



Edwards Aquifer Authority

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

Meeting Minutes - Draft

Board of Directors

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

Tuesday, February 11, 2025

1:00 PM

EAA Board Room

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

Chairman Valdivia called the meeting to order at 1:00 p.m.

Present: 16 - Director Steve Cargil, Director J Carnes, Director Deborah Carington, Director Rader Gilleland, Director Stuart Hansmann, Director Matthew Hoyt, Director Maggie Hutchins, Director Gary Middleton, Treasurer Byron Miller, Director Carol Patterson, Director Randall Perkins, Director Abe Salinas, Vice Chair Rachel Sanborn, Chair Enrique Valdivia, Director Scott Yanta and Secretary Ben Youngblood

Absent: 1 - Director Russell Persyn

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:

- Mr. Kyle Craig, Recharge Zone Regulation Supervisor, completed 10 years of service with the EAA.
- Ms. Jessica Quintanilla, Aquifer Science Research Supervisor, completed 10 years of service with the EAA.
- Ms. Jennifer Wong-Esparza, Assistant to Board Secretary, completed 25 years of service with the EAA.
- Directors were reminded about the Board Work Session scheduled for May 15-16, 2025.
- 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 December 2024.

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

E. Board Reports

F. Consent Agenda

**F.1 Approval of previous board meeting minutes
 - Regular Board Meeting - January 14, 2025**

*Approval of previous board meeting minutes
 - Regular Board Meeting - January 14, 2025*

F.2 Consider recommendation from the Finance/Administrative Committee to declare certain personal property of the EAA to be surplus and to authorize the disposal of the surplus property.

Adopt Resolution and Order No. 02-25-117 of the Edwards Aquifer Authority Board of Directors declaring certain personal property of the EAA to be surplus and authorizing the General Manager to sell or otherwise dispose of the surplus property.

[Attached and made a part of these minutes.]

F.3 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith, in the amount of \$30,505, for legal services for December 2024.

Approve payment to Kemp Smith, in the amount of \$30,505, for legal services for December 2024.

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

G. Individual Consideration

G.1 Consider recommendation from EAA staff to approve a conversion of base irrigation groundwater owned by KB Home Lone Star, LP et al.

Mr. Tamauj Thomas, Senior Permit & Conservation Coordinator, briefed the board regarding a conversion of base irrigation groundwater owned by KB Home Lone Star, LP et al.

A motion was made by Director Gilleland, seconded by Director Yanta, 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, LP et al. The motion passed without opposition.

[Attached and made a part of these minutes.]

G.2 Consider recommendation from EAA staff to approve a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.

Mr. Thomas briefed the board regarding a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.

A motion was made by Director Gilleland, seconded by Director Yanta, 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.3 Consider recommendation from EAA staff to approve a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.

Mr. Thomas briefed the board regarding a conversion of base irrigation groundwater owned by KB Home Lone Star Inc.

A motion was made by Director Perkins, seconded by Director Patterson, 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.4 Consider recommendation from the Finance/Administrative Committee to approve a contract with PNC Bank, for central depository services, for an initial period of March 1, 2025 - February 28, 2027, with an option to renew for three additional one-year periods.**

Ms. Shelly Hendrix, Director/Controller Financial Services, introduced Ms. Emily Upshaw, Valley View Consulting.

Ms. Upshaw briefed the board regarding the review of proposals received for central depository services and the approval for the contract with PNC Bank for central depository services.

A motion was made by Treasurer Miller, seconded by Director Patterson, the board adopt Resolution and Order No. 02-25-118 of the Edwards Aquifer Authority Board of Directors approving a contract between the EAA and PNC Bank, for central depository services for the period March 1, 2025 through February 28, 2027, with an option to renew for up to three additional one-year periods, and authorizing the General Manager to execute all necessary documents to effectuate the contract. The motion passed without opposition.

[Attached and made a part of these minutes.]

- G.5 Consider recommendation from the Finance/Administrative Committee to amend the 2025 EAA Operating Budget by increasing the Next Generation Fund appropriation by \$24,272.35.**

Ms. Hendrix briefed the board regarding amending the 2025 EAA Operating Budget by increasing the Next Generation Fund appropriation by \$24,272.35.

A motion was made by Treasurer Miller, seconded by Director Patterson, the board amend the 2025 EAA Operating Budget by increasing the Next Generation Fund appropriation for Professional Technical Services by \$24,272.35. The motion passed without opposition.

