



# Edwards Aquifer Authority

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

## Meeting Minutes - Draft

### Board of Directors

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

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Tuesday, October 8, 2024

1:00 PM

EAA Board Room

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

*Vice-Chairman Sanborn called the meeting to order at 1:00 p.m.*

**Present:** 14 - Director Bruce Alexander, Director Don Baker, Director Deborah Carington, Director Rader Gilleland, Director Matthew Hoyt, Director Maggie Hutchins, Director Kathleen Krueger, Director Gary Middleton, Treasurer Byron Miller, Director Carol Patterson, Director Russell Persyn, Vice Chair Rachel Sanborn, Director Scott Yanta and Secretary Ben Youngblood

**Absent:** 3 - Director Randall Perkins, Director Abe Salinas and Chair Enrique Valdivia

#### 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. Martin Hernandez, Network & Information Systems Supervisor, completed five years of service with the EAA.*
- *The EAA staged its first ever Rooted in Texas plant giveaway of 2,000 native plants, courtesy of H-E-B and its Tournament of Champions Fund. Guests were treated to two free native plants, one for sun and the other for shade, along with a bag of promotional items featuring the new EAA logo and the response was overwhelming. It was a great way to demonstrate the EAA's commitment to the community, as well as promote actionable activity that supports the EAA mission of managing, enhancing and protecting the Edwards Aquifer.*
- *This is a reminder about our Second Annual Edwards Aquifer Summit taking place at Aggie Park on Wednesday, October 23. The purpose of this summit is to bring together key stakeholders, community leaders, and elected officials to discuss critical issues affecting the Edwards Aquifer. This year's event will feature panel discussions moderated by Sarah Schlessinger from the Texas Water Foundation, with Bill Taylor from KENS 5 serving as the emcee. We will also have a resource fair, allowing attendees the opportunity for one-on-one time with our departments.*
- *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 August 2024.**

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

## **E. Board Reports**

## **F. Consent Agenda**

- F.1 Approval of previous board meeting minutes**  
**- Regular Board Meeting - September 10, 2024**

*Approval of previous board meeting minutes*  
*- Regular Board Meeting - September 10, 2024*

**F.2 Consider recommendation from the Finance/Administrative Committee to approve the 2025 plan agreement with the Texas County and District Retirement System.**

*Adopt Resolution and Order No. 10-24-108 of the Edwards Aquifer Authority Board of Directors approving the plan agreement with the Texas County and District Retirement System, for the period January 1, 2025 through December 31, 2025.*

*[Attached and made a part of these minutes.]*

**F.3 Consider recommendation from the Finance/Administrative Committee to approve an engagement letter with RSM US, L.L.P., to provide independent audit services for fiscal year 2024.**

*Approve an engagement letter with RSM US, L.L.P., to provide independent audit services for fiscal year 2024, with an option to renew for up to six additional years.*

**F.4 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith, in the amount of \$28,487.93, for legal services for August 2024.**

*Approve payment to Kemp Smith, in the amount of \$28,487.93, for legal services for August 2024.*

**F.5 Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by SA Landon Ridge, LP, a Texas limited partnership.**

*Adopt a Final Order Granting Application to Convert Base Irrigation Groundwater to Unrestricted Irrigation Groundwater based on changes in land use submitted by SA Landon Ridge, LP, a Texas limited partnership.*

*[Attached and made a part of these minutes.]*

**F.6 Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by SA Rocking in the Free World, LP.**

*Adopt a Final Order Granting Application to Convert Base Irrigation Groundwater to Unrestricted Irrigation Groundwater based on changes in land use submitted by SA Rocking in the Free World, LP.*

*[Attached and made a part of these minutes.]*

**F.7 Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by SA Rocking in the Free World, LP.**

*Adopt a Final Order Granting Application to Convert Base Irrigation Groundwater to Unrestricted Irrigation Groundwater based on changes in land use submitted by SA Rocking in the Free World, LP.*

*[Attached and made a part of these minutes.]*

*A motion was made by Director Hoyt, seconded by Secretary Youngblood, to approve the consent agenda. The motion passed without opposition.*

**G. Individual Consideration**

**G.1 Consider recommendation from the Aquifer Management Planning Committee to approve updates to the EAA Groundwater Conservation Plan.**

*Mr. Marc Friberg, Deputy General Manager, briefed the board regarding updates to the EAA Groundwater Conservation Plan.*

**A motion was made by Director Carington, seconded by Director Yanta, the board approve updates to the EAA Groundwater Conservation Plan as amended. The motion passed without opposition.**

