

RESOLUTION AND ORDER NO. 08-24-101

OF THE EDWARDS AQUIFER AUTHORITY BOARD OF DIRECTORS TO APPROVE THE PURCHASE OF EMPLOYEE MEDICAL INSURANCE FOR OCTOBER 1, 2024, THROUGH SEPTEMBER 30, 2025, FROM BLUE CROSS BLUE SHIELD OF TEXAS, A DIVISION OF HEALTH CARE SERVICE CORPORATION, THROUGH MARSHMCLENNAN AGENCY, IN THE APPROXIMATE AMOUNT OF \$1,203,948 AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS IN FURTHERANCE THEREOF

WHEREAS, the Edwards Aquifer Authority (“EAA”) was created by the Edwards Aquifer Authority Act, Act of May 30, 1993, 73d Leg., R.S., ch. 626, 1993 Tex. Gen. Laws 2350, as amended (“Act”); and

WHEREAS, under Section 1.02(a) of the Act, the EAA is a conservation and reclamation district created pursuant to Article XVI, Section 59 of the Texas Constitution, and is a governmental agency and body politic and corporate vested with the full authority to exercise the powers and to perform the functions specified in the Act; and

WHEREAS, under Section 1.08(a) of the Act, the EAA has all the powers, rights, and privileges necessary to manage, conserve, preserve, and protect the Edwards Aquifer (“Aquifer”) and to increase the recharge of, and prevent the waste or pollution of water in, the Aquifer; and

WHEREAS, pursuant to Section 1.11(d)(2) of the Act, and other applicable law, the EAA may enter into contracts; and

WHEREAS, under Section 49.057(a), Texas Water Code, the EAA may contract with all persons, firms, partnerships, corporations, or other entities, public or private, deemed necessary by the EAA Board of Directors (“Board”) for the conduct of the affairs of the EAA; and

WHEREAS, pursuant to Section 49.069(a) and (c), Texas Water Code, the EAA may provide for medical and dental benefits to its employees as part of their compensation, and adopt any plan, rule, or regulation in connection therewith; and

WHEREAS, under Section 49.211(a), Texas Water Code, the EAA has the functions, powers, authority, rights, and duties that will permit it to accomplish the purposes for which it was created or the purposes authorized by the Constitution, the Texas Water Code, or any other law; and

WHEREAS, under Section 49.213(b), Texas Water Code, the EAA may enter into contracts with any person or any public or private entity in the performance of any purpose or function permitted by the EAA; and

WHEREAS, under Section 49.213(c)(7), Texas Water Code, the EAA may enter into contracts with persons or any public or private entities on the terms and conditions the Board may

consider desirable, fair, and advantageous for, among other things, the exercise of any rights, powers, and duties granted to the EAA; and

WHEREAS, Article 11.02(b) of the EAA's Bylaws requires that contracts, or any other procurement instruments, whose value exceeds \$100,000 be approved by a written resolution issued by the Board; and

WHEREAS, the total amount to be paid to purchase employee medical insurance for the period from October 1, 2024, through September 30, 2025, from BLUE CROSS BLUE SHIELD OF TEXAS, a division of Health Care Service Corporation, through Marsh McLennan Agency will exceed \$100,000; and

WHEREAS, the medical insurance policy was not reviewed by the EAA's legal counsel prior to Board approval; and

WHEREAS, a regular meeting of the Board was held on August 13, 2024, at 1:00 p.m., notice of public meeting having been duly and properly posted in accordance with Chapter 551, Texas Government Code; and

WHEREAS, an agenda item was duly listed in the notice of public meeting that is the subject of this Resolution and Order; and

WHEREAS, a majority of the Directors of the Board were present and constituted a quorum; and

WHEREAS, a vote of the majority of the quorum present passed on, voted in favor of, and adopted the following Resolution and Order; and

WHEREAS, it is in the public interest that the EAA provide medical insurance coverage for its employees.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THAT:

Section 1. The recitals set out above are found to be true and correct, and they are hereby adopted by the Board of Directors and are made a part of this Resolution and Order for all purposes.

Section 2. The Board of Directors hereby approves the purchase of employee medical insurance for October 1, 2024, through September 30, 2025, from BLUE CROSS BLUE SHIELD OF TEXAS, a division of Health Care Service Corporation, through Marsh McLennan Agency, in the approximate amount of \$1,203,948, as detailed in the monthly rates effective October 1, 2024, as follows:

Medical Plan	Blue Cross Blue Shield of Texas			
	PPO PLAN		HDHP PLAN	
	Monthly Premium	Employee Deduction	Monthly Premium	Employee Deduction
Employee Only	\$946.50	\$0.00	\$644.71	\$0.00
Employee + Spouse	\$1,819.18	\$872.68	\$1,239.13	\$594.42
Employee + Children	\$1,620.51	\$674.01	\$1,103.81	\$459.10
Employee + Family	\$2,493.47	\$1,546.97	\$1,698.42	\$1,053.71

Section 3. The General Manager is authorized to execute and deliver any necessary documents in furtherance hereof and to release payments as may be required by the insurance contracts.

Section 4. This Resolution and Order shall become effective from and after its adoption.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THIS 13TH DAY OF AUGUST 2024.

Enrique Valdivia
Chairman of the Board

ATTEST:

Benjamin F. Youngblood, III
Secretary, Board of Directors

APPROVED AS TO FORM:

Darcy Alan Frownfelter
General Counsel