires Federal agencies to use their authorities to conserve endangered and threatened species and to consult with the Fish and Wildlife Service about actions that they carry out, fund, or authorize to ensure that they will not destroy or adversely modify critical habitat. The prohibition against destruction and adverse modification of critical habitat protects such areas in the interest of conservation.

How does the Fish and Wildlife Service determine areas to designate as critical habitat?

Biologists consider physical and biological features that the species needs for life processes and successful reproduction. These features include:

- space for individual and population growth and for normal behavior;
- cover or shelter;
- food, water, air, light, minerals, or other nutritional or physiological requirements;
- sites for breeding and rearing offspring, germination, or seed dispersal; and

Myths & Realities

Does designating critical habitat mean no further development can occur?

No. A critical habitat designation does not necessarily restrict further development. It is a reminder to Federal agencies of their responsibility to protect the important characteristics of these areas.

Does a critical habitat designation affect all activities that occur within the designated area?

No. Only activities that involve a Federal permit, license, or funding, and are likely to destroy or adversely modify critical habitat will be affected. If this is the case, we will work with the Federal agency and landowners—including private landowners—to amend their project to enable it to proceed without adversely affecting critical habitat. Most Federal projects are likely to go forward, but some may be modified to minimize harm.

■ habitats that are protected from disturbances or are representative of the historical geographical and ecological distributions of the species.

What is the process for designating critical habitat?

The Service may propose to list a species and concurrently propose to designate critical habitat, or it can address a species' critical habitat up to a year after the date of its listing. The Service proposes a critical habitat designation, publishing it in the *Federal Register* and requesting public comments. We may modify a proposal as a result of information provided in public comments. We base our final designation of critical habitat on the best scientific data available, after taking into consideration the probable economic and other impacts of the designation. After reviewing the comments, the Service responds to them and publishes a rule, including final boundaries, in the *Federal Register*.

Are Federal agencies required to consult with the Fish and Wildlife Service outside critical habitat areas?

Yes, even when there is no critical habitat designation, Federal agencies are required to fulfill their conservation responsibilities by consulting with the Service if their actions "may affect" listed species. The requirement helps to ensure that Federal agencies do not contribute to the decline of endangered and threatened species or their potential for recovery.

What is the purpose of designating critical habitat?

Designating areas as critical habitat does not establish a refuge or sanctuary for a species. Critical habitat is a tool to guide Federal agencies in fulfilling their conservation responsibilities by requiring them to consult with the Service if their actions may "destroy or adversely modify" critical habitat for listed species. A critical habitat designation helps to protect areas—occupied and unoccupied—necessary to conserve a species. Critical habitat has value in requiring the Service to gather more detailed information about a species than what is required for listing, thereby increasing knowledge to share with Federal agencies—and, in turn, increasing their effectiveness to conserve a listed species.

Are all the areas within the mapped boundaries considered critical habitat?

No. Our rules typically exclude developed areas such as buildings, roads, airports, parking lots, piers, and similar facilities. Accompanying text describes those areas.

Critical habitat is designed to protect the essential physical and biological features of a landscape and essential areas in the appropriate quantity and spatial arrangement that a species needs to survive and reproduce and ultimately be conserved.

Does the ESA require consideration of economic impacts as part of designating critical habitat?

Yes. The Service is required to consider potential economic impacts, as well as any other benefits or impacts of designating critical habitat—and may exclude an area if the benefits of excluding it outweigh the benefits of including it unless that would result in the extinction of the species.

Do economic considerations affect decisions to list a species as an endangered or threatened species?

No, the Act requires listing decisions to be made solely on the basis of the best available scientific and commercial information.

What is the impact of a critical habitat designation on economic development?

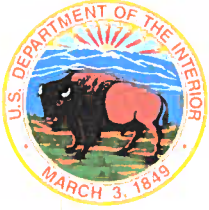
Most activities that require consultation by Federal agencies proceed without modification. In areas where the species is not present, some project modifications that would not have occurred without the critical habitat designation may be required. For example, the U. S. Army Corps of Engineers may schedule a beach renourishment project—that is, adding sand to a beach to stabilize it—before or after the nesting season of sea turtles to avoid harm to the sea turtles, their eggs, or their hatchlings.

Which species have critical habitat designated?

A list of all ESA protected species with designated critical habitat can be viewed online at <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>

**U. S. Fish and Wildlife Service
Endangered Species Program
5275 Leesburg Pike
Falls Church, VA 22041
703-358-2171
<http://www.fws.gov/endangered/>**

March 2017



Frequently Asked Questions: Revised Proposed Critical Habitat for the Georgetown and Salado Salamanders

For Release: September 15, 2020

Contacts: Aubry Buzek, (210) 542-1468, aubry_buzek@fws.gov

Q. What action is the U.S. Fish and Wildlife Service taking?

A. The Service is opening a 60-day public comment period on revised critical habitat proposals for the Georgetown salamander and the Salado salamander.

We have revised our previously proposed critical habitat for these species based on additional locations identified through a peer-reviewed study published since the original proposal. The proposed critical habitat designation for the Georgetown and Salado salamanders is now approximately 1,519 acres in 19 critical habitat units in Bell and Williamson counties, Texas. For the Georgetown salamander, these proposed revisions decrease the total proposed critical habitat designation by five units for a total area of approximately 300 acres. For the Salado salamander, these proposed revisions increase the total proposed critical habitat designation by six units for a total area of approximately 415 acres.

Q. Where are the Georgetown and Salado salamander species found?

A. The Georgetown and Salado salamanders are entirely aquatic and depend on water from the Edwards Aquifer in sufficient quantity and quality for survival, growth and reproduction. The species reside in habitat dependent on the Northern Segment of the Edwards Aquifer, including springs and spaces in the subsurface aquifer.

Q. What is critical habitat?

A. Critical habitat is a term in the Endangered Species Act (ESA) that identifies geographic areas essential for the conservation of an endangered or threatened species. The ESA defines “conservation” as the actions leading towards the eventual recovery of a species to the point where it is no longer endangered or threatened.

Critical habitat provides protection from the prohibition against destruction or adverse modification from actions carried out, funded or authorized by a federal agency and is implemented through required consultation under section 7 of the ESA. Due to legal challenges, the Service no longer relies on the regulatory definition of “destruction or adverse modification” of critical habitat. Instead, the Service relies on the statutory provisions of the ESA to complete adverse modification analysis.

Q. How does critical habitat impact landowners?

A. A critical habitat designation generally has no effect on situations that do not involve a federal agency — for example, a private landowner undertaking a project that involves no federal funding or permit. Federal agencies are required to consult with the Service on actions they carry out, fund, or authorize to ensure that their actions will not destroy or adversely modify critical habitat. In this way, a critical habitat designation protects areas that are necessary for the conservation of the species.

Q. Do listed species in critical habitat areas receive more protection?

A. Listed species and their habitat are protected by the ESA whether or not they are in an area designated as critical habitat. To understand the additional protection that critical habitat provides to an area, it is first necessary to understand the protection afforded to any endangered or threatened species, even if no critical habitat is designated.

The ESA applies a set of protections to species that are listed as endangered. These protections include forbidding anyone to import, export, or engage in interstate or foreign sale of endangered animals and plants without a special permit. It also makes “take” of endangered species illegal – forbidding the killing, harming, harassing, pursuing, or removing the species from the wild. For species listed as threatened, the prohibitions above may be applied by a special rule under Section 4(d) of the Endangered Species Act. This special 4(d) rule may apply some or all of the prohibitions that apply to endangered species.

The Salado salamander does not have a special 4(d) rule, and at the time that it was listed, such species were covered under a blanket 4(d) rule that applies all of the prohibitions of an endangered species to a threatened species. The Georgetown salamander does have a special rule under Section 4(d) that specifies which prohibitions apply to that species. The ESA requires federal agencies to consult with the Service to conserve listed species on their lands and ensure that any activity they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. This is known as section 7 consultation.

In consultations for species with critical habitat, federal agencies are required to ensure that their activities do not destroy or adversely modify critical habitat to the point that it can no longer serve its conservation role in the species' recovery. The greatest benefit of critical habitat occurs in areas that are currently unoccupied by the species, but are needed for its recovery. With critical habitat designations, these unoccupied areas are protected by the prohibition against destruction and adverse modification of critical habitat.

Q. Does a critical habitat designation mean an area is considered a wildlife refuge or sanctuary?

A. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. A critical habitat designation identifies areas that are important to the conservation of federally listed threatened or endangered species. A critical habitat designation requires federal agencies to consult with the Service on any of their actions that may affect critical habitat in designated areas. The Service can then recommend ways to minimize any adverse

effects. It imposes no requirements on state or private actions on state or private lands where no federal funding, permits or approvals are required.

Q. How would a critical habitat designation affect my private land?

A. Requirements for consultation on critical habitat do not apply to entirely private actions on private lands. Critical habitat designations only apply to federal lands or federally funded or permitted activities on private lands. Activities on private or state lands that are funded, permitted or carried out by a federal agency, such as a permit from the U.S. Army Corps of Engineers under section 404 of the Clean Water Act, or a section 402 permit under the Clean Water Act from the Environmental Protection Agency, will be subject to the section 7 consultation process with the Service if those actions may affect critical habitat or a listed species.

Through this consultation, the Service would advise agencies whether the permitted actions would likely jeopardize the continued existence of the species or adversely modify critical habitat. Federal actions not affecting critical habitat or otherwise affecting species or their habitat (e.g., suitable habitat outside of critical habitat), and actions on non-federal lands that are not federally funded, permitted or carried out, will not require section 7 consultation.

Q. When an area is designated as critical habitat, are all human activities in the area prohibited?

A. No. The only activities prohibited in these areas are federal actions that are likely to result in destruction or adverse modification of the critical habitat for the listed salamander species. The consultation process supports the protection and recovery of species and their ecosystems. Consultations provide ways to implement recovery tasks by addressing threats to listed species that may result from federal agency programs and activities through a collaborative process. For more information go to: <http://www.fws.gov/endangered/esa-library/pdf/consultations.pdf>.

Q. What information is the Service requesting regarding the Georgetown and Salado salamanders?

A. We request that you provide comments specifically on the critical habitat determination and related economic analysis under Docket No. FWS-R2-ES-2012-0035.

We particularly seek comments concerning:

- (1) The species' biology, range, and population trends, including:
 - (a) Biological or ecological requirements of the species, including habitat requirements for feeding, breeding, and sheltering;
 - (b) Genetics and taxonomy;
 - (c) Historical and current range including distribution patterns;
 - (d) Historical and current population levels, and current and projected trends; and
 - (e) Past and ongoing conservation measures for the species, its habitat or both.
- (2) Factors that may affect the continued existence of the species, which may include habitat modification or destruction, overutilization, disease, predation, the inadequacy of existing regulatory mechanisms, or other natural or manmade factors.

- (3) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to this species and existing regulations that may be addressing those threats.
- (4) Additional information concerning the historical and current status, range, distribution, and population size of this species, including the locations of any additional populations of this species.
- (5) The reasons why we should or should not designate habitat as “critical habitat” under section 4 of the Act (16 U.S.C. 1531 et seq.), including information to inform the following factors that the regulations identify as reasons why designation of critical habitat may be not prudent:
 - (a) The species is threatened by taking or other human activity and identification of critical habitat can be expected to increase the degree of such threat to the species;
 - (b) The present or threatened destruction, modification, or curtailment of a species’ habitat or range is not a threat to the species, or threats to the species’ habitat stem solely from causes that cannot be addressed through management actions resulting from consultations under section 7(a)(2) of the Act;
 - (c) Areas within the jurisdiction of the United States provide no more than negligible conservation value, if any, for a species occurring primarily outside the jurisdiction of the United States; or
 - (d) No areas meet the definition of critical habitat.
- (6) Specific information on:
 - (a) The amount and distribution of Georgetown and Salado salamander habitat,
 - (b) What areas, that were occupied at the time of listing and that contain the physical or biological features essential to the conservation of the species, should be included in the designation and why,
 - (c) Special management considerations or protection that may be needed in critical habitat areas we are proposing, including managing for the potential effects of climate change, and
 - (d) What areas not occupied at the time of listing are essential for the conservation of the species. We particularly seek comments regarding:
 - i. Whether occupied areas are inadequate for the conservation of the species; and,
 - ii. Specific information that supports the determination that unoccupied areas will, with reasonable certainty, contribute to the conservation of the species and, contain at least one physical or biological feature essential to the conservation of the species
- (7) Land use designations and current or planned activities in the subject areas and their possible impacts on proposed critical habitat.
- (8) Any probable economic, national security, or other relevant impacts of designating any area that may be included in the final designation, and the related benefits of including or excluding specific areas.

- (9) Information on the extent to which the description of probable economic impacts in the draft economic analysis is a reasonable estimate of the likely economic impacts,
- (10) Whether any specific areas we are proposing for critical habitat designation should be considered for exclusion under section 4(b)(2) of the Act, and whether the benefits of potentially excluding any specific area outweigh the benefits of including that area under section 4(b)(2) of the Act.
- (11) Whether we could improve or modify our approach to designating critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments.

Previously submitted comments or information on the proposed listing/critical habitat rule do not need to be resubmitted. We have incorporated them into the public record, and we will fully consider them in the preparation of our final determination. Our final determinations will take into consideration all written comments and any additional information we receive.

Q. How can the public submit information on the revised proposed critical habitat proposals for the Georgetown and Salado salamanders?

A. We will accept comments received or postmarked on or before November 15, 2020. Comments submitted electronically using the Federal eRulemaking Portal (see ADDRESSES, below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for public hearings, in writing, at the address shown by November 1, 2020. Comments previously submitted need not be resubmitted, as they will be fully considered in preparation of the final rule.

You may submit comments by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal:

<http://www.regulations.gov>. In the Search box, enter FWS–R2–ES–2012–0035, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on “Comment Now!”

(2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R2–ES–2012–0035, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see Public Comments, below, for more information).

Q. When were the public comment periods open previously?

A. On August 22, 2012, we published a proposed rule in the Federal Register to list the Georgetown salamander (*Eurycea naufragia*), Salado salamander (*Eurycea chisholmensis*), Jollyville Plateau salamander (*Eurycea tonkawae*), and Austin blind salamander (*Eurycea waterlooensis*) as endangered

species and to designate critical habitat for these species under the Endangered Species Act. We proposed to designate approximately 1,031 acres in 14 units located in Williamson County, Texas, as critical habitat for the Georgetown salamander, and approximately 372 acres in 4 units located in Bell County, Texas, as critical habitat for the Salado salamander. That proposal had a 60-day comment period, ending October 22, 2012. We held a public meeting and hearing in Round Rock, Texas, on September 5, 2012, and a second public meeting and hearing in Austin, Texas, on September 6, 2012. On January 25, 2013, we adjusted the locations of proposed critical habitat Units 2, 3, 5, 8, and 12 for the Georgetown salamander based on new information. We reopened the public comment period for 45 days to allow comments on the revisions to the proposed critical habitat and the draft economic analysis. On August 20, 2013, we extended our final listing and critical habitat determination six months and reopened the comment period for 30 days. The comment period was reopened for 30 days one additional time on January 7, 2014. On February 24, 2014, we published a final determination to list the Georgetown and Salado salamanders as threatened species under the Act and a proposed rule under section 4(d) of the Act (a proposed 4(d) rule) for the Georgetown salamander at 50 CFR 17.43. On April 9, 2015, we revised the proposed 4(d) rule for the Georgetown salamander and reopened the public comment period for 30 days, ending May 11, 2015. A final 4(d) rule for the Georgetown salamander was published on August 7, 2015.

-FWS-

Minutes - Item #3

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Monday, August 31, 2020
Minutes

In accordance with Governor Abbott's declaration of the COVID-19 public health threat, action to temporarily suspend certain provisions of the Texas Open Meetings Act, and Executive Order, a quorum of CUWCD's Board of Directors held a regular Board meeting by telephonic conference call and, for redundancy, video conference on Monday August, 31, 2020 at 1:30 p.m. The meeting originated from the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Leland Gersbach, President, Pct. 1
David Cole, Vice President, At Large
Gary Young, Secretary, Pct. 2
Jody Williams, Director, Pct.
Scott Brooks, Director, Pct. 4

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin. Manager

Guest: (remote)

Will Anderson – CUWCD Intern
Robert Bradley – TWDB
Dr. Yelderman – Baylor

Sandra Blankenship
Stephanie Wong – Baylor
Micaela Pedrazas - LRE

Mike Keester – LRW
Will Brewer – Baylor

Board Meeting convened with President, Leland Gersbach at 1:30 p.m.

1. *Invocation and Pledge of Allegiance.*

Vice President, David Cole, gave the invocation.
Secretary, Gary Young, led the Pledge of Allegiance.

2. *Public Comment.*

No public comments.

3. *Approve minutes of the August 21, 2020 Board meeting and Workshop.*

Board members received the minutes of the August 21, 2020 Board meeting and workshop in their Board Packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of the August 21, 2020 Board meeting and Workshop.
Vice President, David Cole, seconded the motion.

Motion carried 5-0.

4. *Hold Public Hearing on the proposed tax rate for tax year 2020.*

Leland Gersbach, as presiding officer, opened the public hearing on the proposed tax rate for tax year 2020 at 1:32 p.m.

Dirk Aaron noted for the record that if a citizen desires to address the Board on the matter, they must sign up to do so prior to the meeting. No one has signed up to comment. Dirk reminded the Board that this is a virtual meeting and anyone wishing to address the Board online should state their name and where they are from. Dirk reminded the Board there could be no discussion or final action taken on any comments. He encouraged the Board to take into account any public comments that might be made prior to making a final decision.

Leland opened up the hearing for public comments. There were none.

Public hearing closed at 1:33 p.m.

5. ***Discuss, consider and take action if necessary, to adopt the District Budget for FY2021.***

Dirk presented the proposed budget to the Board based preliminary no new revenue rate of .003344/\$100 valuation. Dirk broke down the budget by categories and line items.

The Board discussed changes to the budget and options to consider. Scott Brooks suggested lowering the preliminary tax rate. Dirk commented that at the preliminary rate of .003344 the District would be getting an additional \$16,000. Scott commented that, due to Covid-19, he would like the budget reduced by the \$16,000 therefore lowering the tax rate.

The Board continued discussions and Dirk did some calculations based on Scotts suggestion. He determined that the suggested reduction would make the new tax rate .003272/\$100 valuation. This would make the new budget \$736,203.00

Director, Scott Brooks, moved to approve the FY21 budget based on draft #6 with the following changes: Remove \$20,000 from line item 53120.1 (Coalition), \$50,000 from 53120.3 (4d rule), and \$200 from 53705 (Legal-Legislative Services). Vice President, David Cole, seconded the motion.

Motion carried 5-0.

6. ***Discuss, consider and take action if necessary, by resolution to adopt the District tax rate for tax year 2020.***

Director, Scott Brooks, moved to set the tax rate for tax year 2020 by resolution at .003272/\$100 valuation. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

7. ***General Manager's Report concerning office management and staffing related to District Management Plan³.***

- Dirk has had a couple of permit inquiries he is looking into. One is an RV park and the other is Victory Rock.
- Been working with consultants at the VA for the repair of their well.
- WCID #2 notified the District that their well had a hole in their casing and the contractor crushed the screened interval so they had to go back in and work on it.
- The comment period for the critical habitat should come any day.
- Will have an order at the next Board meeting to cancel the election.
- Hoping to get the draft of the Management Plan back any day.

8. ***Director comments and reports³.***

- **Gary Young:** Sat through the Coalition meetings and Dirk and the Judge have done a good job keeping up with it all. CUWCD needs to continue to have a seat at the table. Thanked the staff and everyone else for their hard work.
- **David Cole:** none
- **Jody Williams:** Pray for rain!
- **Scott Brooks:** none.
- **Leland Gersbach:** Agreed with Jody – we need rain.

9. ***Discuss agenda items for next meeting.***

- Cancellation of the election
- NRS presentation

10. ***Set time and place of next meeting.***

Monday, September 16, 2020

11. ***Adjourn.***

Board meeting adjourned and Workshop convened with President, Leland Gersbach, at 2:50 p.m.

Workshop:

Workshop Item #1. Receive presentation from LRE related to the drawdown tool for the Trinity Aquifer.

Received report and demonstration from Mike Keester, LRE, regarding the drawdown tool for the Trinity Aquifer.

Workshop Item #2. Receive update from Staff related to the BCAMC efforts.

Dirk gave an update on items related to the efforts of the BCAMC.

Workshop Item #3. Receive presentation from Will Anderson, Summer Intern, related to his assigned tasks and duties for July and August related to the Baylor Project, Weather Stations, and Website.

CUWCD Intern, Will Anderson presented information related to the work he has been doing with Baylor. He also presented information regarding the weather stations, and an overview of the website.