**G.2 Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by Gaylon Trees and Debra Trees et al.**

*Mr. Omar Garcia, Water Resources Manager, briefed the board regarding a conversion of base irrigation groundwater owned by Gaylon Trees and Debra Trees 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 Gaylon Trees and Debra Trees et al. The motion passed without opposition.**

**[Attached and made a part of these minutes.]**

- G.3 Consider recommendation from the Permits/Enforcement Committee to approve forbearance agreements with Wilde Family Farms, Ltd.; Linda Tucker Sparks, Trustee of the Sparks Family Trust, dated February 8, 2013; Kessler Ranch, Ltd., a Texas limited partnership; and Charles Joseph Zinsmeyer 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 \$77,726.30 and not to exceed \$308,026.46.**

*Mr. Javier Hernandez, Special Projects Liaison, briefed the board regarding forbearance agreements with Wilde Family Farms, Ltd.; Linda Tucker Sparks, Trustee of the Sparks Family Trust, dated February 8, 2013; Kessler Ranch, Ltd., a Texas limited partnership; and Charles Joseph Zinsmeyer for Edwards groundwater withdrawal rights for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.*

**A motion was made by Director Gilleland, seconded by Director Yanta, the board adopt Resolution and Order No. 10-24-109 of the Edwards Aquifer Authority Board of Directors to approve VISPO forbearance agreements for permitted Edwards groundwater rights between the EAA and: (1) Wilde Family Farms, Ltd.; (2) Linda Tucker Sparks, Trustee of the Sparks Family Trust, dated February 8, 2013; (3) Kessler Ranch, Ltd., a Texas limited partnership; and (4) Charles Joseph Zinsmeyer in the total amount of not less than \$77,726.30 and not to exceed \$308,026.46, for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan, and authorizing the General Manager to execute the Agreements. The motion passed without opposition.**

**[Attached and made a part of these minutes.]**

- G.4 Consider recommendation from the Permits/Enforcement Committee to approve an ASR springflow protection program forbearance agreement with Union Stock Yards San Antonio, Inc., for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$21,127.60.**

*Mr. Hernandez briefed the board regarding an ASR springflow protection program forbearance agreement with Union Stock Yards San Antonio, Inc., for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan.*

**A motion was made by Director Gilleland, seconded by Director Yanta, the board approve a springflow protection program forbearance agreement with Union Stock Yards San Antonio, Inc., and the EAA for the Aquifer Storage and Recovery Program in support of the Edwards Aquifer Habitat Conservation Plan and authorize the General Manager to execute the agreement. The motion passed without opposition.**

- G.5 Consider recommendation from the Finance/Administrative Committee to authorize staff to present the 2025 proposed operating budget and associated aquifer management fee rates for public comment.**

*Ms. Shelly Hendrix, Director/Controller Financial Services, briefed the board regarding authorizing staff to present the 2025 proposed operating budget and associated aquifer management fee rates for public comment.*

A motion was made by Treasurer Miller, seconded by Director Gilleland, the board authorize staff to present the 2025 proposed budget and associated aquifer management fee rates for public comment. The motion passed without opposition.

- G.6 Consider recommendation from the Finance/Administrative Committee to approve an Interlocal Agreement with Supply SA, for vendor certification and assistance in government contracting, in an amount not to exceed \$95,101.**

A motion was made by Treasurer Miller, seconded by Secretary Youngblood, the board approve Contract No. 24-019-AFS between the EAA and Supply SA, for vendor certification and assistance in government contracting, in an amount not to exceed \$95,101, for the period October 8, 2024 through September 30, 2026. Director Hoyt and Director Hutchins voted in opposition to the motion. The motion passed viva voce.

- G.7 Consider recommendation from the Finance/Administrative Committee to amend the 2024 EAA Operating Budget by increasing the General Fund appropriation by \$50,173.**

A motion was made by Treasurer Miller, seconded by Secretary Youngblood, the board amend the 2024 EAA Operating Budget by increasing the General Fund appropriation for Supplies/Memberships by \$50,173. 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:**

*Vice-Chairman Sanborn closed the meeting to the public at 1:35 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)

*Vice-Chairman Sanborn reopened the meeting to the public at 1:49 p.m.*

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

*The board did not consider any recommendations.*

**K. Future Board Meeting Agendas**

*The board did not discuss future agenda items.*

**L. Adjournment**

*There being no further business to discuss, the meeting adjourned at 1:49 p.m.*

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*Benjamin F. Youngblood III  
Secretary, Board of Directors*

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*Jennifer Wong-Esparza  
Assistant to Board Secretary*