



Edwards Aquifer Authority

900 E. Quincy
San Antonio, TX 78215
EdwardsAquifer.org

Meeting Minutes - Draft

Board of Directors

*Enrique Valdivia, Chairman Rachel Sanborn, Vice-Chairman
Ben Youngblood, Secretary Byron Miller, Treasurer*

Tuesday, June 11, 2024

1:00 PM

EAA Board Room

A. Call to Order – Roll Call – Pledge of Allegiance

Vice-Chairman Sanborn called the meeting to order at 1:00 p.m.

- Present:** 12 - Director Bruce Alexander, Director Deborah Carington, Director Matthew Hoyt, Director Kathleen Krueger, Director Gary Middleton, Treasurer Byron Miller, Director Carol Patterson, Director Russell Persyn, Director Abe Salinas, Vice Chair Rachel Sanborn, Director Scott Yanta and Secretary Ben Youngblood
- Absent:** 5 - Director Don Baker, Director Rader Gilleland, Director Maggie Hutchins, Director Randall Perkins and Chair Enrique Valdivia

B. Public Comment

There were no citizens who requested to address the board.

C. General Manager's Announcements and Reports

C.1

- Staffing Items of Interest (anniversaries, new hires)
- Recent Activities/Events (reports on conferences attended, meetings held, etc.)
- Legislative Activity
- Upcoming Activities/Events (conferences, meetings, etc.)
- Operational Announcements (schedule changes, program updates, etc.)
- Recent Activities of the Edwards Aquifer Habitat Conservation Program
- Aquifer Conditions

Mr. Roland Ruiz, General Manager, made the following announcements:

- *Ms. Raquel Garza, Senior Director, completed 25 years of service with the EAA.*
- *Discussions were ongoing regarding the potential development of a regional aquifer storage and supply project for Medina County and the EAA's role is that of technical resource and facilitator as necessary. The proposed project was approved for feasibility analysis by the Region L Planning Group for consideration in the next state water plan.*
- *This being an even numbered year, staff would be engaged in the following reporting processes of note: (1) the SCTWAC biennial assessment of the effectiveness of the EAA; and (2) the EAA report to the Edwards Aquifer Legislative Oversight committee. This was also a year in which staff would provide an agenda of legislative priorities for the coming legislative session.*
- *Mr. Paul Bertetti, Director of Aquifer Science, briefed the board on current aquifer conditions.*

D. Treasurer's Report

D.1 Receive report from EAA staff on unaudited financial statements for April 2024.

The board did not have any questions for Treasurer Miller regarding the unaudited financial statements for April 2024.

E. Board Reports

E.1 Receive report from Director Gary Middleton, South Central Texas Water Advisory Committee (SCTWAC) representative to the board, regarding downstream water conditions of the Guadalupe River Basin and current activities and issues of interest to SCTWAC.

Director Gary Middleton, South Central Texas Water Advisory Committee (SCTWAC), briefed the board regarding downstream water conditions and noted that conditions continue to be dry and are still behind normal levels.

E.2 Board Policy Briefing - Section 1.14 of the EAA Act

Mr. Darcy Frownfelter, General Counsel, briefed the board regarding Section 1.14 of the EAA Act, including requirements contained therein.

Vice-Chairman Sanborn noted that agenda item E.3 would be taken out of order on the agenda and considered after agenda item G.4.

F. Consent Agenda

**F.1 Approval of previous board meeting minutes
- Regular Board Meeting - May 14, 2024**

*Approval of previous board meeting minutes
- Regular Board Meeting - May 14, 2024*

F.2 Consider recommendation from the Executive Committee to approve a contract with Valley View Consulting, L.L.C., for investment advisory services, in an amount not to exceed \$50,000.

Adopt Resolution and Order No. 06-24-091 of the Edwards Aquifer Authority Board of Directors approving the renewal of Contract No. 22-015-AFS between the EAA and Valley View Consulting, L.L.C., to serve as the EAA investment advisor, in an amount not to exceed \$50,000, for the period July 1, 2024 through June 30, 2026.

[Attached and made a part of these minutes.]

- F.3 Consider recommendation from the Executive Committee to approve payment to Kemp Smith, in the amount of \$34,750, for legal services for April 2024.**

Approve payment to Kemp Smith, in the amount of \$34,750.00, for legal services for April 2024.

A motion was made by Treasurer Miler, seconded by Director Persyn, to approve the consent agenda. The motion passed without opposition.

G. Individual Consideration

- G.1 Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.**

Mr. Omar Garcia, Water Resources Manager, briefed the board regarding a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.