Workshop closed by President, Leland Gersbach, at 4:52 p.m.

Leland Gersbach, President

ATTEST:

Gary Young, Secretary or
Dirk Aaron, Assistant Secretary

Financial Report - Item #4

Clearwater Underground Water Conservation

09/10/20

Balance Sheet

Accrual Basis

As of August 31, 2020

	<u>Aug 31, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
10005 · Cash-Reg Operating	15,680.97
10500 · Cash-TexPool Prime	507,252.80
10505 · Cash - TexPool	502,106.07
Total Checking/Savings	<u>1,025,039.84</u>
Accounts Receivable	
11000 · Accounts Receivable	250.00
Total Accounts Receivable	<u>250.00</u>
Other Current Assets	
11005 · Accounts Receivable - Taxes	28,292.61
Total Other Current Assets	<u>28,292.61</u>
Total Current Assets	<u>1,053,582.45</u>
Fixed Assets	
15005 · Land	59,981.29
15010 · Leasehold Improvements	19,000.00
15015 · Building	306,734.08
15016 · Storage Building	104,382.03
15018 · Monitor Wells	61,807.18
15019 · Mobile Classroom Trailer	90,688.85
15020 · Field Equipment	17,243.55
15023 · Vehicles	6,920.00
15025 · Office Equipment	67,639.04
15030 · Accumulated Depreciation	-144,190.42
Total Fixed Assets	<u>590,205.60</u>
TOTAL ASSETS	<u>1,643,788.05</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
21000 · Deferred Tax Revenue	28,292.61
Total Other Current Liabilities	<u>28,292.61</u>
Total Current Liabilities	<u>28,292.61</u>
Total Liabilities	<u>28,292.61</u>
Equity	
31000 · Unappropriated Fund Balance	694,762.08
32000 · *Retained Earnings	177,874.78
33000 · Investment in Fixed Assets	590,205.60
Net Income	152,652.98
Total Equity	<u>1,615,495.44</u>
TOTAL LIABILITIES & EQUITY	<u>1,643,788.05</u>

**Clearwater Underground Water Conservation
Profit & Loss Budget vs. Actual
October 2019 through August 2020**

10:56 AM
09/11/2020
Accrual Basis

	Aug '20	Oct '19 thru Aug '20	FY20 Original Budget	FY20 Amended Budget	\$ Over Budget
Ordinary Income/Expense					
Income					
40005 · Application Fee Income	1,000.00	12,400.00	30,000.00	30,000.00	-17,600.00
40010 · Bell CAD Current Year Tax	4,620.54	706,222.12	734,499.00	734,499.00	-28,276.88
40015 · Bell CAD Delinquent Tax	953.27	7,094.87	12,500.00	12,500.00	-5,405.13
40020 · Interest Income	230.30	11,780.37	15,000.00	15,000.00	-3,219.63
40030 · Transport Fee Income	0.00	1,464.77	1,500.00	1,500.00	-35.23
Total Income	6,804.11	738,962.13	793,499.00	793,499.00	-54,536.87
Gross Profit	6,804.11	738,962.13	793,499.00	793,499.00	-54,536.87
Expense					
50000 · Administrative Expenses					
50100 · Audit	0.00	7,200.00	7,200.00	7,200.00	0.00
50200 · Conferences & Prof Development	0.00	2,750.00	4,000.00	4,000.00	-1,250.00
50250 · Contingency Fund	0.00	0.00	0.00	0.00	0.00
50300 · Director Expenses					
50305 · At Large	0.00	375.00	1,500.00	1,500.00	-1,125.00
50310 · Pct. 1	0.00	500.00	1,500.00	1,500.00	-1,000.00
50315 · Pct. 2	0.00	385.00	1,500.00	1,500.00	-1,115.00
50320 · Pct. 3	0.00	385.00	1,500.00	1,500.00	-1,115.00
50325 · Pct. 4	0.00	385.00	1,500.00	1,500.00	-1,115.00
Total 50300 · Director Expenses	0.00	2,030.00	7,500.00	7,500.00	-5,470.00
50400 · Director Fees					
50405 · At Large	150.00	1,800.00	2,550.00	2,550.00	-750.00
50410 · Pct. 1	0.00	0.00	2,550.00	2,550.00	-2,550.00
50415 · Pct. 2	300.00	2,250.00	2,550.00	2,550.00	-300.00
50420 · Pct. 3	150.00	1,650.00	2,550.00	2,550.00	-900.00
50425 · Pct. 4	0.00	0.00	2,550.00	2,550.00	-2,550.00
Total 50400 · Director Fees	600.00	5,700.00	12,750.00	12,750.00	-7,050.00
50500 · Dues & Memberships	0.00	2,647.00	2,750.00	2,750.00	-103.00
50550 · Election Expense	0.00	0.00	500.00	500.00	-500.00
50600 · GMA 8 Expenses					
50605 · Technical Committee	0.00	6,578.80	5,000.00	11,250.00	-4,671.20
50610 · Administration	0.00	589.21	5,000.00	5,000.00	-4,410.79
Total 50600 · GMA 8 Expenses	0.00	7,168.01	10,000.00	16,250.00	-9,081.99
50700 · Meals	0.00	476.89	1,000.00	1,000.00	-523.11
50800 · Mileage Reimbursements	0.00	2,072.71	5,000.00	5,000.00	-2,927.29
50900 · Travel & Hotel	0.00	1,681.49	4,500.00	4,500.00	-2,818.51
Total 50000 · Administrative Expenses	600.00	31,726.10	55,200.00	61,450.00	-29,723.90

	Aug '20	Oct '19 thru Aug '20	FY20 Original Budget	FY20 Amended Budget	\$ Over Budget
52000 · Salary Costs					
52005 · Administrative Assistant	4,013.33	44,146.63	48,161.00	48,161.00	-4,014.37
52010 · Educational Coord/Support Tech	3,416.67	37,583.37	41,000.00	41,000.00	-3,416.63
52015 · Manager	6,853.58	75,389.38	82,243.00	82,243.00	-6,853.62
52020 · Part Time/Intern	0.00	0.00	2,640.00	2,640.00	-2,640.00
52025 · Office Assistant/Field Tech	3,333.33	36,666.63	40,000.00	40,000.00	-3,333.37
52040 · Health Insurance	3,439.44	41,547.18	41,274.00	41,274.00	273.18
52045 · Payroll Taxes & Work Comp	1,326.75	15,170.15	17,500.00	17,500.00	-2,329.85
52050 · Retirement	726.31	7,989.41	9,513.00	9,513.00	-1,523.59
52055 · Payroll Expenses	8.66	86.60	125.00	125.00	-38.40
52060 · Freshbenies	36.00	396.00	432.00	432.00	-36.00
Total 52000 · Salary Costs	23,154.07	258,975.35	282,888.00	282,888.00	-23,912.65
53000 · Operating Expenses					
53010 · Bank Service Charges	0.00	0.00	50.00	50.00	-50.00
53020 · Advertisement	0.00	1,087.50	3,500.00	3,500.00	-2,412.50
53030 · Appraisal District	0.00	6,197.75	8,000.00	8,000.00	-1,802.25
53100 · Clearwater Studies					
53105 · Trinity Studies					
53105.1 · Pumping Distribution	0.00	0.00	0.00	0.00	0.00
53105.2 · Pumping Test	0.00	1,360.00	2,000.00	2,000.00	-640.00
53105.3 · Synoptic	2,312.50	5,365.00	5,600.00	5,600.00	-235.00
53105.4 · GAM Run	0.00	14,925.50	25,000.00	25,000.00	-10,074.50
53105.5 · Mgmt Options	8,400.00	8,400.00	0.00	8,400.00	0.00
53105.6 · Water Quality Studies	0.00	0.00	0.00	0.00	0.00
Total 53105 · Trinity Studies	10,712.50	30,050.50	32,600.00	41,000.00	-10,949.50
53110 · Edwards BFZ Studies					
53110.1 · Pumping Distribution	0.00	0.00	0.00	0.00	0.00
53110.2 · Pumping Test	0.00	0.00	0.00	0.00	0.00
53110.3 · Synoptic	0.00	0.00	0.00	0.00	0.00
53110.4 · Spring Shed (Baylor)	0.00	0.00	0.00	0.00	0.00
53110.5 · Water Quality Studies	0.00	0.00	0.00	0.00	0.00
53110.6 · GAM Calibration	0.00	7,555.00	18,200.00	11,000.00	-3,445.00
Total 53110 · Edwards BFZ Studies	0.00	7,555.00	18,200.00	11,000.00	-3,445.00
53115 · Drought Contingency Plan	0.00	0.00	0.00	0.00	0.00
53120 · Endangered Species					
53120.1 · Coalition	0.00	0.00	0.00	0.00	0.00
53120.2 · Reimburseable Order	0.00	0.00	0.00	0.00	0.00
53120.3 · 4(d) rule	0.00	0.00	0.00	0.00	0.00
53120.4 · DPS Petition	0.00	0.00	0.00	0.00	0.00
53120 · Endangered Species - Other	5,000.00	35,000.00	15,000.00	35,000.00	0.00
Total 53120 · Endangered Species	5,000.00	35,000.00	15,000.00	35,000.00	0.00
53125 · Environmental Flows	0.00	0.00	0.00	0.00	0.00

