



Edwards Aquifer Authority

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

Meeting Minutes - Draft

Board of Directors

Tuesday, January 12, 2016

3:00 PM

EAA Board Room

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

Chairman Buckner called the meeting to order at 3:07 p.m.

Present: 15 - Director Fohn Bendele, Chairman Luana Buckner, Director Rebekah Bustamante, Treasurer Ron Ellis, Director Rader Gilleland, Vice Chair Susan Hughes, Director Don Laffere, Director Craig Massouh, Director Byron Miller, Director Carol Patterson, Director Pat Stroka, Secretary Enrique Valdivia, Director Ron Walton, Director Scott Yanta and Director Ben Youngblood III

Absent: 2 - Director Amy Akers and Director Gary Middleton

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.)
- Upcoming Activities/Events (conferences, meetings, etc.)
- Operational Announcements (schedule changes, program updates, etc.)
- Recent Activities of the Edwards Aquifer Habitat Conservation Program
- Recent Legislative Activities
- Aquifer Conditions

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

- *Mr. Ben Urbanczyk, Recharge Zone Protection Supervisor, completed 10 years of service with the EAA.*
- *Mr. Joe Gonzalez, Environmental Field Representative, completed 10 years of service with the EAA.*
- *Mr. Roel Loera, Environmental Coordinator, completed 10 years of service with the EAA.*
- *Mr. Roger Andrade, Groundwater Protection Manager, completed 10 years of service with the EAA.*
- *The Certificate of Achievement in Excellence for Financial Reporting was awarded to the EAA by the Government Finance Officers Association (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The EAA's CAFR was judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate the financial story of the EAA.*
- *Directors were asked to turn in requests for reimbursement of 2015 expenses on the 2015 orange colored form. Also included in the folders was information regarding a new process for expense reimbursement moving forward. There was a memo that reflected pre-calculated mileage from each directors' residence and the EAA office. Beginning this year, staff requested directors use this standard mileage for any meetings held at the EAA, and indicate the address or significant building landmark for any mileage reimbursement requests. Staff would use the address to verify the mileage reimbursement amount. These changes were the result of an EAA audit in 2014 by the State Auditor.*
- *Also Included in directors' folders was a 2016 Technical Briefing Schedule outlining the proposed topics for this year.*
- *A copy of the EAA Bylaws with the Code of Ethics section was given to directors for review. Directors were asked to sign and date the acknowledgement form.*
- *The installation of the supervisory control and data acquisition system with the City of Uvalde was complete. It was meant to ensure accurate static readings from the J27 index well without the drawdown effect of localized pumping from nearby city wells. The board approved an interlocal cooperation agreement with the City of Uvalde in November 2015.*
- *Mr. Geary Schindel, Chief Technical Officer/Director, briefed the board on current aquifer conditions.*

D. Board Reports

- D.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 Middleton was not in attendance to present this report.

E. Consent Agenda

- E.1** **Approval of previous board meeting minutes
 - Regular Board Meeting - December 8, 2015**

This action item was approved on the consent agenda.

- E.2** **Consider recommendation from the Executive Committee to approve payment to Kemp Smith for legal services for November 2015.**

This action item was approved on the consent agenda.

- E.3** **Consider recommendation from the Executive Committee to accept the unaudited financial statements for November 2015.**

This action item was approved on the consent agenda.

A motion was made by Director Laffere, and seconded by Vice Chairman Hughes, to approve the consent agenda. The motion passed viva voce.

F. Individual Consideration

- F.1** **Consider recommendation from the Executive Committee to amend the employment agreement with General Manager Roland Ruiz.**

Chairman Buckner briefed the board regarding the employment agreement with General Manager Roland Ruiz.

A motion was made by Treasurer Ellis, seconded by Director Massouh, that this action item be approved. The motion passed viva voce.

- F.2 Consider recommendation from the Executive Committee to approve a contract with the San Antonio Water System, for implementation of a Regional Water Conservation project, in an amount not to exceed \$18,631,400.**

Mr. Nathan Pence, Executive Director - HCP, briefed the board regarding the contract with SAWS for implementation of a Regional Water Conservation project.

Mr. Darren Thompon, Director of Water Resources - SAWS, addressed the board regarding the contract.

A motion was made by Treasurer Ellis, seconded by Director Patterson, that this action item be approved. The motion passed viva voce.

[A copy of Resolution and Order No. 01-16-833 as approved by the board is attached to and made a part of these minutes.]

- F.3 Consider recommendation from the Executive Committee to authorize the General Manager to submit an amended EAA 2016 Regional Water Conservation Program work plan, and an amended Edwards Aquifer Habitat Conservation Program FY 2016 Funding Application to the EAHCP process.**

Mr. Pence briefed the board regarding an amended EAA 2016 Regional Water Conservation Program, and an amended 2016 EAA Funding Application.

A motion was made by Treasurer Ellis, seconded by Director Laffere, that this action item be approved. The motion passed viva voce.

[A copy of the Regional Water Conservation Program Work Plan as approved by the board is attached to and made a part of these minutes.]

- F.4 Consider recommendation from the Executive Committee to amend the 2015 EAA Operating Budget by increasing the appropriation for the Critical Period Bio-Monitoring for the EAHCP by \$65,000.**

Mr. Rick Illgner, Special Assistant to the General Manager, briefed the board regarding an amendment to the 2015 EAA Operating Budget by increasing the appropriation for the Critical Period Bio-Monitoring for the EAHCP.

A motion was made by Treasurer Ellis, seconded by Director Patterson, that this action item be approved. The motion passed viva voce.

[A copy of the budget amendment as approved by the board is attached to and made a part of these minutes.]

G. Staff Reports

H. 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 Buckner closed the meeting to the public at 3:28 p.m.

H.1**Closed Session.****1. Consultation with Attorney - Pending Litigation (§ 551.071)****Active Litigation:**

Guadalupe-Blanco River Auth. v. Royal Crest Homes (22nd Hays Cnty. filed June 15, 1989)

Bragg v. Edwards Aquifer Auth. (38th Medina Cnty. remanded June 15, 2015)

League of United Latin Am. Citizens v. Edwards Aquifer Auth. (W.D. Tex. filed June 21, 2012)

GG Ranch, Ltd. v. Edwards Aquifer Auth. (5th Cir. June 4, 2015)

Active Litigation - Enforcement:

Edwards Aquifer Auth. v. Barnard (274th Hays Cnty. filed Oct. 4, 2010)

2. Consultation with Attorney - Attorney/Client Privileged Consultations (§ 551.071)
3. Consultation with Attorney - Settlement Offers (§ 551.071)
4. Consultation with Attorney (§ 551.071)
5. Deliberations Regarding Real Property (§ 551.072)
6. Deliberations Regarding Personnel Matters (§ 551.074)

Chairman Buckner reopened the meeting to the public at 5:00 p.m.

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

The board did not consider any recommendations.

J. Discuss items for future board meeting agendas.

The board did not discuss any future agenda items.

K. Adjournment.

There being no further business to discuss, the meeting adjourned at 5:15 p.m.

Enrique P. Valdivia
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary