



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

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

Tuesday, July 9, 2024

1:00 PM

EAA Board Room

Pursuant to the Texas Open Meetings Act, Ch. 551, Texas Government Code, a meeting of the Board of Directors of the Edwards Aquifer Authority will be held on the date, time, and location stated above. Board members may participate by video conference consistent with Section 551.127 of the Texas Government Code and Section 7.09 of the EAA Bylaws.

The public may also attend the live meeting virtually by going to <https://edwardsaquifer-org.zoom.us/j/93330844285>. Individuals wishing to offer public comment remotely must register their name, telephone number and the item, if any, on which they wish to speak no later than 4:00 pm Monday, July 8, by emailing jesparza@edwardsaquifer.org or by calling 210.222.2204. Staff will contact registered speakers prior to the meeting time to arrange the process of addressing the board.

AGENDA

- A. Call to Order – Roll Call – Pledge of Allegiance
- B. Public Comment
- 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
- D. Treasurer's Report
 - D.1 Receive report from EAA staff on unaudited financial statements for May 2024.
- E. Board Reports

F. Consent Agenda

- F.1** Approval of previous board meeting minutes
- Regular Board Meeting - June 11, 2024
- F.2** Consider recommendation from the Finance/Administrative Committee to amend the 2024 EAA Operating Budget by increasing the Next Generation Fund appropriation by \$45,471.
- F.3** Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith, in the amount of \$50,760.76, for legal services for May 2024.
- F.4** Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by Continental Homes of Texas, L.P.
- F.5** Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by LEC Legacy, Ltd.

G. Individual Consideration

- G.1** Receive update from EAA staff on current re-branding initiatives and consider possible action to approve a logo redesign.
- G.2** Consider recommendation from the Permits/Enforcement Committee to approve ASR springflow protection program forbearance agreements with Cecile Tindall Graham; Dan Kinsel Trustee of the DL Kinsel Family Trust; Bishop Farms, LTD. & KWB Management, L.L.C.; Oblate School of Theology, a Texas Non-Profit Corporation; Suzanne E. Turk; and Thomas O. Persyn for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$267,157.20.
- G.3** Consider recommendation from the Permits/Enforcement Committee to approve forbearance agreements with Michael T. Adamek and Kristen J. Adamek; Bishop Farms, LTD. & KWB Management, L.L.C.; John Aviel Persyn; and Mark A. Nester 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 \$176,457.31, and not to exceed \$699,293.79.

- G.4** Consider recommendation from EAA staff calling for the election of seven voting members to the EAA Board of Directors from seven single-member districts within the boundaries of the EAA to be held on November 5, 2024.
- G.5** Consider recommendation from EAA staff to approve a Joint Election Agreement between the Bexar County Elections Administrator, acting on behalf of Bexar County, and other political subdivisions, including the Edwards Aquifer Authority, for the conducting of joint elections by the political subdivisions, including for the 2024 general directors election of the Edwards Aquifer Authority.
- G.6** Consider recommendation from the Executive Committee to approve a Services Agreement between the Edwards Aquifer Authority and the Edwards Aquifer Conservancy.
- G.7** Receive report from EAA staff and consider potential action regarding the EAA's 2024 Agriculture Conservation Equipment Grant program and related funding.
- G.8** Receive report from EAA staff related to metered and unpermitted withdrawals from the Edwards Aquifer and consider further enforcement action on well owners who fail to resolve these unauthorized groundwater withdrawals, thus resulting in a violation of EAA rules.

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)

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

K. Future Board Meeting Agendas

L. Adjournment

July 3, 2024

Jennifer Wong-Esparza
Assistant to Board Secretary

In this Notice of Open Meeting ("Notice"), the posting of an agenda item to be discussed in open session is not intended to limit or require discussion of that item in open session if it is otherwise appropriate to discuss the item in closed session. If, during the discussion of an agenda item posted for discussion in open session, a matter is raised that is appropriate for discussion in closed session, the Board may, as permitted by the Texas Open Meetings Act, adjourn into closed session to deliberate on the matter. Additionally, the posting of an agenda item to be discussed in closed session is not intended to limit or require discussion of that item in closed session if it is otherwise appropriate to discuss the item in open session. In open session, the Board may discuss and take action on any agenda item for which notice has been given in this Notice, including an agenda item posted for closed session. In no event, however, will the Board take action on any agenda item in closed session.