LONE STAR
GROUNDWATER CONSERVATION DISTRICT

April 9, 2019

MINUTES OF SPECIAL MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") held a "Special Meeting," open to the public, in the Lone Star GCD – James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on April 9, 2019.

President Melder called the meeting to order at 5:02 PM, announcing that it was now open to the public.

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Webb Melder
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, District General Manager; Stacey V. Reese, District Counsel, District staff and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A" to the Regular Board of Directors Meeting minutes.*

After a proper and legally sufficient announcement to the public by President Melder, the Board of Directors went into a Closed Executive Session at 5:02 PM pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, personnel matters (§551.074), or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code.

Following Executive Session, the Board reconvened in Open Session and President Melder declared it open to the public at 6:02 PM.

No additional action was taken on matters discussed in Executive Session and President Melder adjourned the meeting at 6:02 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF MAY 2019.

Stuart Traylor, Board Secretary

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

April 9, 2019

MINUTES OF PUBLIC HEARING ON PERMIT APPLICATIONS

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public, in the Lone Star GCD – James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on April 9, 2019.

CALL TO ORDER:

President Melder called to order the Public Hearing on Permit Applications at 6:02 PM announcing the meeting open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Webb Melder
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, Interim General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A" to the Regular Board of Directors Meeting minutes.*

PRAYER AND PLEDGES OF ALLEGIANCE:

President Melder called on Director Bouché, for the opening prayer and Director Hardman to lead the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

Interim General Manager, Samantha Reiter, briefed the Board on permit applications received for the month. Applications for consideration and recommended for possible approval included the below:

1. **T & W Water Services (Deer Pine)**

Applicant is requesting the registration of a new well and production authorization in the amount of 1,600,000 gallons for 2019 and 4,800,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

2. **Ranchcrest Water System**

Applicant is requesting an amendment to an Operating Permit for drilling authorization only. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

3. **Aqua Texas, Inc. (Lake Conroe Village)**

Applicant is requesting an amendment to an Operating Permit for drilling authorization only. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

4. **East Montgomery County MUD #5**

Applicant is requesting an amendment to an Operating Permit for drilling authorization only. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

President Melder noted that agenda items 5 and 6 would be handled together as one. Following Ms. Reiter's report, the four listed permit applications and amendments were approved. Director Bouché motioned to approve items #1-4, as recommended by the Interim General Manager. Director Spigener seconded. Motion approved.

President Melder adjourned the public hearing on permit applications at 6:07 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF MAY 2019.

Stuart Traylor, Board Secretary

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

April 9, 2019

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public, in the Lone Star GCD - James B. "Jim" Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, within the boundaries of the District on April 9, 2019.

CALL TO ORDER:

President Melder presided and called to order the regular Board of Directors meeting at 6:07 PM, announcing that it was open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Webb Melder
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, Interim General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. ***Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".***

PUBLIC COMMENTS:

None were received.

APPROVAL OF THE MINUTES:

President Melder stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, upon a motion by Director Hardman seconded by Director Traylor, the board approved the meeting minutes as presented.

a) March 12, 2019, Special Board Meeting
b) March 12, 2019, Public Hearing on Proposed Re-Adoption of Management Plan
c) March 12, 2019, Public Hearing on Permit Applications
d) March 12, 2019, Regular Board of Directors Meeting
e) March 27, 2019, Special Meeting with GMA 14 Joint Meeting
f) March 27, 2019, Special Meeting Board Workshop

REVIEW OF UNAUDITED FINANCIALS FOR THE MONTH OF MARCH 2019:

Ms. Kay Martin, bookkeeper, reported that for the month of March 2019, income was $292,112 and expenses were $132,509 resulting in net income of $159,603. We received a bill from Montgomery County Elections of $82,370 which was the balance from the November 2018 election. Year-to-date net income is $319,526. Total cash was $1,203,840. Third quarter invoices will be mailed on June 1, 2019. Auditors completed fieldwork but have not sent draft of the audit report.

a) Review of 1st Quarterly Investment Report 2019

Ms. Martin reviewed the 1st Quarterly Investment Report noting the change from January 1, 2019 – March 31, 2019. Additionally, First Financial Bank provided proof of additional pledged securities to cover the increased cash balance. Director Bouché motioned to accept the financials as presented and Director Traylor seconded. Motion carried.

