

FORT BEND SUBSIDENCE DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
**VIA AUDIO/VIDEO CONFERENCE ONLY**  
**(SEE BELOW FOR PARTICIPATION INFORMATION)**  
April 22, 2020 at 3:00 PM

Notice is hereby given to all interested members of the public that the Board of Directors of the Fort Bend Subsidence District will hold a regular public meeting via audio and video conference call pursuant to Texas Government Code, Section 551.125, and as modified by the Governor of Texas who ordered suspension of various provisions of the Open Meetings Act, Chapter 551, Government Code, effective March 16, 2020, in accordance with the Texas Disaster Act of 1975 (See the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas). Audio/Video Conference information for this meeting is listed below:

Audio and Video Conference Opens at 2:30 PM  
The Board of Directors Meeting will begin at 3:00 PM

INSTRUCTIONS FOR PARTICIPATION IN BOARD OF DIRECTORS MEETING

Click the following link to go to the online video/audio conference site:

<https://subsidence.webex.com/subsidence/j.php?MTID=mbd32be0f44ec17e94b31774e9459b410>

Meeting number: 289 989 648

Password: water

To join by phone only, dial the following number, enter the access code, and follow the instructions:

+1-855-797-9485 US Toll free

Access code: 289 989 648

**Note:** Participation via video conference is not required. If you wish to address the Board, during the public comment period, [please fill out and submit the online speaker registration form](#). You may also register as a speaker at the beginning of the meeting. Registration as a speaker will require providing (1) first and last name; (2) email address; (3) phone number; and (4) well number, if applicable. Any person participating in the meeting must be recognized and identified by the presiding officer each time they speak. You may download computer and phone applications using the links below:

Apple App: <https://apps.apple.com/us/app/cisco-webex-meetings/id298844386>

Google App: <https://play.google.com/store/apps/details?id=com.cisco.webex.meetings>

Windows Application for WebEx Meetings: <https://www.webex.com/downloads.html>

**AGENDA**  
FORT BEND SUBSIDENCE DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
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April 22, 2020 at 3:00 PM

- A. Call to Order.
- B. Accept Comments from Members of the Public.
- C. Approval of the Minutes of the Regular Meeting, February 26, 2020.
- D. Receive Hearing Examiner's Report and Consider Granting, Denying or Amending Applications for Water Well Permits Heard at the March 3, 2020, and April 2, 2020, Hearings.
- E. Consider Emergency Approvals Granted or Denied by the General Manager:
  - 1. Riverstone HOA
  - 2. Schmidt, Taylor
- F. Consider a Resolution Updating the Designated Signatories of the District.
- G. Consider an Amendment to Resolution 20-424 Calling a Public Hearing for the Purpose of Hearing Testimony Regarding the Determination of the Effects of Groundwater Withdrawal on Land Subsidence During the Year Ending December 31, 2019, changing the Date of Hearing to May 28, 2020.
- H. Consider a Recommendation from the Finance Committee Regarding the Independent Annual Financial Audit for the Fiscal Year Ending December 31, 2019.
- I. Receive Briefing from Staff on the Joint Regulatory Plan Review.
- J. General Manager's Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.
- K. Consultation with the General Counsel on Recent Litigation on Groundwater Issues.
  - 1. Fazzino vs. Brazos Valley Groundwater Conservation District (5<sup>th</sup> Circuit Court of Appeals)
  - 2. Cockrell Investment Partners, Ltd. vs. Middle Pecos Groundwater Conservation District (Pecos County District Court)
  - 3. In Re San Jacinto River Authority (Texas Supreme Court)
  - 4. Mountain Pure TX LLC vs. Neches and Trinity Valleys Groundwater Conservation District, (Petition to Texas Supreme Court)
- L. Executive Session. (if necessary)

If, during the course of the meeting covered by this Agenda, the Board shall determine that an executive session of the Board, should be held or is required in relation to any item included in this Agenda, then such executive session, as authorized by the Texas Open Meetings Act, will be held by the Board at the date, hour, and place given in this Agenda concerning any and all subjects and for any and all purposes permitted by Sections 551.071-551.084 of the Texas Government Code, including, but not limited to, Section 551.071 – for the purpose of a private consultation with the Board’s attorney on any or all subjects or matters authorized by law.



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Michael Turco, General Manager  
Fort Bend Subsidence District  
P. O. Box 427  
Richmond, Texas 77469  
281-342-3273

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE SUBSIDENCE DISTRICT BOARD MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE, ARE REQUESTED TO CONTACT WANDA SEBESTA AT (281)342-3273 AT LEAST TWO (2) BUSINESS DAYS PRIOR TO THE MEETING, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.