	Aug '20	Oct '19 thru Aug '20	FY20 Original Budget	FY20 Amended Budget	\$ Over Budget
53130 · General Consulting					
53130.1 · DFC Process	262.50	9,281.25	10,000.00	10,000.00	-718.75
53130.2 · Eval of Rules	0.00	1,440.00	5,000.00	3,800.00	-2,360.00
53130.3 · Eval. Hydrogeologic Report	0.00	0.00	0.00	0.00	0.00
53130.4 · Investigations	0.00	4,285.00	7,000.00	7,000.00	-2,715.00
53130.5 · Geo Logging	0.00	0.00	10,000.00	3,750.00	-3,750.00
53130.6 · Aquifer Monitor Well Tool	3,611.25	6,980.00	7,000.00	7,000.00	-20.00
53130.7 · ASR Study	0.00	27,000.00	27,000.00	27,000.00	0.00
53130.8 · Data Release	0.00	0.00	0.00	0.00	0.00
Total 53130 · General Consulting	3,873.75	48,986.25	66,000.00	58,550.00	-9,563.75
53135 · Monitor Well Construction	0.00	0.00	70,000.00	31,355.95	-31,355.95
53140 · Monitor Wells Expenses	0.00	1,154.95	15,000.00	15,000.00	-13,845.05
53141 · Weather Station Expense	0.00	0.00	0.00	0.00	0.00
53145 · Spring Flow Gauge	0.00	0.00	0.00	0.00	0.00
53150 · Water Quality	1,067.36	2,273.99	2,500.00	2,500.00	-226.01
53155 · 3-D Visualization	8,000.00	19,000.00	28,000.00	28,000.00	-9,000.00
Total 53100 · Clearwater Studies	28,653.61	144,020.69	247,300.00	222,405.95	-78,385.26
53200 · Spring Flow Gage System					
53205 · Op. & Maintenance	15,900.00	15,900.00	15,900.00	15,900.00	0.00
53210 · Installation	0.00	0.00	0.00	0.00	0.00
Total 53200 · Spring Flow Gage System	15,900.00	15,900.00	15,900.00	15,900.00	0.00
53300 · Computer Consulting					
53305 · Enhancements - Data Base	0.00	2,365.88	7,500.00	7,500.00	-5,134.12
53306 · Hosting - Data Base	0.00	3,000.00	3,000.00	3,000.00	0.00
53310 · Hosting - PDI	0.00	1,000.00	1,000.00	1,000.00	0.00
53311 · Hosting - Website	0.00	0.00	1,800.00	1,800.00	-1,800.00
53312 · Enhancements - Website	0.00	4,125.00	17,500.00	17,500.00	-13,375.00
53315 · IT Network Sustainment	0.00	4,950.00	5,400.00	5,400.00	-450.00
53317 · Management Tool Sustainment	0.00	0.00	0.00	0.00	0.00
Total 53300 · Computer Consulting	0.00	15,440.88	36,200.00	36,200.00	-20,759.12
53400 · Computer Licenses/Virus Prtctn	0.00	1,185.00	1,500.00	1,500.00	-315.00
53450 · Computer Repairs and Supplies	0.00	369.06	1,500.00	1,500.00	-1,130.94
53500 · Computer Software & Hardware	0.00	3,643.42	5,500.00	5,500.00	-1,856.58
53550 · Copier/Scanner/Plotter	486.56	5,352.16	6,000.00	6,000.00	-647.84
53600 · Educational Outreach/Marketing					
53603 · Event Sponsor/Income	0.00	-2,250.00	0.00	0.00	-2,250.00
53605 · Event Cost	5.39	11,409.30	12,000.00	12,000.00	-590.70
53615 · Promotional Items	376.00	534.50	5,000.00	5,000.00	-4,465.50
53620 · Supplies & Equipment	0.00	506.05	4,500.00	4,500.00	-3,993.95
53625 · Curriculum	0.00	0.00	0.00	0.00	0.00
Total 53600 · Educational Outreach/Marketing	381.39	10,199.85	21,500.00	21,500.00	-11,300.15
53650 · Furniture & Equipment	1,159.04	1,159.04	1,500.00	1,500.00	-340.96

	Aug '20	Oct '19 thru Aug '20	FY20 Original Budget	FY20 Amended Budget	\$ Over Budget
53700 · Legal					
53701 · Drought Contingency Plan	0.00	0.00	5,000.00	2,692.58	-2,692.58
53702 · Endangered Species	0.00	5,996.00	3,000.00	10,500.00	-4,504.00
53703 · General (rules/accountability)	0.00	11,372.05	10,000.00	21,144.05	-9,772.00
53704 · Legislative Research/Analysis	960.00	6,334.00	10,000.00	10,000.00	-3,666.00
53705 · Legislative Services	0.00	0.00	0.00	0.00	0.00
53706 · GMA/DFC/MAG support	0.00	12,307.42	10,000.00	12,307.42	0.00
Total 53700 · Legal	960.00	36,009.47	38,000.00	56,644.05	-20,634.58
53720 · Office Supplies	327.02	2,998.05	3,000.00	3,000.00	-1.95
53730 · Permit Reviews					
53731 · Geoscience	100.00	6,748.75	15,000.00	12,967.95	-6,219.20
53732 · Legal Evaluation	0.00	17,032.00	15,000.00	17,032.05	-0.05
Total 53730 · Permit Reviews	100.00	23,780.75	30,000.00	30,000.00	-6,219.25
53740 · Postage	604.18	1,866.20	2,500.00	2,500.00	-633.80
53750 · Printing	162.00	1,458.97	2,500.00	2,500.00	-1,041.03
53760 · Reserve for Uncollected Taxes	0.00	0.00	20,000.00	20,000.00	-20,000.00
53780 · Subscriptions	0.00	439.88	900.00	900.00	-460.12
53785 · Mobile Classroom Expense	0.00	0.00	2,000.00	2,000.00	-2,000.00
53790 · Vehicle Expense	127.72	2,911.93	4,000.00	4,000.00	-1,088.07
Total 53000 · Operating Expenses	48,861.52	274,020.60	451,350.00	445,100.00	-171,079.40
54000 · Facility Costs					
54100 · Insurance					
54101 · Liability	0.00	1,115.24	1,300.00	1,118.70	-3.46
54102 · Property	0.00	1,699.32	1,650.00	1,699.32	0.00
54103 · Surety Bonds	0.00	720.00	1,200.00	1,200.00	-480.00
54104 · Worker's Comp	0.00	994.98	800.00	994.98	0.00
54105 · Liability - Vehicle	0.00	904.54	1,250.00	1,187.00	-282.46
Total 54100 · Insurance	0.00	5,434.08	6,200.00	6,200.00	-765.92
54200 · Building Repairs/Maintenance	0.00	2,726.39	8,550.00	8,550.00	-5,823.61
54300 · Janitorial Service	300.00	3,300.00	3,600.00	3,600.00	-300.00
54400 · Janitorial Supplies	0.00	744.48	750.00	750.00	-5.52
54500 · Lawn Maintenance/Service	185.00	2,035.00	2,500.00	2,500.00	-465.00
54600 · Security	0.00	329.45	375.00	375.00	-45.55
Total 54000 · Facility Costs	485.00	14,569.40	21,975.00	21,975.00	-7,405.60
55000 · Utilities					
55200 · Electricity	220.46	1,915.31	2,500.00	2,500.00	-584.69
55300 · Internet	149.99	1,499.90	2,000.00	2,000.00	-500.10
55400 · Phone	156.35	1,663.19	2,400.00	2,400.00	-736.81
55500 · Water/Garbage	0.00	1,939.30	2,300.00	2,300.00	-360.70
Total 55000 · Utilities	526.80	7,017.70	9,200.00	9,200.00	-2,182.30
Total Expense	73,627.39	586,309.15	820,613.00	820,613.00	-234,303.85
Net Ordinary Income	-66,823.28	152,652.98	-27,114.00	-27,114.00	179,766.98

	Aug '20	Oct '19 thru Aug '20	FY20 Original Budget	FY20 Amended Budget	\$ Over Budget
Other Income/Expense					
Other Income					
61050 - Reserve Funds from Prior Years	0.00	0.00	27,114.00	27,114.00	-27,114.00
Total Other Income	0.00	0.00	27,114.00	27,114.00	-27,114.00
Net Other Income	0.00	0.00	27,114.00	27,114.00	-27,114.00
Net Income	-66,823.28	152,652.98	0.00	0.00	152,652.98

Clearwater Underground Water Conservation Profit & Loss Detail August 2020

Type	Date	Num	Name	Memo	Amount	Balance
Ordinary Income/Expense						
Income						
40005 · Application Fee Income						
Invoice	08/24/2020	127	REDDYLEE, LLC	Permit Applic...	1,000.00	1,000.00
Total 40005 · Application Fee Income					1,000.00	1,000.00
40010 · Bell CAD Current Year Tax						
Deposit	08/04/2020			Deposit	3,045.46	3,045.46
Deposit	08/04/2020			Deposit	0.02	3,045.48
Deposit	08/04/2020			Deposit	-216.23	2,829.25
Deposit	08/04/2020			Deposit	2.40	2,831.65
Deposit	08/26/2020			Deposit	1,955.94	4,787.59
Deposit	08/26/2020			Deposit	-167.05	4,620.54
Total 40010 · Bell CAD Current Year Tax					4,620.54	4,620.54
40015 · Bell CAD Deliquent Tax						
Deposit	08/04/2020			Deposit	643.86	643.86
Deposit	08/04/2020			Deposit	-65.55	578.31
Deposit	08/04/2020			Deposit	0.27	578.58
Deposit	08/04/2020			Deposit	-0.01	578.57
Deposit	08/26/2020			Deposit	457.83	1,036.40
Deposit	08/26/2020			Deposit	-83.13	953.27
Total 40015 · Bell CAD Deliquent Tax					953.27	953.27
40020 · Interest Income						
Deposit	08/28/2020			Deposit	152.11	152.11
Deposit	08/28/2020			Deposit	78.19	230.30
Total 40020 · Interest Income					230.30	230.30
Total Income					6,804.11	6,804.11
Gross Profit					6,804.11	6,804.11
Expense						
50000 · Administrative Expenses						
50400 · Director Fees						
50405 · At Large						
Bill	08/21/2020	12Aug20 Bo...	David Cole	Board Mtg A...	150.00	150.00
Total 50405 · At Large					150.00	150.00
50415 · Pct. 2						
Bill	08/21/2020	Aug2020	Gary Young	Board Mtg A...	300.00	300.00
Total 50415 · Pct. 2					300.00	300.00
50420 · Pct. 3						
Bill	08/21/2020	Board Mtg A...	Jody Williams	Board Mtg A...	150.00	150.00
Total 50420 · Pct. 3					150.00	150.00
Total 50400 · Director Fees					600.00	600.00
Total 50000 · Administrative Expenses					600.00	600.00
52000 · Salary Costs						
52005 · Administrative Assistant						
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	4,013.33	4,013.33
Total 52005 · Administrative Assistant					4,013.33	4,013.33
52010 · Educational Coord/Support Tech						
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	3,416.67	3,416.67
Total 52010 · Educational Coord/Support Tech					3,416.67	3,416.67