DISCUSS, CONSIDER, AND POSSIBLE ACTION REGARDING APPROVL OF RESOLUTION #19-004 ADOPTING FY 2019 OPERATING AND CAPITAL OUTLAY BUDGETS:

Ms. Martin reviewed each category of the budget. Ms. Reiter noted the need for a new phone system and the three companies being considered. They are: Consolidated Communications, Ring Central and 8 x 8 Inc.

SWAGIT is being considered to equip the board room with audio and video to provide live streaming and 24/7 review of webcast of board meetings. President Melder asked that SWAGIT's public disclosure – be included in the minutes. Part of the sole source letter is quoted below:

> "Swagit Productions, LLC, a Texas Limited Liability Company, with offices at 12801 N. Central Expressway Suite 900, Dallas, Texas 75243, is the sole source provider of Swagit's Extensible Automated Streaming Engine (EASE) software framework. The EASE application is manufactures, leased and distributed by Swagit alone."

Director Hardman motioned to approve Resolution #19-004 adopting the FY 2019 budgets. Director Rogers seconded. Motion carried. ***A copy of Resolution #19-004 is hereto attached as Exhibit "B".***

DISCUSS, CONSIDER, AND POSSIBLE ACTION ON RECOMMENDATION(S) WITH REGARDS TO JOINT-FUNDING AGREEMENT WITH USGS:

Director Rogers mentioned that this contract was the first one to be reviewed and had hoped to realize cost savings. Ms. Reiter explained that the budget would remain the same but that some services might be suspended; and funds reallocated to install additional monitoring wells. Director Bouché motioned to accept the recommendation. Director Spigener seconded. Motion carried.

GROUNDWATER MANAGEMENT AREA 14 - UPDATE THE BOARD ON THE LEGAL, TECHNICAL, AND FINANCIAL ISSUES RELATED TO JOINT PLANNING ACTIVITIES AND DEVELOPMENT OF DESIRED FUTURE CONDITIONS IN GMA 14:

Director Hardman thanked the directors for attending the last GMA 14 and giving their support. He reported that Run "D" had been removed from discussion and it was his hope that a consensus could be reached regarding the adoption of a different approach to new methodology of management with common reservoir. Director Hardman announced that the next meeting of the GMA 14 is scheduled for May 29th at 10:00 AM at the Harris-Galveston Subsidence District (HGSD) offices in Friendswood.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON DISTRICT'S MESSAGING ON ITS WEBSITE AND PRINTED MATERIALS:

Following discussion, Director Rogers motioned that the item be tabled. Director Traylor seconded. Motion carried; item tabled.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON VIDEOTAPING OF PUBLIC MEETINGS:

Ms. Stacey Reese, District Counsel, mentioned that since the budget had been approved that no action need be taken.

DISCUSSION, CONSIDERATION AND POSSIBLE ACTION APPROVING RESOLUTION #19-005 ADOPTING DISTRICT MEDIA POLICY:

Ms. Reese cited the resolution and the drafted media policy. Following discussion, Director Spigener motioned to approve the resolution and media policy. Director Rogers seconded. Motion carried. ***A copy of Resolution #19-005 is hereto attached as Exhibit "C".***

DISCUSSION OF POSSIBLE ACTION TO ISSUE A SHOW CAUSE ORDER DIRECTING THE FOLLOWING PERMITTEES, OR THEIR DESIGNATED REPRESENTATIVE, TO APPEAR AT A SHOW CAUSE HEARING FOR THAT PURPOSE AND SHOW CAUSE WHY APPROPRIATE ENFORCEMENT ACTION SHOULD NOT BE TAKEN, INCLUDING WITHOUT LIMITATION INITIATING A LAWSUIT AGAINST IT FOR FAILURE TO REMIT 2019 WATER USE FEES AND/OR FINES ASSOCIATED WITH TIMELY SUBMISSIONS:

a) Brenda Borrayo – OP-10032491
b) Richard Gysler & Cailean McAlister – HUPAG1500026/OPAG-08010301
c) The Water Hole – OP-07091903B

Ms. Reiter, Interim General Manager, recommended that all three permittees be asked to attend a Show Cause Hearing next month for failure to remit 2019 water use fees and/or fines associated with timely submissions. Director Traylor motioned to approve this action. Director Hardman seconded. The motion carried.

DISCUSSION AND POSSIBLE ACTION TO ISSUE A SHOW CAUSE ORDER DIRECTING THE FOLLOWING PERMITTEES, OR THEIR DESIGNATED REPRESENTATIVE, TO APPEAR AT A SHOW CAUSE HEARING FOR THAT PURPOSE AND SHOW CAUSE WHY APPROPRIATE ENFORCEMENT ACTION SHOULD NOT BE TAKEN INCLUDING WITHOUT LIMITATION INITIATING A LAWSUIT AGAINST IT FOR OVERPRODUCTION OF 2018 PERMITTED ALLOCATION AND/OR FINES ASSOCIATED WITH TIMELY SUBMISSIONS:

Ms. Reiter reported both permits listed had come into compliance and no action would be taken on the matter.

GENERAL MANAGER'S REPORT:

Samantha Reiter reported on the several education outreach activities ongoing for April. She highlighted the MCFA Kid's Day, where staff instructed 3,500 children with the Mobile Education trailer. She noted that on April 13th the trailer would be at the Water Resources Day in Montgomery. Lastly, scheduled school visits to Irons Jr. High, Knox Jr. High and local Primrose Schools would round out the month. Ms. Reiter also announced that there will be five Town Hall meetings in various locations throughout Montgomery County to gather stakeholder input as the District begins its rule amendment process.

GENERAL COUNSEL'S REPORT:

No additional report.

NEW BUSINESS:

President Melder discussed the Town Hall sessions scheduled the week of April 22nd. He set April 16th as a deadline for directors to notify Interim General Manager if they planned to attend any of the Town Hall meetings.

ADJOURN:

There being no further business, upon a motion made by Director Hardman and seconded by Director Prykryl, the meeting was adjourned at 6:50 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF MAY 2019.

Stuart Traylor, Board Secretary

SIGN IN SHEET

April 9, 2019
Board Meeting

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
	Jackie W. Chovanec	PO Box 7699 The Woodlands TX 77387	JWCSFP1@aol.com	
N	TINA FELKAI	CONROE, TX	ON FILE	
N	Kenny Eickelberg	Shenandoah, TX	—	—
N	M. Thornhill	Round Rock, TX	—	
N	Glenna Brown	Shenandoah TX	—	
N	Doug Miller	Pinehurst TX 77362	dfljosh@gmail.com	Y
N	BILL BERAN	MONTGOMERY	-	Y
N	Bob Harden	Austin TX	-	-
N	Susan Stelly	Hou TX	on file	
N	Mark Smith	Conroe TX	msmith@sgra.net	
N	Richard Derr	Oak Ridge North	on file	
N	Scott Custer	77382	on file	
N	Veronica Obeguedo	City of Houston		

Exhibit "A"

Exhibit "B"

LONE STAR GROUNDWATER CONSERVATION DISTRICT

Resolution No. 19-004

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT ADOPTING AN OPERATING AND CAPITAL OUTLAY BUDGET FOR 2019

WHEREAS, the Lone Star Groundwater Conservation District (the "District") was created by the Legislature of the State of Texas by the Act of May 17, 2001, 77th Leg., R.S., ch. 1321, 2001 Tex. Gen. Laws 3246, as amended (the "Enabling Act"), as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the Enabling Act; and

WHEREAS, the District's Board of Directors and staff has worked diligently to identify all reasonably anticipated District revenues, expenses, and activities for the January 1 through December 31, 2019 budget cycle, and, after giving much consideration to these important factors, has developed a proposed 2019 budget for the Board's consideration and deliberation (the "2019FY Budget");

WHEREAS, the District Board of Directors (Board) has reviewed and considered the 2019 Operating and Capital Budget;

