

# Victoria County Groundwater Conservation District



**Directors:**

Mark Meek  
President

Jerry Hroch  
Vice-President

Barbara Dietzel  
Secretary

Thurman Clements  
Kenneth Eller

## NOTICE OF SPECIAL CALLED MEETING

### VICTORIA COUNTY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS

NOTICE IS GIVEN IN ACCORDANCE WITH CHAPTER 551-Government Code (V.T.C.A.) Texas Open Meetings Act that the Victoria County Groundwater Conservation District Board of Directors will hold a meeting on  
**Friday, February 6, 2009 at 8:00 A.M. at the  
Pattie Dodson Center, Health Dept., Classroom A #108,  
2805 N. Navarro St, Suite 210, Victoria, Texas, 77901.**

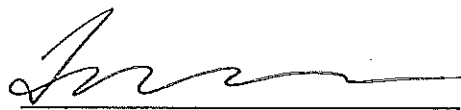
#### AGENDA

1. Call to Order.
2. Welcome Guests.
3. Public Comment.

**Consider and/or take Action on:**

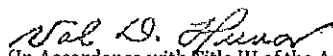
4. RFQ for Professional Services: Authorization to Negotiate Contract Terms
5. Update on Well Drilling Application Approval Process
6. Closed Meeting: Pursuant to V.T.C.A. Government Code 551.071 to conduct private consultation with VCGCD attorney regarding matters protected by the Attorney-Client privilege or V.T.C.A. Government Code regarding personnel.
7. Open Meeting: Pursuant to V.T.C.A. Government Code 551.102 return to open meeting and take any action deemed necessary based upon discussion in closed meeting.
8. Adjourn.

**FILED**

  
Tim Andruss, General Manager

2/2/09

2009 FEB -3 AM 01:00

  
Wal D. Spina  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

72 Hour Notice February 2, 2009

(In Accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations to be made. Please submit your request as far as possible in advance of programs you wish to attend.)

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>1</b>
<b>Item Title:</b>	<b>Call to order and Pledge of Allegiance</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>2</b>
<b>Item Title:</b>	<b>Welcome Guests</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>3</b>
<b>Item Title:</b>	<b>Public Comment</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>4</b>
<b>Item Title:</b>	<b>RFQ for Professional Services: Authorization to Negotiate Contract Terms</b>
<b>Management Discussion:</b>	<p>The Board authorized the publication of the RFQ on December 19, 2008.</p> <p>Notice of the RFQ was placed in the Victoria Advocate as well as the District's website. In addition, notices were sent directly to the following firms/individuals: Robert Keir, TCB-AECOM, Pastor, Behling and Wheeler, AD Environmental Services, Dr. Howard Clark, URS, Daniel B. Stephens &amp; Associate, TRC, LBG-Guyton Associates, and Joe Vickers.</p> <p>The District received submittals from the following firms: TCB-AECOM, SwRI, PBW, LBG-GA, DBS&amp;A.</p> <p>All submittals were considered responsive.</p> <p>The evaluation of the submittals was performed by Dr. Uddameri and Tim Andruss, General Manager.</p> <p>All firms are qualified and have the experience, skills, and ability to provide the type of services being sought. See attached evaluation sheet.</p> <p>Based on the relative ranking of respondents and Dr. Uddameri's feedback, PBW (Matt Wickham) was identified as staff's preferred respondent. Matt Wickham and his firm have a local office and have provided services to various industry within our area. PBW, although a small firm, has demonstrated through their proposal that they have both the resources and desire to support the District as we move forward in the development of District programs and deal with day-to-day hydrogeologic issues.</p> <p>In the event that PBW would not be able to provide the necessary services in the future or the District felt another firm was better qualified to provide the required services, the District would be able to contact any of the responding firms to seek their assistance.</p> <p>In exercise of due diligence, three client references were contacted regarding PB&amp;W work performance. Each reference highly recommended PB&amp;W and Matt Wickham in particular. See attached evaluation sheet.</p>
<b>Management Recommendation:</b>	Move to accept management's recommendation of Pastor, Behling and Wheeler as the preferred respondent and authorize the District's general manager and attorney to negotiate contract terms to be presented to the Board at a future meeting for approval and contract execution.
<b>Financial</b>	

**Details:**

**Related Documents:**

*Document Title:* 4.1 - Evaluation Sheet

*Document File:*



4.1 - RFQ 2008012-19-  
A - Submittal Evaluation  
Worksheet and  
Reference Feedback.pdf  
Adobe Acrobat Document  
61.6 KB




		Respondent 1	Respondent 2	Respondent 3	Respondent 4	Respondent 5
				<b>PBW</b>		
Requirement 1	Name and Qualification of Team	Present	Present	Present	Present	Present
Requirement 2	List of Relevant Projects and Contacts	Present	Present	Present	Present	Present
Requirement 3	Portfolio of Past Work	Present	Present	Present	Present	Present
Requirement 4	Statement of Opportunities and Challenges	Present	Present	Present	Present	Present
	<b>Responsive (Yes / No):</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

Evaluataion Criteria 1	Experience/Success in Related Projects (25%)	24	24	24	24	23
Evaluataion Criteria 2	Ability, Capacity, Skill, Organization (25%)	25	25	25	25	24
Evaluataion Criteria 3	Quality of Deliverables (25%)		25	25		
Evaluataion Criteria 4	Reputation, Efficiency, and Location (25%)	23	24	25	23	23
	<b>Total Score:</b>	<b>72</b>	<b>98</b>	<b>99</b>	<b>72</b>	<b>70</b>
	<b>Cummulative Score for Criteria 1,2,4</b>	<b>72</b>	<b>73</b>	<b>74</b>	<b>72</b>	<b>70</b>

Note: Only two respondents provided examples of project deliverables in their RFQ submittal. This criteria would not affect the overall ranking of respondents.

Preferred Respondent	PBW (Matt Wickham)	Contact 1	Contact 2	Contact 3
Reference Question 1	Did the respondent successfully complete their projects within the established schedule and budget?	Yes	Yes	Yes
Reference Question 2	Did the respondent deliver the requested products (reports, etc) and were the product of high quality? Free from Errors?	Yes	Yes	Yes
Reference Question 3	Did the respondent demonstrate an ability to adapt to the change in situation as the project progressed?	Yes	Yes	Yes
Reference Question 4	Did the respondent respond quickly and communicate effectively with other project staff?	Yes	Yes	Yes

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>					
<b>Item ID:</b>	<b>5</b>				
<b>Item Title:</b>	<b>Update on Well Drilling Application Approval Process</b>				
<b>Management Discussion:</b>	<p>The District's rules became effective on December 22, 2008.</p> <p>The District sent letters to local water well drillers on December 30, 2008 explaining that the District's rules were in effect. The District ran an advertisement and a legal notice from January 5, 2009 to January 11, 2009 in the Victoria Advocate.</p> <p>The District has received 16 applications for drilling exempt wells.</p> <p>A number of well drillers have raised concerns about the District's rules regarding spacing requirement and completion standards. In particular, the drillers suggest that the District's rules that may have a substantial and (possibly) unintended negative impact on well owners.</p> <p>Included in this packet is a summary comparison of the District's rules to the rules of Texas Department of Licensing and Regulation and other local GCDs (Refugio GCD, Pecan Valley GCD, Goliad County GCD, Fayette County GCD).</p>				
<b>Management Recommendation:</b>	Instruct the District's general manager and attorney to gather feedback from the stakeholders, evaluate the legal impacts, and draft alternate rules for the board consideration that, to an acceptable degree in their judgment, mitigate the identified problems and support the District's mission to protect the groundwater resources of Victoria County.				
<b>Financial Details:</b>					
<b>Related Documents:</b>	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"><i>Document Title:</i></td> <td>Comparison of VCGCD Rules to TDLR and ot...</td> </tr> <tr> <td><i>Document File:</i></td> <td> <div style="text-align: center;">                       5.1 - VCGCD Well Location and Completion Requirements - Comparisons to other local GCDs and TDLR requirements..pdf                      Adobe Acrobat Document                      17.7 KB                 </div> </td> </tr> </table>	<i>Document Title:</i>	Comparison of VCGCD Rules to TDLR and ot...	<i>Document File:</i>	<div style="text-align: center;">                       5.1 - VCGCD Well Location and Completion Requirements - Comparisons to other local GCDs and TDLR requirements..pdf                      Adobe Acrobat Document                      17.7 KB                 </div>
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## Minimum Spacing from a Property Line

- **VCGCD Rule 4.2.1** requires a 50 foot offset from property lines.
  - **RGCD Rule 7.2.1:** similar language; more restrictive (25,000gpd, 150' for non-exempt wells)
  - **PVGCD Rule 5.1:** similar language; more restrictive (100' offset)
  - **GCGCD Rule 12.7.1:** similar language; more restrictive in some cases (135' or 50')
  - **FCGCD Rule 6.1.1:** similar language (FCGCD Rule 6.3: Minimum Tract Size is 5 acres; Grandfathered Existing Properties < 5 acres)
- **VCGCD Rule 4.2.4** allows for exception to be made when (1) adjacent property owners provide waivers or (2) when good cause is shown and the board exercises its discretion.
- **VCGCD Rule 7.1.4** allows a grandfathered well to be replaced such that the new well "shall not be drilled in a location that increases the degree to which the original well violated the spacing requirements for new wells."
  - **RGCD Rule 11.1.c:** similar language; more restrictive (100 feet of grandfathered well)
  - **PVGCD Rule 11.1.d:** similar language; more restrictive (30 feet of grandfathered well)
  - **GCGCD Rule 13.1.d:** similar language; more restrictive (30 feet of grandfathered well, definition of grandfathered well)
  - **FCGCD Rule 9.12.20:** replacement well must be on same property; less restrictive than VCGCD
  - **TDLR Rule 76.1000(a)(4)** requires a well to be located at least 50 feet from property lines.
  - **TDLR Rule 76.1000(a)(2)** allow a well cemented to 100 feet to be located up to 5 feet from the property line.

# Minimum Spacing from Sources of Contamination

- **VCGCD Rule 4.2.2** requires well locations to meet state and county requirements.
  - **RGCD Rule 7.2.2:** same language
  - **GCGCD Rule 12.7.2:** similar language
- **VCGCD Rule 8.2.1** requires that a well must be located a minimum horizontal distance of 100 feet from any watertight sewage collection system or liquid-waste collection facility.
  - **RGCD Rule 12.2.a:** same language
  - **PVGCD Rule 12.2.a:** similar language; more liberal (60' offset)
  - **GCGCD Rule 14.2.a:** similar language; more liberal (50' offset)
  - **FCGCD Rule 13.2.1:** similar language; more liberal (50' offset)
  - **TDLR Rule 76.1000(a)(3)** requires a well to be located at 50 feet from any watertight sewage collection system or liquid-waste collection facility.
  - **TDLR Rule 76.1000(a)(4)** requires a well to be located at least 100 feet from septic systems etc.
- **VCGCD Rule 8.2.2** requires that a well must be located a minimum horizontal distance of 100 feet from any potential source of contamination, such as existing or proposed livestock or poultry yards, privies, and septic system absorption fields.
  - **RGCD Rule 12.2.b:** same language
  - **PVGCD Rule 12.2.b:** same language
  - **GCGCD Rule 14.2.b:** similar language; more restrictive (150' offset); less restrictive (does not reference absorption fields)
  - **FCGCD Rule 13.2.2:** same language
  - **TDLR Rule 76.1000(a)(4)** requires a well to be located at least 150 feet from a concentrated source of contamination.
  - **TDLR Rule 76.1000(a)(1)** allows the minimum horizontal distance to contamination sources to be reduced to 50 feet if the well is cemented to 100 feet below the surface.

## Completion Standards for Wells

- **VCgcd Rule 8.3.1** requires the annular space of all wells to be grouted or cemented to 100 feet or the top of the water sand.
  - **RGCD Rule 12.3.a:** same language
  - **PVgcd Rule 12.3.a:** similar language; more liberal (only require 10' of cementing/grouting)
  - **TDLR Rule 76.1000(a)** requires well to be completed to both TDLR standards and the GCD standard.
  - **TDLR Rule 76.1000(a)(1)** requires the annular space of all wells to be grouted or cemented to 10 feet below the surface. Various alternative requirements are presented related to contamination source proximity.
- **VCgcd Rule 8.3.2-4** requires all wells to have a concrete slab or sealing block.
  - **RGCD Rule 12.3.b-d:** same language
  - **PVgcd Rule 12.3b-d:** same language
  - **TDLR Rule 76.1000(c)(2)** apparently allows for a slab to be avoided if steel or PVC sleeve is used in conjunction with steel casing or pitless adapter.

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>6</b>
<b>Item Title:</b>	<b>Closed Meeting: Pursuant to V.T.C.A. Government Code 551</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>7</b>
<b>Item Title:</b>	<b>Open Meeting: Pursuant to V.T.C.A. Government Code 551</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	

Meeting Management - Pre-Meeting Detail View

<b>Meeting Item Details</b>	
<b>Item ID:</b>	<b>8</b>
<b>Item Title:</b>	<b>Adjourn</b>
<b>Management Discussion:</b>	
<b>Management Recommendation:</b>	
<b>Financial Details:</b>	
<b>Related Documents:</b>	