Clearwater Underground Water Conservation Profit & Loss Detail August 2020

09/10/20

Accrual Basis

Type	Date	Num	Name	Memo	Amount	Balance
52015 · Manager						
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	6,853.58	6,853.58
Total 52015 · Manager					6,853.58	6,853.58
52025 · Office Assistant/Field Tech						
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	2,698.41	2,698.41
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	0.00	2,698.41
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	634.92	3,333.33
Total 52025 · Office Assistant/Field Tech					3,333.33	3,333.33
52040 · Health Insurance						
Bill	08/21/2020	Inv 00CO00...	Scott & White Health Pl...	Inv 00CO002...	3,713.34	3,713.34
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	500.00	4,213.34
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	500.00	4,713.34
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	-636.95	4,076.39
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	1,219.72	5,296.11
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	-1,219.72	4,076.39
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	-636.95	3,439.44
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	1,219.72	4,659.16
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	-1,219.72	3,439.44
Total 52040 · Health Insurance					3,439.44	3,439.44
52045 · Payroll Taxes & Work Comp						
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	237.66	237.66
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	55.59	293.25
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	0.00	293.25
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	455.93	749.18
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	106.63	855.81
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	0.00	855.81
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	209.33	1,065.14
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	48.96	1,114.10
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	0.00	1,114.10
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	172.34	1,286.44
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	40.31	1,326.75
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	0.00	1,326.75
Total 52045 · Payroll Taxes & Work Comp					1,326.75	1,326.75
52050 · Retirement						
Paycheck	08/28/2020	DD1255	Corey C Dawson	Direct Deposit	172.50	172.50
Paycheck	08/28/2020	DD1256	Richard E Aaron	Direct Deposit	330.91	503.41
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	120.40	623.81
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	102.50	726.31
Total 52050 · Retirement					726.31	726.31
52055 · Payroll Expenses						
Bill	08/12/2020		Card Service Center	July payroll fee	8.66	8.66
Total 52055 · Payroll Expenses					8.66	8.66
52060 · Freshbenies						
Check	08/04/2020	Aug20-TS	New Benefits Ltd - Fres...	Aug2020 - T ...	18.00	18.00
Check	08/04/2020	Aug20-SC	New Benefits Ltd - Fres...	Aug2020 S C...	18.00	36.00
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	18.00	54.00
Paycheck	08/28/2020	DD1257	Shelly Chapman	Direct Deposit	-18.00	36.00
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	18.00	54.00
Paycheck	08/28/2020	DD1258	Tristin S Smith	Direct Deposit	-18.00	36.00
Total 52060 · Freshbenies					36.00	36.00
Total 52000 · Salary Costs					23,154.07	23,154.07

Clearwater Underground Water Conservation Profit & Loss Detail August 2020

09/10/20

Accrual Basis

Type	Date	Num	Name	Memo	Amount	Balance
53000 · Operating Expenses						
53100 · Clearwater Studies						
53105 · Trinity Studies						
53105.3 · Synoptic						
Bill	08/12/2020	Inv TX-354	LRE Water, LLC	Inv TX-354	1,312.50	1,312.50
Bill	08/21/2020	Inv TX-368	LRE Water, LLC	TX-368	1,000.00	2,312.50
Total 53105.3 · Synoptic					2,312.50	2,312.50
53105.5 · Mgmt Options						
Bill	08/12/2020	Inv TX-354	LRE Water, LLC	Inv TX-354	8,400.00	8,400.00
Total 53105.5 · Mgmt Options					8,400.00	8,400.00
Total 53105 · Trinity Studies					10,712.50	10,712.50
53120 · Endangered Species						
Bill	08/21/2020	BCAMC	Bell County	MOA2020	5,000.00	5,000.00
Total 53120 · Endangered Species					5,000.00	5,000.00
53130 · General Consulting						
53130.1 · DFC Process						
Bill	08/21/2020	Inv TX-368	LRE Water, LLC	TX-368	262.50	262.50
Total 53130.1 · DFC Process					262.50	262.50
53130.6 · Aquifer Monitor Well Tool						
Bill	08/12/2020	Inv TX-354	LRE Water, LLC	Inv TX-354	2,102.50	2,102.50
Bill	08/21/2020	Inv TX-368	LRE Water, LLC	TX-368	1,508.75	3,611.25
Total 53130.6 · Aquifer Monitor Well Tool					3,611.25	3,611.25
Total 53130 · General Consulting					3,873.75	3,873.75
53150 · Water Quality						
Bill	08/12/2020	Inv 12036305	HACH Company	Inv 12036305	92.37	92.37
Bill	08/12/2020	Inv 12038857	HACH Company	Inv 12038857	294.01	386.38
Bill	08/12/2020		Card Service Center	water dipper	201.48	587.86
Bill	08/21/2020	Inv 12077429	HACH Company	Inv 12077429	479.50	1,067.36
Total 53150 · Water Quality					1,067.36	1,067.36
53155 · 3-D Visualization						
Bill	08/21/2020	Inv #4	Allan R Standen, LLC	Inv #4	8,000.00	8,000.00
Total 53155 · 3-D Visualization					8,000.00	8,000.00
Total 53100 · Clearwater Studies					28,653.61	28,653.61
53200 · Spring Flow Gage System						
53205 · Op. & Maintenance						
Bill	08/12/2020	Bill #908258...	USGS	Bill # 90825869	15,900.00	15,900.00
Total 53205 · Op. & Maintenance					15,900.00	15,900.00
Total 53200 · Spring Flow Gage System					15,900.00	15,900.00
53550 · Copier/Scanner/Plotter						
Bill	08/12/2020	Inv 0109895...	Xerox	Inv 010989545	486.56	486.56
Total 53550 · Copier/Scanner/Plotter					486.56	486.56
53600 · Educational Outreach/Marketing						
53605 · Event Cost						
Bill	08/12/2020		Card Service Center	GoToMeeting	5.39	5.39
Total 53605 · Event Cost					5.39	5.39

Clearwater Underground Water Conservation Profit & Loss Detail August 2020

09/10/20

Accrual Basis

Type	Date	Num	Name	Memo	Amount	Balance
53615 · Promotional Items						
Bill	08/12/2020		Card Service Center	CoCoRaHS r...	376.00	376.00
			Total 53615 · Promotional Items		376.00	376.00
			Total 53600 · Educational Outreach/Marketing		381.39	381.39
53650 · Furniture & Equipment						
Bill	08/12/2020		Card Service Center	fan/tripod	187.59	187.59
Bill	08/21/2020	Inv 2333580	Cole-Parmer	Inv 2333580 ...	901.15	1,088.74
Bill	08/21/2020		Shelly Chapman (R)	Tables for Bo...	70.30	1,159.04
			Total 53650 · Furniture & Equipment		1,159.04	1,159.04
53700 · Legal						
53704 · Legislative Research/Analysis						
Bill	08/12/2020	Inv 97512293	Lloyd Gosselink Attorne...	Inv 97512293	960.00	960.00
			Total 53704 · Legislative Research/Analysis		960.00	960.00
			Total 53700 · Legal		960.00	960.00
53720 · Office Supplies						
Bill	08/12/2020	Inv IN-1401...	Perry Office Plus	Inv IN-1401594	72.19	72.19
Bill	08/12/2020		Card Service Center		140.15	212.34
Bill	08/21/2020	Inv 9344186...	Personnel Concepts	COVID Com...	114.68	327.02
			Total 53720 · Office Supplies		327.02	327.02
53730 · Permit Reviews						
53731 · Geoscience						
Bill	08/21/2020	Inv TX-368	LRE Water, LLC	TX-368 - Ric...	100.00	100.00
			Total 53731 · Geoscience		100.00	100.00
			Total 53730 · Permit Reviews		100.00	100.00
53740 · Postage						
Bill	08/12/2020		Card Service Center	stamps/ups/c...	604.18	604.18
			Total 53740 · Postage		604.18	604.18
53750 · Printing						
Bill	08/12/2020	Inv 20-0204...	INTEG	Inv 20-02044...	162.00	162.00
			Total 53750 · Printing		162.00	162.00
53790 · Vehicle Expense						
Bill	08/12/2020		CEFCO		127.72	127.72
			Total 53790 · Vehicle Expense		127.72	127.72
			Total 53000 · Operating Expenses		48,861.52	48,861.52
54000 · Facility Costs						
54300 · Janitorial Service						
Bill	08/21/2020	Aug2020	Andrea Matl	Aug2020	300.00	300.00
			Total 54300 · Janitorial Service		300.00	300.00
54500 · Lawn Maintenance/Service						
Bill	08/21/2020	Inv 18641	Greeson Lawn Services...	Inv 18641	185.00	185.00
			Total 54500 · Lawn Maintenance/Service		185.00	185.00
			Total 54000 · Facility Costs		485.00	485.00
55000 · Utilities						
55200 · Electricity						
Bill	08/21/2020	Inv B200819...	AmeriPower	B2008190206	220.46	220.46
			Total 55200 · Electricity		220.46	220.46

**Clearwater Underground Water Conservation
Profit & Loss Detail
August 2020**

Type	Date	Num	Name	Memo	Amount	Balance
		55300 · Internet				
Bill	08/12/2020	Inv 0192419...	Spectrum	Inv 01924190...	149.99	149.99
		Total 55300 · Internet			149.99	149.99
		55400 · Phone				
Bill	08/12/2020	Inv 0192419...	Spectrum	Inv 01924190...	156.35	156.35
		Total 55400 · Phone			156.35	156.35
		Total 55000 · Utilities			526.80	526.80
		Total Expense			73,627.39	73,627.39
		Net Ordinary Income			-66,823.28	-66,823.28
		Net Income			-66,823.28	-66,823.28

Clearwater Underground Water Conservation
A/P Aging Detail
As of September 9, 2020

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Due Date</u>	<u>Aging</u>	<u>Open Balance</u>
Current						
Total Current						
1 - 30						
Total 1 - 30						
31 - 60						
Total 31 - 60						
61 - 90						
Total 61 - 90						
> 90						
Total > 90						
TOTAL						

Investment Fund - Item #5

TexPool Participant Services
 1001 Texas Avenue, Suite 1150
 Houston, TX 77022



Summary Statement

CLEARWATER UNDERGROUND WCD
 ATTN DIRK AARON
 PO BOX 1989
 BELTON TX 76513-5989

Statement Period 08/01/2020 - 08/31/2020
 Customer Service 1-866-TEX-POOL
 Location ID 000079358

GENERAL FUND - 07935800001

Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance	Average Balance
TexPool	\$525,027.88	\$0.00	-\$18,000.00	\$78.19	\$507,106.07	\$518,482.02
TexPool Prime	\$530,100.69	\$0.00	-\$18,000.00	\$152.11	\$512,252.80	\$523,557.21
Total Dollar Value	\$1,055,128.57	\$0.00	-\$36,000.00	\$230.30	\$1,019,358.87	