[Attached and made a part of these minutes.]

G.6

Consider recommendation from EAA staff to reconsider the Board's action on Agenda Item No. K.1 on the January 14, 2025 Notice of Open Meeting of the EAA Board of Directors approving Resolution and Order No. 01-25-116 of the Edwards Aquifer Authority Board of Directors ratifying the General Manager's approval of VISPO forbearance agreements for certain permitted Edwards groundwater rights between the EAA and those entities listed on Agenda Item K.1 of the January 14, 2025 Board Agenda in the total amount of not less than \$467,105.40, and not to exceed \$1,851,121.40, for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.

Mr. Marc Friberg, Deputy General Manager, briefed the board regarding reconsidering the Board's action on Agenda Item No. K.1 on the January 14, 2025 Notice of Open Meeting of the EAA Board of Directors approving Resolution and Order No. 01-25-116 of the Edwards Aquifer Authority Board of Directors ratifying the General Manager's approval of VISPO forbearance agreements for certain permitted Edwards groundwater rights between the EAA and those entities listed on Agenda Item K.1 of the January 14, 2025 Board Agenda.

A motion was made by Director Gilleland, seconded by Vice-Chairman Youngblood, the board reconsider the action on Agenda Item No. K.1 from the January 14, 2025, Notice of Open Meeting of the EAA Board of Directors approving Resolution and Order No. 01-25-116 of the Edwards Aquifer Authority Board of Directors. The motion passed without opposition.

G.7

Consider recommendation from EAA staff to ratify the General Manager's approval of forbearance agreements with Lonesome Dove Corner, LLC and Rocky Ridge Mountain, LLC; Donald E. Mosing, Larry K. Mosing, Billy F. Mosing and Mosing Land and Cattle Co. d/b/a 4-M Ranch; Thomas A. Verstuyft, Betty Verstuyft and Randal T. Verstuyft, Kenneth Cole, Nova Cole, and Jason Cole; EDMRGE Farms III, Ltd.; Larry V. Emerson and Michael E. McHugh; John T. Brigman; James Ray Carnes, Jr.; Evan B. Mathis and wife, Betty K. Mathis and Jamie Ann Mathis; Henry C. Verstraeten, Jr.; Emilie E. Cowan; Frank Verstraeten; Edwin L. Yanta; Robert M. Hendry and Amy Wolff Hendry; Dorothy Elaine Weynand Wolff; Roy M. Kothmann and Carol C. Kothmann; James E. Verstuyft; Deborah Jean Weynand Werth; Tina Marie Weynand Mumme; Lance Attaway and Mardy Attaway Foster; Russel A. Ellinger; Sherman Mumme; Frank G. DeCock; Charles Maurice Wurzbach and Jill Ann McDonald; Farr Investments, LP; Weldon Gilleland and wife, Judie M. Gilleland; Albert Townsend Consulting, LLC; Medina County ESD #6; Dennis Lee Ezell and wife Jamie Lynn Ezell; Lisa W. Morgan and James H. Morgan 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 \$467,105.40, and not to exceed \$1,851,121.40.

Mr. Friberg briefed the board regarding ratifying the General Manager's approval of forbearance agreements as listed in Item G.7.

A motion was made by Vice-Chairman Youngblood, seconded by Director Patterson, the board ratify Resolution and Order No. 01-25-116 of the Edwards Aquifer Authority Board of Directors ratifying the General Manager's approval of VISPO forbearance agreements for certain permitted Edwards groundwater rights between the EAA and those entities listed on Agenda Item K.1 of the January 14, 2025, EAA Board of Directors Agenda. Director Yanta abstained from the vote on the motion. The motion passed without opposition.

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:

Chairman Valdivia closed the meeting to the public at 1:36 p.m.

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)

Chairman Valdivia reopened the meeting to the public at 2:03 p.m.

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

A motion was made by Vice-Chairman Youngblood, seconded by Director Perkins, the board authorize the General Manager to enter into a settlement agreement with the Archdiocese of San Antonio whereby the Edwards Aquifer Authority would facilitate the plugging of an abandoned well in an amount not to exceed \$150,000 from the EAA's Abandoned Well Fund and whereby the Archdiocese would repay the EAA for all expenses over a defined time period and direct general counsel to take all actions to facilitate the agreement. The motion passed without opposition.

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 2:04 p.m.

Rachel Sanborn
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary