



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Luana Buckner, Chair
Enrique Valdivia, Vice Chair Ben Youngblood, Secretary
Byron Miller, Treasurer

Tuesday, November 8, 2022

4:00 PM

EAA Board Room

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. Board members may participate by video conference consistent with Section 551.127 of the Texas Government Code and Section 7.09 of the EAA Bylaws.

The public may also attend the live meeting virtually by going to <https://us02web.zoom.us/j/85604561285>. Individuals wishing to offer public comment remotely must register their name, telephone number and the item, if any, on which they wish to speak no later than 5:00 pm Monday, November 7, 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 board.

AGENDA

A. Call to Order – Roll Call

B. Public Comment

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

D. Treasurer's Report

- D.1** **Receive report from EAA staff on unaudited financial statements for September 2022.**

E. Board Reports**F. Consent Agenda**

- F.1** Approval of previous board meeting minutes
- Regular Board Meeting - October 11, 2022
- F.2** Consider recommendation from the Finance/Administrative Committee to approve amendments to Article X of the ByLaws of the Edwards Aquifer Authority pertaining to the EAA Investment Policy and Investment Strategy and designating investment officers.
- F.3** Consider recommendation from the Finance/Administrative Committee to approve the purchase of IT cloud server hosting services from Amazon Web Services, Inc., in an amount not to exceed \$66,140, for calendar year 2022.
- F.4** Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith, in the amount of \$63,341.05, for legal services for September 2022.

G. Individual Consideration

- G.1** Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2023 Funding Applications submitted by the Edwards Aquifer Authority (\$19,844,684), the City of New Braunfels (\$1,055,385), and the City of San Marcos/Texas State University (\$1,461,425).
- G.2** Consider recommendation from the Finance/Administrative Committee to adopt the annual operating budget for fiscal year 2023 and assessing aquifer management fee and program aquifer management fee rates for 2023.
- G.3** Consider recommendation from EAA staff to approve an Amendment of Springflow Protection Forbearance Agreement for 4 Doyon Enterprises, LLC, and approve a Springflow Protection Forbearance Agreement for Lyle N. Riff for the Aquifer Storage and Recovery Forbearance Program in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$9,600.
- G.4** Consider recommendation from the Executive Committee to amend the EAA's 2023 legislative priorities.

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:

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

Schindel v. Edwards Aquifer Auth. (W.D. Tex. Sept. 2, 2022)

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)****J. Consider recommendation(s) regarding matters discussed in closed session.****K. Future Board Meeting Agendas****L. Adjournment**

November 3, 2022

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.