ACCOUNT TOTALS

Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$525,027.88	\$0.00	-\$18,000.00 ✓	\$78.19 ✓	\$507,106.07
TexPool Prime	\$530,100.69	\$0.00	-\$18,000.00 ✓	\$152.11 ✓	\$512,252.80
Total Dollar Value	\$1,055,128.57	\$0.00	-\$36,000.00	\$230.30	\$1,019,358.87

9/9/2020
 SEC

9:39 AM

09/10/20

Clearwater Underground Water Conservation
Reconciliation Summary
10505 · Cash - TexPool, Period Ending 08/31/2020

	<u>Aug 31, 20</u>
Beginning Balance	525,027.88
Cleared Transactions	
Checks and Payments - 1 item	-18,000.00
Deposits and Credits - 1 item	78.19
Total Cleared Transactions	<u>-17,921.81</u>
Cleared Balance	<u><u>507,106.07</u></u>
Uncleared Transactions	
Checks and Payments - 1 item	-5,000.00
Total Uncleared Transactions	<u>-5,000.00</u>
Register Balance as of 08/31/2020	<u><u>502,106.07</u></u>
Ending Balance	502,106.07

9:32 AM

09/10/20

**Clearwater Underground Water Conservation
Reconciliation Summary**
10500 · Cash-TexPool Prime, Period Ending 08/31/2020

	<u>Aug 31, 20</u>	
Beginning Balance		530,100.69
Cleared Transactions		
Checks and Payments - 1 item	-18,000.00	
Deposits and Credits - 1 item	152.11	
Total Cleared Transactions	<u>-17,847.89</u>	
Cleared Balance		<u>512,252.80</u>
Uncleared Transactions		
Checks and Payments - 1 item	<u>-5,000.00</u>	
Total Uncleared Transactions	<u>-5,000.00</u>	
Register Balance as of 08/31/2020		<u>507,252.80</u>
Ending Balance		507,252.80

FY20 Budget Amend - Item #6

**Board Meeting
Sept 16, 2020**

Agenda Item # 6 :

Discuss, consider and take appropriate action if necessary, to approve the FY20 line item budget amendments as requested.

Narrative:

The CUWCD Staff requests line item budget amendments to cover additional expenditure for the items listed below:

This is a simple adjustment between line items.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
Lloyd Gosselink	53732 permit review-legal	\$3,506.00	\$0.05	\$3,505.95	\$3,506.00	53731-permit review-geoscience	\$6,219.20	\$2,713.25
David Cole	50405-Director Fee	\$600.00	\$450.00	\$150.00	\$600.00	50410-Director Fee-pct1	\$2,550.00	\$2,400.00
Gary Young	50415-Director Fee	\$600.00	\$0.00	\$600.00	\$600.00	50410-Director Fee-pct1	\$2,400.00	\$1,800.00
Tax Appraisal Dist	50303-Appraisal Dist	\$2,036.00	\$1,802.25	\$233.75	\$2,036.00	50550-Election Exp	\$500.00	\$266.25
Well Scope	53130.5-GeoLogging	\$2,000.00	\$1,450.00	\$550.00	\$2,000.00	53140-Mon. Well Exp	\$13,845.05	\$13,295.05
	BCAMC	\$105,000.00				Reserve Funds	\$919,358.87	\$814,358.87

Requested By: Shelly Chapman

Verified By: Dirk Aaron

Board Approved: _____

Amended: Date: _____ By: _____

Recommendation: Staff recommends making the line item adjustments as requested.

**Budget Amendment Request
FY2020**

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
Lloyd Gosselink	53732 permit review-legal	\$3,506.00	\$0.05	\$3,505.95	\$3,506.00	53731-permit review-geoscience	\$6,219.20	\$2,713.25
David Cole	50405-Director Fee	\$600.00	\$450.00	\$150.00	\$600.00	50410-Director Fee-pect1	\$2,550.00	\$2,400.00
Gary Young	50415-Director Fee	\$600.00	\$0.00	\$600.00	\$600.00	50410-Director Fee-pect1	\$2,400.00	\$1,800.00
Tax Appraisal Dis	50303-Appraisal Dist	\$2,036.00	\$1,802.25	\$233.75	\$2,036.00	50550-Election Exp	\$500.00	\$266.25
Well Scope	53130.5-GeoLogging	\$2,000.00	\$1,450.00	\$550.00	\$2,000.00	53140-Mon. Well Exp	\$13,845.05	\$13,295.05
	BCAMC	\$105,000.00				Reserve Funds	\$919,358.87	\$814,358.87

Requested By: Shelly Chapman

Verified By: Dirk Aaron

Board Approved: _____

Amended: **Date:** _____ **By:** _____

Election Cancellation - Item #7

**Board Meeting
September 16, 2020**

Item: #7
November 3, 2020 General Election

Agenda Item #7:

Discuss, consider and take action if necessary to cancel the November 3rd General Election for Directors representing Precinct 1 and Precinct 3.

Narrative:

The Board is encouraged today to formally cancel the election on November 3, 2020 for precinct 1 and precinct 3 that have only one candidate each. The candidate for precinct 1 is incumbent Leland Gersbach, the candidate for precinct 3 position is Jody Williams.

The attached certification of unopposed candidates for political subdivisions (not county) is attached as well as the appropriate Order of Cancellation required should the Board approve the request to cancel.

Bell County election office is aware of the cancellation request and has confirmed they will provide the required posting of the Board's cancellation order on Election Day at each polling place that would have been used in the election. The order will be posted at all polling locations in Bell County

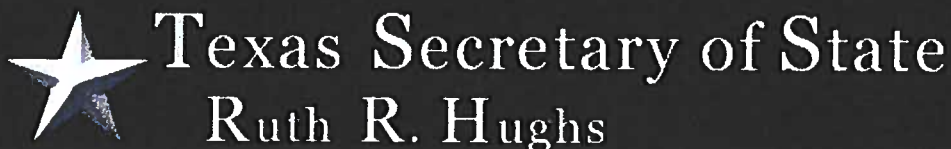
I have also included support information for the Board to reflect on the legal process that the staff has reviewed in preparation for the approval for the cancellation.

Recommendation:

Approve the General Manager's request to cancel precinct 1 and precinct 3 positions Director Elections for the upcoming general election on November 3, 2020.

[Election Outlook: More about Identification Requirements for Voting](#) | [What's on the Ballot?](#) | [Am I Registered to Vote?](#) | [Election Results](#) | [Voter Information](#) | [Voting Issues for Texas Evacuees Due to Natural Disasters](#) | [Texas Election Security Update](#)

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[International Relations](#) [Forms & Other Services](#)

COVID-19 - As recommended precautions continue to increase for COVID-19, the James E. Rudder Building will be closed to visitors and customers beginning Wednesday, March 18, 2020. The Office of the Secretary of State is committed to continuing to provide services to ensure business and public filings remain available 24/7 through our online business service, [SOSDirect](#) or use the new [SOSUpload](#). Thank you in advance for your patience during this difficult time. [Information on Testing Sites is now available.](#)

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[Conducting Elections](#)

[Candidate Information](#)

[Officials and Officeholders](#)

[Election Results](#)

[Voter Education & Seminar Information](#)

[Help America Vote Act \(HAVA\) Funding](#)

[Election Funds Management](#)

[Forms, Resources and Legal Library](#)

[Voting Systems](#)

[Frequently Asked Questions \(FAQs\)](#)

Cancellation of Election for Local Political Subdivisions (Not County)

This outline is focused on the elections of non-county entities. For county elections, see Section 2.056, Election Code.

I. Statutory Authority for Cancellation of Election

AMENDED LAW Senate Bill 1970, Section 1, 81st Legislative Session (2009), provides that a special election of a political subdivision (such as a measure or a special vacancy election) is a separate election for purposes of the cancellation procedures governed by Chapter 2 of the Texas Election Code. Under previous law, a special election for a measure or a contest vacancy election precluded the cancellation of a general election for officers, even if the candidates for the general election were unopposed.

A. Sec. 2.051. Applicability of Subchapter.

Contact Us

1. The cancellation law applies only to an election for officers of a political subdivision other than a county in which write-in votes may be counted only for names appearing on a list of write-in candidates.
2. A special election of a political subdivision is considered a separate election with a separate ballot from:
 - a. a general election for offices of the political subdivision held at the same time as the special election;
 - b. another special election of the political subdivision at the same time.
3. In the case of an election in which any members of the political subdivision's governing body are elected from territorial units such as single-member districts, this subchapter applies to the election in a particular territorial unit if:

Each candidate for an office that is to appear on the ballot in that territorial unit is unopposed and no at-large proposition or opposed at-large race is to appear on the ballot. This subchapter applies to an unopposed at-large race in such an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit.

Examples:

- a. A school district has six trustees. They hold specific places, but are elected at large. Places 1, 2, and 4 are up for election in May. There are two candidates each for places 1 and 2. There is only one candidate for place 4. All the at large candidates must appear on the ballot. The race for place 4 cannot be cancelled.
- b. A groundwater water district has five directors. Four are elected from their respective commissioner

precincts. One is elected at large. Directors from precincts 1 and 3 are up for election in May. There are two candidates for precinct 1 and only one for precinct 3. The election for precinct 3 can be cancelled.

c. The same groundwater district. The following May, directors from precincts 2 and 4 and the at-large director are up. The two precinct directors are unopposed; the at-large director is opposed. All three positions must appear on the ballot; nothing can be cancelled.

d. In a city general election, the mayor is opposed; the other at-large councilmembers are unopposed. Nothing can be cancelled. All the at-large candidates must appear on the ballot, because the at-large race for mayor is opposed.

B. Sec. 2.081. Cancellation of Moot Measure.

A political subdivision is authorized to cancel a measure election if it is determined that the action authorized by the election may not be implemented regardless of the outcome of the election.

C. Sec. 2.082 Specific Authority for Cancellation Required.

An entity must have specific statutory authority to cancel an election.

Yes



II. Certification Required

A. Sec. 2.052. Certification of unopposed status (sample form (PDF) attached).

1. The authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed for election to an office (in other words, the outcome is already known due to the lack of opposition).

2. The certification shall be delivered to the governing body of the political subdivision as soon as possible after the filing deadlines for placement on the ballot and on the list of write-in candidates.

B. Sec. 2.053. Action on certification.

1. On receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to the office. A [sample ordinance \(PDF\)](#) is attached.
2. If a declaration of unopposed candidates is made, the election is not held. A copy of the order or ordinance must be posted on election day at each polling place that would have been used in the election.

Exception due to AMENDED LAW: if the entity is conducting a separate election at the same time as the cancelled election, the declared elected candidates shall be listed separately on the ballot under the heading "Unopposed Candidates Declared Elected." The candidates shall be grouped in the same relative order prescribed for the ballot generally. No votes are cast in connection with the candidates.