WHEREAS, pursuant to Section 36.154 of the Texas Water Code, the District has prepared a budget that contains a complete financial statement, including a statement of the outstanding obligations of the District, the amount of cash on hand to the credit of each fund of the District, the amount of money received by the District from all sources during the previous year, the amount of money available to the District from all sources during the ensuing year, the amount of the balances expected at the end of the year in which the budget is being prepared, the estimated amount of revenues and balances available to cover the proposal budget, and the estimated fee revenues that will be required;

WHEREAS, the Board finds that the adoption of the 2019 Budget, attached hereto as Attachment A and incorporated herein by this reference for all purposes, is merited to support the District's activities and related expenses from January 1, 2019 through December 31, 2019 and that the attached budget will allow the District to carry out the District's objectives and responsibilities as prescribed by the Enabling Act and Chapter 36 of the Texas Water Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT THAT:

1. The above recitals are true and correct.

2. The Board of Directors of the Lone Star Groundwater Conservation District hereby adopts an operating and capital outlay budget for January 1, 2019 to December 31,

2019 as provided in the budget appended hereto as "Attachment A," which is incorporated herein by this reference and is hereby approved and adopted.

3. The Board of Directors, its officers, and the District employees are further authorized to take any and all actions necessary to implement this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 9th day of April 2019.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Webb Melder, President

ATTEST:

_____
Stuart Traylor, Board Secretary

	2019 Approved Budget
Income	
ADMINISTRATIVE FEES	
Application Fees	
AWS Production Permit	$ 3,000
AWS Groundwater Test Wells	1,500
Transfer of Early Conversion Credits	-
Existing Well Application	1,500
Emergency Permit	
Operating Permit	22,000
Transfer of Permitted Authorization	1,500
GRP Amendment Application	
Application Fee- Other	4,950
Total Application Fees	34,450
Change in Ownership	4,000
Open Records Request	1,500
Publications Fees	5,000
Returned Check Fee / Other Admin fees	50
Well Re-inspection Fee	2,000
Total ADMINISTRATIVE FEES	47,000
INTEREST INCOME	5,000
LONE STAR GCD WATER USE FEES	
Early Conversion Credit Water Use Fee	44,060
Export Water Use Fee	600
Historical Use	1,619,858
Ag Permits	1,723
Operating Permit - prepaid 2019	537,531
AWS Production Fees -2019	161,378
Over Pumpage Fee	5,500
Penalty/Interest	5,000
Total LSGCD WATER USE FEES	2,375,650
Total Income	**$ 2,427,650**
Expense	
ADVERTISING/PUBLIC NOTICES	$ 10,000
ATTORNEY FEES	
General Counsel Work	360,000
Additional Legal Work	15,000
Total ATTORNEY FEES	375,000

	2019 Approved Budget
AUDIT FEES	9,500
BOARD EXPENSE	
Per Diem	63,000
Payroll Tax Liability	4,820
Board Meeting Expense	4,000
Meeting/Conference	3,000
Total BOARD EXPENSE	74,820
BUILDING EXPENSE	
Building Maintenance	15,000
Utilities/Custodial/Phone/Cable	47,000
Upgrade phone service	6,700
Upgrade sound and recording system-board room	84,000
Total BUILDING EXPENSE	152,700
COMPUTER SUPPORT	
Hosting/Internet/Backup	12,000
Software	5,000
Computer Repair & Support	15,500
Total COMPUTER SUPPORT	32,500
EDUCATION/PUBLIC AWARENESS COORDINATION	
Educational Curriculum in Schools	50,000
ET Weather Station Network	5,000
Communication/Public Awareness	7,500
Water Efficiency Network	1,000
Website Modification	5,000
Rainwater Collection Maintenance	1,000
Conservation products	3,500
Total COMMUNITY AWARENESS/PUBLIC RELATIONS	73,000
ELECTION EXPENSE	100,000
ENGINEERING CONSULTANT SERVICES	
District Engineer	15,000
Engineering Consultant Services	200,000
Well Permitting Database Management	10,000
GMA 14 Planning	50,000
Well Spacing -	1,000
Total ENG/CONSULTANT SERVICES	276,000

