



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, April 13, 2021

4:00 PM

Via Teleconference

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.

In response to the COVID-19 crisis and in accordance with section 418.016 of the Texas Government Code, Governor Greg Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. To protect the health of the public, EAA staff and Board of Directors, this meeting will be conducted via teleconference in a manner consistent with these streamlined meeting standards.

The public may virtually attend the live meeting by going to <https://us02web.zoom.us/j/86714424598>. Individuals wishing to offer public comment during the meeting must register their name, telephone number and the item, if any, on which they wish to speak no later than 5:00 pm Monday, April 12, by emailing jesparza@edwardsaquifer.org or by calling 210.477.5116. Staff will contact registered speakers prior to the meeting time to arrange the process of addressing the committee.

AGENDA

- A. Call to Order – Roll Call
- B. Interview, select and appoint a candidate for EAA Director District 5
 - B.1 Interview, select and appoint a candidate to fill the unexpired term for EAA Director District 5.
- C. Administer Oath of Office
- D. Public comment.
- E. General Manager's announcements and reports.

- E.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

F. Treasurer's Report

- F.1** **Receive report from EAA staff on unaudited financial statements for February 2021.**

G. Board Reports

- G.1** **Receive report from EAA staff on potential development of a model to further evaluate and prioritize conservation easements for properties located in the Edwards Aquifer contributing and recharge zones.**

H. Consent Agenda

- H.1** **Approval of previous board meeting minutes**
 - Regular Board Meeting - March 9, 2021
- H.2** **Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2021 Funding Application Amendment submitted by the Edwards Aquifer Authority and associated 2021 EAA Operating Budget amendment by increasing the Habitat Conservation Plan fund by \$44,767.**
- H.3** **Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for February 2021.**

I. Individual Consideration

- I.1** **Receive report from independent auditor, RSM LLP, and consider recommendation from the Finance/Administrative Committee to accept the audit report for the 12-month period of January 1, 2020 through December 31, 2020.**
- I.2** **Consider recommendation from EAA staff to approve a compliance agreement related to the underground tank system at North Central Baptist Hospital and Tenet Healthcare System.**

- I.3 Consider recommendation from EAA staff to ratify the General Manager's rescission of an ASR springflow protection program forbearance agreement with Gilbert and Eloisa F. Barrera and Maribel Barrera.
- I.4 Consider EAA staff recommendation to approve an application to convert base irrigation groundwater owned by Pulte Homes of Texas, L.P. and HDC Westlakes, LLC, based on a change in land use.
- I.5 Consider EAA staff recommendation to approve an application to convert base irrigation groundwater owned by Pulte Homes of Texas, L.P. and HDC Westlakes, LLC, based on a change in land use.

J. Staff Reports

- J.2 Receive report from EAA staff on the status of the 2021-30 strategic plan.
- J.1 Receive report from EAA staff on proposed amendments to the Edwards Aquifer Authority Bylaws.

K. 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:

K.1 Closed Session.

1. Consultation with Attorney - Pending Litigation (§ 551.071)

Active Litigation:

Gonzales v. Mendez (285th Bexar Cty. filed Sept. 20, 2018; EAA intervened May 8, 2019)

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)

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

M. Discuss items for future board meeting agendas.

N. Adjournment.

April 8, 2021

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.