A motion was made by Director Yanta, seconded by Treasurer Miller, the board adopt a Final Order Granting Application to Convert Base Irrigation Groundwater to Unrestricted Irrigation Groundwater based on changes in land use submitted by KB Home Lone Star Inc. The motion passed without opposition.

[Attached and made a part of these minutes.]

- G.2 Consider recommendation from the Permits/Enforcement Committee to approve ASR springflow protection program forbearance agreements with Charles Joseph Zinsmeyer and Lyle N. Riff for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$29,855.20.**

Mr. Javier Hernandez, Special Projects Liaison, briefed the board regarding ASR springflow protection program forbearance agreements with Charles Joseph Zinsmeyer and Lyle N. Riff for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan.

A motion was made by Secretary Youngblood, seconded by Director Yanta, the board approve springflow protection program forbearance agreements with Charles Joseph Zinsmeyer and Lyle N. Riff with the EAA for the Aquifer Storage and Recovery Program in support of the Edwards Aquifer Habitat Conservation Plan and authorize the General Manager to execute the agreement. The motion passed without opposition.

- G.3 Consider recommendation from the Permits/Enforcement Committee to approve forbearance agreements with Martha Watkins Hardesty; Fred J. Yanta; and Stull Farms, a Texas General Partnership, d/b/a Stull Farms for Edwards groundwater withdrawal rights for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of not less than \$84,283.20, and not to exceed \$334,011.20.**

Mr. Hernandez briefed the board regarding forbearance agreements with Martha Watkins Hardesty; Fred J. Yanta; and Stull Farms, a Texas General Partnership, d/b/a Stull Farms for Edwards groundwater withdrawal rights for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.

A motion was made by Director Persyn, seconded by Director Carington, the board adopt Resolution and Order No. 06-24-093 of the Edwards Aquifer Authority Board of Directors to approve VISPO forbearance agreements for permitted Edwards groundwater rights between the EAA and: (1) Martha Watkins Hardesty; (2) Fred J. Yanta; and (3) Stull Farms, a Texas General Partnership, d/b/a Stull Farms in the total amount of not less than \$84,283.20, and not to exceed \$334,011.20, for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan, and authorizing the General Manager to execute the Agreements. Director Yanta abstained from the vote on the motion. The motion passed without opposition.

[Attached and made a part of these minutes.]

- G.4 Consider recommendation from the Executive Committee to approve an Edwards Aquifer Habitat Conservation Plan FY2024 Funding Application Amendment submitted by the Edwards Aquifer Authority and associated 2024 EAA Operating Budget amendment by increasing the Habitat Conservation Plan fund by \$614,993.**

Mr. Damon Childs, Contract Administrator, briefed the board regarding an Edwards Aquifer Habitat Conservation Plan FY2024 Funding Application Amendment submitted by the Edwards Aquifer Authority and associated 2024 EAA Operating Budget amendment by increasing the Habitat Conservation Plan fund.

A motion was made by Director Hoyt, seconded by Director Yanta, the board adopt Resolution and Order No. 06-24-094 of the Edwards Aquifer Authority Board of Directors approving an amendment to the Edwards Aquifer Habitat Conservation Plan FY2024 EAA Funding Application increasing the funding request from \$19,102,238 to \$ 19,717,231 and amending the 2024 EAA Operating Budget accordingly. The motion passed without opposition.

[Attached and made a part of these minutes.]

E.3 Receive report from EAA staff regarding the EAA's modeled conditions and projections for the EAHCP Permit Renewal.

Mr. Paul Bertetti, Director of Aquifer Science, briefed the board regarding the EAA's modeled conditions and projections for the EAHCP Permit Renewal.

H. Staff Reports

I. Closed Session

The Board of Directors of the Edwards Aquifer Authority may go into a closed session under the authority of the Government Code, Chapter 551, Texas Open Meetings Act, to discuss:

I.1 Closed Session

1. Consultation with Attorney - Pending Litigation (§ 551.071)
2. Consultation with Attorney - Attorney/Client Privileged Consultations (§ 551.071)
3. Consultation with Attorney - Settlement Offers (§ 551.071)
4. Deliberations Regarding Real Property (§ 551.072)
5. Deliberations Regarding Personnel Matters (§ 551.074)
6. Deliberations Regarding Security Devices or a Security Audit (§§ 551.076, 551.089)

The board did not meet in closed session.

J. Consider recommendation(s) regarding matters discussed in closed session.

The board did not consider any recommendations.

K. Future Board Meeting Agendas

The board did not discuss future board meeting agenda items.

L. Adjournment

There being no further business to discuss, the meeting adjourned at 2:59 p.m.

*Benjamin F. Youngblood III
Secretary, Board of Directors*

*Jennifer Wong-Esparza
Assistant to Board Secretary*