3. A certificate of election must be issued to each candidate in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election.

NOTE: Candidates cannot take office until the regular canvassing period would have taken place.

C. Sec. 2.054. Coercion against candidacy prohibited.

1. A person commits an offense if by intimidation or by means of coercion the person influences or attempts to influence a person to not file an application for a place on the ballot or a declaration of write-in candidacy in an election, or to withdraw an application or declaration.
2. In this section, "coercion" has the meaning assigned by Section 1.07, Penal Code.
3. An offense under this section is a Class A misdemeanor unless the intimidation or coercion is a threat to commit a felony, in which event it is a third degree felony.

Cancellation Questions & Answers

Basis For Cancelling:

Q: Which political subdivisions can use the cancellation law?

A: Any political subdivision WITH a write-in deadline for candidates, IF:

- The write-in deadline has passed;
- No candidates have filed opposing a candidate; and
- Each race within the separate election* is unopposed (with exceptions outlined below).

***Note about "separate election":** Under amended law, a general election (for full terms) is considered a separate election from a special election (for unexpired terms), even if the elections are held on the same day.

Note about write-ins: If the law governing write-in candidates for your specific type of political subdivision is **silent**, then the general rule is that any name written in by the voter is counted. See § 146.001, Election Code. In these circumstances, there is no legal write-in filing deadline, which means that it is possible for people to receive votes in the election and opposed a candidate who filed for a place on the ballot; therefore, political subdivisions which fall into this category may NOT cancel their elections.

This outline is focused on non-county entities. For county elections, see Section 2.056, Election Code.

Q: Can I cancel part of my election if some of my single-member district positions are unopposed?

A: If one of your single member district positions is unopposed, you may cancel the election within that single-member district **only** if there are no opposed at-large races within that election. You would continue to conduct the election for those single-member districts with opposed candidates. Note: Under amended law, a general election (for full terms) is considered a separate election from a special election (for unexpired terms), even if the elections are held on the same day.

Q: What if my election is “pure at large”? If I have three positions open and three candidates, can I still cancel the election even though my candidates don’t run by position?

A: Yes, you may still cancel your election if you have the same number of positions and candidates in an at-large election. For example, if you have three positions up for election and only three candidates file, and the “top three vote-getters” win office, then you may declare those candidates elected and cancel the election.

Q: What if I have 3 positions on the ballot, 3 candidates, and a bond election? Can I cancel everything but the bond election, since we know who will win the candidate races?

A: Yes. Under the **amended law**, special elections (such as measure or proposition elections, or special elections to fill unexpired terms) are considered separate elections. This means that if you have unopposed candidates in all races, you may cancel that portion of the election, even though there is a bond (or other proposition) election remaining on the ballot. Again, the uncontested candidates’ names will appear on the ballot under the category “Unopposed Candidates Declared Elected.” The canvass is conducted as normal. However if you have one opposed at-large race for Place 1 (for example) then you cannot cancel the other full by-place terms.

Q: We have a proposition scheduled for the ballot and I am finding the rules confusing. One part of the law says one thing and the other part of the law says another. Section 2.051(b) still says you cannot cancel in a single-member district if there is still an at-large

proposition on the ballot. However, your office and Section 2.051(a) seem to say that a special election can be treated separately. I thought every election for a proposition (like a bond election) was considered a "special election" under Section 1.005.

A: You are correct that every election for a proposition (like a bond election) is considered a "special election" under Section 1.005. Our answer is based on the newer, more recently amended law at Section 2.051(a), which emphasizes how a special election is treated separately for cancellation purposes. The older legal phrase at Section 2.051(b) you refer to was likely a legislative oversight that should have been repealed when the other changes were made in 2009. We hope to address this in clean-up legislation in the future.

How To Cancel:

Q: Do we have to cancel our election at an open meeting of the governing body?

A: Yes. Cancelling an election is NOT automatic. After the certificate of unopposed status is completed and delivered, the governing body must meet and vote to cancel the election and certify the unopposed candidates "elected."

Q: May we post the agenda 72 hours before the filing deadline so that we can meet the night of the filing deadline after 5:00 p.m.?

A: Yes, but be careful not to phrase the agenda in a way that would mislead candidates into thinking the deadline is already over. With that in mind, our office recommends stating that if no candidate files by the filing deadline, then the governing body will decide whether to cancel the election, or similar language. Since this notice affects information about the elections process, the notice must be bilingual. Ch. 272, Election Code.

Q: What is the earliest date we can hold the open meeting to cancel the election?

A: The write-in deadline must pass before the authority is authorized to declare candidates unopposed. Many people wish to cancel as soon as possible. For example, if your governing body schedules a meeting after 5:00 p.m. on the day of the write-in deadline, the notice must be posted 72

hours in advance, i.e., during the filing period. Therefore, you may conduct the meeting the night of the deadline, but do not mislead potential candidates when wording the posted agenda (i.e., avoid making the notice sound as if the deadline has already passed).

Q: What is the latest date we can hold the open meeting to cancel the election?

A: There is no statutory deadline. However, it is implied that you will cancel in time to post the election day notice at the polling places. Our office recommends cancelling before early voting by personal appearance is scheduled to begin. Additionally, we recommend adding this information to the election notice on your website (if any). Even though there is no clear deadline, **it is extremely important that your governing body cancels before election day.** If election day passes, and you have not held the election, then the candidates will have failed to receive the necessary vote in the traditional manner. This means you will have vacancies.

Q: Can we skip the open meeting? Isn't it enough that our filing authority certified the required number of candidates as unopposed?

A: **No.** If your governing body has not performed the second step of meeting to cancel the election, it is not cancelled.

Q: Must the cancellation of election be submitted to the U. S. Department of Justice for "preclearance"?

A: **Updated advice:** On June 25, 2013, the United States Supreme Court issued its decision in *Shelby County, Alabama v. Holder*, No. 12-96, 2013 WL 3184629 (U.S.) (U.S. Jun. 25, 2013). That decision holds that Section 4 of the federal Voting Rights Act of 1965 is unconstitutional and its formula can no longer be used as a basis for subjecting jurisdictions to preclearance. Both the Attorney General of the United States and the Texas Attorney General have indicated that *Shelby* takes effect immediately. Accordingly, unless and until there is new law from the United States Congress signed by the President or other court order, the Texas Attorney General has advised the Secretary of State that it is no longer required to submit voting changes to the DOJ for preclearance. We suggest that Texas counties or other Texas political subdivision discuss the effect of *Shelby*

and the continuing applicability of other provisions of the Voting Rights Act with their legal counsel.

Q: What kind of notice must be given if the election is cancelled and no separate election is being held?

A: The law requires only that a copy of the action taken by the governing body be posted on election day at each polling place that would have been used in an election. You may simply post copies of the cancellation order on the polling place door.

We have also been asked if you should amend the polling place notice in case you have cancelled one of several elections, so that voters know the polling place still has an election taking place inside; we agree. While it is not required, it would be helpful if you can interest your local media in running a spot on the radio or in the newspaper, to acquaint voters with the change in the law. This notice, like any other election notice, must be bilingual. See Ch. 272, Election Code.

Q: The Election Code says that we declare the unopposed candidates "elected." Does that mean they take over immediately after the filing deadlines -- a month before election day?

A: No. Although Section 2.053(a) states that the new officers are declared "elected" when the election is cancelled, we think that the section read as a whole indicates that the incumbents serve out the traditional term, i.e., until the next election (day) and until their successors have qualified. The section as a whole provides that after the cancellation order, notice is posted on election day (§2.053(b)), then the certificate of election is issued "in the same manner and at the same time" (§2.053(c)). The Elections Division interprets this to mean that the new officers are issued the certificate of election after election day, as usual. (The status of the officers-elect between the time of the cancellation order and the issuance of the certificate of election after election day is roughly analogous to the usual (though shorter) period between the time unofficial results are announced on election night and the time the certificate of election is issued.)

Q: When are the unopposed candidates sworn in?

A: Section 2.053 provides that the certificate of election

shall be issued "in the same manner and at the same time" as for a candidate elected at an election. Therefore, the candidates, who have been declared "elected" at the meeting ordering the cancellation, must wait until after the official election day (even though no election is held) and no earlier than the prescribed canvassing period (even though no canvass is held) to be sworn in and assume their duties.

After election day, the presiding officer of the canvassing authority will issue certificates of election to the unopposed candidates, and they are sworn into office "in the same manner" provided for a candidate elected at an election. Sec. 67.016, Election Code. This also means that a statement of elected officer (also referred to as the pre-oath statement) must be completed before the new officer can be sworn in. The statement should be maintained locally; it is no longer required to be filed with the Secretary of State's office.

Q: Does a Type A governing body still need to wait until the sixth day after the election to install officers if the election is cancelled? (Local Government Code, Section 22.036 requires the newly-elected governing body to meet at the usual meeting place to be installed on or after the fifth day after the election excluding Sunday, i.e., the sixth day after the election.)

A: Yes, the sixth-day requirement still applies for Type A cities, even if they have cancelled their election.

We further note that if some unopposed candidates are declared elected, and others are not, the election results for the offices that are being voted upon cannot be canvassed until all the new legal procedures relating to provisional ballots are concluded; this will usually take longer than the Section 22.036 timeline. See most recent calendar for details.

Q: Is an open meeting required to issue the certificate of election after election day when an election is cancelled?

A: No, unless required by outside law. The presiding officer of the canvassing authority issues the certificate of election. Sec. 67.016, Election Code. Since the governing body does not need to meet to canvass, the presiding officer may act alone. (But see also Sec. 31.121, Election Code if presiding officer fails to act).

Q: Do we still have to send the statement of elected officer (“pre-oath statement”) to the Statutory Documents Division of the Secretary of State’s office?

A: No, it is required to be maintained locally. The “pre-oath” statement of elected officer may be completed at any time after unofficial results are determined after 7:00 p.m. election night (when an election is held), or at any time after the officers-elect are declared elected at the meeting cancelling the election. Again, remember that the final oath of office cannot be administered until after the date the election would have been held, no earlier than the prescribed time period for holding the canvass.

Q: Water Districts: What do you mean, “most” water districts require declared write-ins?