	2019 Approved Budget
FIELD/TECHNICAL EXPENSE	
Field Supplies	3,000
Fuel Expense	3,000
Vechicle-capital expense	30,000
Vehicle/Mobile Lab Repair and Maintenance	2,500
Total FIELD/TECH EXPENSE	38,500
INSURANCE EXPENSE	
Bonds	800
Building Insurance	2,800
Errors & Omissions	3,800
Liability	1,302
Vehicle Insurance	3,101
Total INSURANCE	11,803
LITIGATION EXPENSE	
2017 Engineering/Consultant	-
Legal - Lawsuit	25,000
Legal - DFC Appeal	-
Engineering Consultant Services	-
GMA 14 Planning (amendment)	-
Total LITIGATION EXPENSE	25,000
MANAGER	
Travel/Edu/Training	6,000
Vehicle Allowance	3,600
Total MANAGER	9,600
MEMBERSHIPS DUES/SUBSCRIPTIONS	4,500
MISCELLANEOUS	1,500
OFFICE	
Office Equipment	9,000
Equipment Lease - Copier	-
Supplies	3,500
Total OFFICE	12,500

	2019 Approved Budget
PAYROLL EXPENSES (Employee)	
Salaries	550,000
Medical/Life	92,000
Payroll Tax Liability	42,000
Unemployment Tax	1,400
Retirement	25,000
Payroll Service Fees	1,000
Tuition Assistance	
Temporary	
Workman's Comp	2,355
Payroll Expenses-Other	
Total PAYROLL EXPENSES	713,755
POSTAGE EXPENSE	
Postage/Shipping/Delivery Service	6,500
Postage Meter and Supplies	2,000
Total POSTAGE EXPENSE	8,500
PRINTING (Non-PR...Envelopes...)	7,000
PROGRAMS	
Hydrogeological Modeling/Protection	1,000
Strategic Planning Comprehensive Study	
LBG - Guyton & Associates	
Mullican & Associates	
USGS JOINT FUNDING AGREEMENT	
USGS -	
USGS - Groundwater Level Data	73,500
USGS - Water Level change/subsidence	78,000
USGS - Water Quality Recon/Catahoula	79,875
Total PROGRAMS	232,375
REBATE WATER USE FEES	25,000
RESERVE FUNDS - Expense	
TRAVEL/TRAINING STAFF	7,500
Total Expense	$ 2,201,053
Other	
DEPRECIATION	50,000
NET INCOME	$ 176,597

Exhibit "C"

RESOLUTION NO. #19-005

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT APPROVING MEDIA POLICY

THE STATE OF TEXAS §
§
LONE STAR GROUNDWATER CONSERVATION DISTRICT §

WHEREAS, the Lone Star Groundwater Conservation District ("District") was created by the Texas Legislature through the enactment of House Bill 2362, Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (together with subsequent legislative amendments, the "Act"), pursuant to the authority of Article XVI, § 59 of the Texas Constitution, as a groundwater conservation district operating under Chapter 36, Texas Water Code, Section 59, Article XVI of the Texas Constitution, and the Act;

WHEREAS, the District's Board of Directors ("Board") seeks to establish standard operating procedures for conduct and communications related to the media;

WHEREAS, the Board has reviewed a draft Media Policy at the District's meeting on April 9, 2019;

WHEREAS, the Board seeks to adopt the Media Policy attached as Attachment A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Lone Star Groundwater Conservation District that the Media Policy is adopted, and that a copy of this resolution shall be posted on the District's website and in its office.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 9th day of April 2019.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Webb Melder, President

ATTEST:

_____
Stuart Taylor, Board Secretary

LONE STAR GROUNDWATER CONSERVATION DISTRICT
TEXAS
MONTGOMERY COUNTY, TEXAS

ATTACHMENT "A"

LONE STAR GROUNDWATER CONSERVATION MEDIA POLICY

1. Introduction.

This Media Policy ("Policy") of the Lone Star Groundwater Conservation District ("District") is duly adopted by the District Board of Directors in order to establish prudent and acceptable practices regarding District employees' and Board members' (collectively referred to as "District representatives") conduct and communications related to the press media and social media in all forms. Social media means any tool for online publication and commentary including without limitation blogs, wikis, Facebook, LinkedIn, Twitter, Flickr, Instagram, and YouTube. The District is committed to effective and transparent communications utilizing all media platforms.

2. Purpose and Application.

Pursuant to the District Enabling Act, the District is a "body politic and corporate"[1] and therefore has a legitimate government interest in unified, efficient, and consistent communications with and to the public, whether through the press or through social media. The District also strives to maintain the goodwill and reputation of the District among its citizens or in the community, and to provide the proper level of due process required under the law on all decisions of the District. This Policy applies to District employees while both on and off duty, and District employees must also adhere to the District's Personnel Policy in conjunction with this Policy. This Policy applies to District Board members in their capacities as both individual members of the community and as a District official.

3. Disclaimer.

(a) Pursuant to this Policy, the District disavows, and is not responsible for any sites, posts, opinions, content, or other communications not coordinated through and approved in accordance with the procedures set forth in this Policy.

(b) If a District representative posts or provides information purporting to be on behalf of the District while using a social media site or speaking to the media without first coordinating such information with the General Manager, the District is not responsible for any such posted content, and such content is not to be construed as reflecting the views or opinions of the District.

(c) It shall be a violation of this Policy for any District employee to post content or make a statement to the media as a representative of the District, or on the District's behalf, without taking the required steps and receiving approval under Section 4 herein. Any such violation shall be grounds for disciplinary action in accordance with the District's Personnel Policy.

(d) The absence of explicit reference herein to a particular site or media platform does not limit the extent of the application of this Policy.

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[1] Section 1, Chapter 1321, Acts of the 77th Texas Legislature, Regular Session, 2001.

4. General Guidelines.

(a) All official statements of the District shall first be coordinated with the General Manager and Board President prior to any written or verbal statement being made to the press media or social media. Approval or denial of any statement shall be communicated to the District representative requestor in writing from the General Manager or Board President.

(b) A District representative that posts or provides comments related to District business, but not as an approved statement of the District under Subsection (a) of this Section 4, shall explicitly provide the disclaimer that he/she is speaking on his/her own behalf, and not on behalf of the District by providing the following statement: "This statement is my own personal view, and does not necessarily represent a position held by the District or the District Board of Directors."

(c) District representatives shall refrain from communicating confidential information to any individual that is not a District representative.

(d) District representatives shall alert the General Manager or General Counsel if he/she sees a misrepresentation made about the District in press media or social media. If a District representative is accused by anyone of posting something improperly, he/she shall inform the General Manager or General Counsel of the situation promptly in order to determine the next best steps and to quickly resolve the situation.

(e) District representatives shall notify the General Manager of any requests to speak in the community as a representative of the District. If the speaking engagement is accepted, the District representative shall coordinate the content of the engagement with the General Manager.

5. Guidelines for Official District Sites.

(a) All District-sanctioned social media sites shall be maintained by the District General Manager, or his/her designee. Any content to be posted on District-sanctioned social media sites must meet the approval of the General Manager before it is to be posted.

(b) All District representatives that engage in social media activities and/or visit any District-sanctioned social media site on the District's behalf shall adhere to applicable federal, state and local laws, regulations and policies, including the Texas Public Information Act and the records retention schedule. All content must be managed, stored, and retrieved to comply with these laws.

(c) Any content posted as representative of the District or content posted to a District-sanctioned social media site containing any of the following is prohibited:

(1) Comments unrelated to the particular site or blog article being commented upon;
(2) Profane language or content;
(3) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability;
(4) Sexually explicit content or language;
(5) Conduct or encouragement of illegal activity;
(6) Information that may tend to compromise the safety or security of the public or public systems;
(7) Content that violates a legal ownership interest of any other party;
(8) Information that is incorrect or misleading;
(9) Information that is in conflict with an approved District policy, ordinance, directive, plan, or reveals confidential information; and/or
(10) anything else that creates a disruption in the District workplace.

(d) Content submitted for posting on a District-sanctioned social media site that is deemed unsuitable for posting by the General Manager and Board President because it violates criteria in the preceding item of this Policy shall be retained pursuant to the Texas Public Information Act and the District's records retention schedule.

6. Amendments to Policy.

(a) All amendments to this Policy shall be made only upon approval of a majority of the District Board of Directors.