A: In 1995, the Texas Legislature made extensive revisions to the Water Code and many, but not all, water districts (whether created by general or special law) were brought under write-in declaration requirements in Chapters 49 and 36 of the Water Code. The Chapter 63 navigation districts are subject to the general write-in deadline in Chapter 146 of the Texas Election Code. (For more detail, see Candidacy outline). Thus, if the water district is under a **different** law, and that law is **silent** as to a declaration, then none is required and the election may **not** be cancelled. **NEW LAW:** Senate Bill 902 2013) added a write-in declaration requirement for water district confirmation election procedures at Section 49.102, Water Code (applicable to most water districts); a special law could provide for open write-ins in a confirmation election.

Q: What if we have a joint election agreement and one of the parties cancels?

A: Make every effort to arrange in advance for this possibility when preparing the written agreement. In particular, we recommend providing for who will publish notice, hire election workers, and conduct the canvass, etc. in the event that one of the parties cancels their election.

Q: What if the reason for not conducting the election was that no one filed at all?

A: At the canvass, declare the official result: that no one filed to run in the election. At that moment, a vacancy is

created as to the new term, which is filled in the usual manner for your type of office. See most recent post-election advisories available under Conducting Your Elections.

Q: Are these the rules for county elections?

A: There are some differences. See Section 2.056, Election Code.

2015 Legislative Updates

Q: We've heard there is new law (House Bill 484) that says that a candidate must be a registered voter of the territory he or she is elected from by the filing deadline. Can we reject an application based on this new law for a May 7, 2016 election (and therefore possibly cancel the election)?

A: Maybe.

See our [VR for Candidates \(HB 484\) FAQ](#)

Here is a summary of major issues to review before you reject a candidate's application (and declare another candidate unopposed). These are explained in more detail in the FAQ.

First, you need to make sure the new law applies to you. The new law does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution. Generally, this includes various types of water districts. Check with [TCEQ](#) (Texas Commission on Environmental Quality) staff if you are not sure what kind of water district you are. It is also possible that a home-rule city charter or outside law could provide an exception with express, conflicting language.

Second, the voter registration number (also called a VUID) is **not** required to be on the face of the application form (or declaration of write-in candidacy). It is the candidate's voter registration status (not whether the number is on the application form) that should be the basis for the rejection.

Third, remember that you will need to make the determination by the deadline for removing a candidate's name from the ballot based on ineligibility. For the deadline, see our most recent calendar on your page under

Conducting Your Elections.

This answer (and our FAQ) are about what you can do based on House Bill 484 (effective September 1, 2015). A home-rule charter or special law (for example) might have a different rule already in effect applicable to candidates.

Q: Has the notice requirement changed under House Bill 3157?

A: No. However, based on House Bill 3157, effective September 1, 2015, Election Code Section 2.081 is amended to provide that a county election officer, as defined by Section 31.091, may use a single combined notice of cancellation for all authorities: (1) for which the officer provides election services under contract; and (2) that declare an election moot under Section 2.081(a).

Note: In the opinion of our office, we think several entities could agree to a joint notice under current law (by contract with the county, or joint election agreement).

2017 Legislative Updates

Q: We've heard there is new law (House Bill 1661) that says that a candidate may withdraw after the withdrawal deadline if ballots have not been prepared.

A: House Bill 1661 (2017) allows a candidate to withdraw an application for a place on the ballot after the Section 145.092 statutory deadline for withdrawal if: (1) the candidate files a sworn withdrawal request (valid except for its untimeliness); and (2) ballots for the election **have not been prepared**. The new law gives the authority responsible for preparing the ballot the discretion to accept the untimely withdrawal and omit the candidate's name from the ballot. If this results in candidates being unopposed, your governing body may cancel if you otherwise meet the criteria for cancellation above. Sections 145.098, 2.052 as amended. The new law does not apply to write-in candidates.

Rev: 10/24/17

Business Copies and Certificates

- Uniform Commercial Code

Register to Vote & Voter I.D.

- Website Policies

• Texas Businesses Against Trafficking

- Open Records

- Texas.gov

- Contacts

- Statewide Search

- Texas Homeland Security

- Where the Money Goes

- Fraud Reporting

- Texas Veterans Portal



Certification of
Unopposed Candidates
AW12-1

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Leland Gersbach, Board President of Clearwater UWCD
Al: Leland Gersbach, Presidente de la Clearwater UWCD

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on November 3, 2020

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el November 3, 2020

List offices and names of candidates:
Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)	Candidate(s) Candidato(s)
Precinct 1 , District Director	Leland Gersbach
Precinct 3, District Director	Jody Williams



Signature (Firma)

Dirk Aaron

Printed name (Nombre en letra de molde)

Clearwater Underground Water Conservation District, General Manager

Title (Puesto)

September 16, 2020

Date of signing (Fecha de firma)

(Seal) (sello)

See reverse side for instructions
(Instrucciones en el reverso)

Instructions for certification of unopposed candidates:

The authority responsible for preparing the ballot must certify the unopposed status to the authority responsible for ordering the election. This document is filed with the presiding officer of the political subdivision. The governing body must meet, accept this certification, and issue an order or ordinance declaring the election cancelled and the unopposed candidates elected. To complete the cancellation process, a copy of the order or ordinance canceling the election must be posted on Election Day at each polling place that would have been used in the election. See sample Order of Cancellation and outlines for additional instructions.

An election* may be cancelled if:

- 1) The election is one in which a declaration of write-in candidacy is required; and
- 2) No opposed at-large race is on the ballot* within that election;*and
- 3) Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions;
This means:
 - In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.*
 - In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a *separate election* with a *separate ballot* for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para la certificación de una elección con candidatos únicos:

La autoridad a cargo de preparar la boleta de votación debe certificar los candidatos únicos sin oposición a la autoridad encargada de ordenar la elección. Este documento se debe presentar al presidente de la subdivisión política. La entidad gobernante debe reunirse, aceptar esta certificación y emitir una orden o una ordenanza en la que declara la cancelación de la elección y la elección de los candidatos únicos sin oposición. Para completar el proceso de cancelación, se debe exhibir el Día de la Elección una copia de la orden u ordenanza de cancelación de la elección en todos los sitios de votación que se hubieran utilizado en la elección. Vea el ejemplo Orden de Cancelación y el resumen para más instrucciones.

Una elección* puede ser cancelada si:

- 1) *la elección es una en la que se requiere una declaración de candidatos por escrito en la boleta de votación; y,*
- 2) *no hay oposición para la carrera por acumulación en la boleta* de votación dentro de esa elección* y*
- 3) *Todos los candidatos cuyos nombres deben aparecer en la boleta* de votación no tienen oposición, con unas excepciones;*
Esto significa:
 - *En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.*
 - *En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).*

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.

Order of Cancellation
AW12-2

ORDER OF CANCELLATION
EJEMPLO DE ORDEN DE CANCELACIÓN

The Clearwater Underground Water Conservation District hereby cancels the election scheduled to be held on _____ (official name of governing body)

November 3, 2020 in accordance with Section 2.053(a) of the Texas
(date on which election was scheduled to be held)

Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Clearwater Underground Water Conservation District por la presente cancela la elección que, de lo contrario, _____ (nombre oficial de la entidad gobernante)

se hubiera celebrado el November 3, 2020 de conformidad, con _____ (fecha en que se hubiera celebrado la elección)

la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

<i>Candidate (Candidato)</i>	<i>Office Sought (Cargo al que presenta candidatura)</i>
Leland Gersbach	Precinct 1. District Director
Jody Williams	Precinct 3. District Director

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

(signature)
Leland Gersbach

President (Presidente)

(signature)
Gary Young

Secretary (Secretario)

(seal) (sello)

Date of adoption (Fecha de adopción)

See reverse side for instructions
Instrucciones en el reverso

Instructions for sample order of cancellation:

To cancel an election, the governing body must first receive and accept the Certification of Unopposed Candidates form (or the authority may create its own form) from the authority responsible for preparing the ballot. The cancellation order/ordinance must be adopted in an open meeting. The candidates are not required to be present. Certificates of election should be prepared for each unopposed candidate; however, the certificates of election should not be issued until after Election Day, as follows. Section 2.053 provides that the certificate of election shall be issued "in the same manner and at the same time" as for a candidate elected at an election. Therefore, the candidates, who have been declared "elected" at the meeting ordering the cancellation, must wait until after the official election day (even though no election is held) and no earlier than the prescribed canvassing period (even though no canvass is held) to be sworn in and assume their duties. Candidates may complete the Statement of Elected Officer prior to Election Day. The Statement should be kept locally; it does not need to be sent to the Secretary of State's Office. Copies of this order/ordinance must be posted on Election Day at each polling place that would have been used had the election not been cancelled.

An election* may be cancelled if:

- 1) The election is one in which a declaration of write-in candidacy is required; and
- 2) No opposed at-large race is on the ballot* within that election;*and
- 3) Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions:
This means:
 - In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.*
 - In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a separate election with a separate ballot for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para el ejemplo de orden de cancelación:

Para cancelar una elección, la entidad gobernante primero debe recibir y aceptar, de la autoridad responsable para preparar la boleta, el formulario de Certificación para Candidatos Sin Oposición (o la autoridad puede crear su propio formulario) de la autoridad responsable para preparar la boleta. La orden/ordenanza de cancelación debe ser adoptada en una reunión abierta. No se requiere que los candidatos estén presentes. Se debe preparar un certificado de elección para cada candidato sin oposición; sin embargo, los certificados de elección no se deben emitir hasta el Día de las Elecciones, así como se detalla a continuación. La sección 2.053 indica que el certificado de elección será publicado "en la misma manera y al mismo tiempo" para un candidato elegido en una elección. Por lo tanto, los candidatos que hayan sido declarados "elegido" en la reunión de la cancelación, deben esperar hasta después del día oficial de elecciones (aunque no se hayan llevado una elección) y no antes del período prescrito de la campaña política (aunque no se lleve a cabo la campaña política) a ser jurados y asumir sus deberes. Los candidatos pueden llenar la Declaración de Funcionario Elegido antes del Día de las Elecciones. Este documento se debe mantener en los archivos locales. No es necesario enviarlo a la Oficina del Secretario de Estado. El Día de las Elecciones se debe exhibir una copia de esta orden/ordenanza en todos los sitios de votación que se hubieran utilizado en la elección si no hubiera sido cancelada.

Una elección* puede ser cancelada si:

- 1) la elección es una en la que se requiere una declaración de candidatos por escrito en la boleta de votación; y,
- 2) no hay oposición para la carrera por acumulación en la boleta* de votación dentro de esa elección* y
- 3) Todos los candidatos cuyos nombres deben aparecer en la boleta* de votación no tienen oposición, con unas excepciones:
Esto significa:
 - En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.
 - En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.