



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, October 11, 2016

3:00 PM

EAA Board Room

Pursuant to the Texas Open Meetings Act, Ch. 552, 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.

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

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.)
 - 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

D. Treasurer's Report

- D.1** **Receive report from EAA staff on unaudited financial statements for August 2016.**

E. Board Reports

- E.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.**

F. Consent Agenda

- F.1** **Approval of previous board meeting minutes**
 - Regular Board Meeting - September 13, 2016
- F.2** **Consider recommendation from the Permits/Enforcement Committee to approve a settlement counter-offer from Dos Ninas, LP, related to exceeding authorized groundwater withdrawals during 2015.**

- F.3** Consider recommendation from the Permits/Enforcement Committee to approve leases of permitted Edwards groundwater rights with Frank A. Ramsey and New Fountain United Methodist Church, for the Aquifer Storage and Recovery Project of the San Antonio Water System, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$45,644.00.
- F.4** Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by Cactus and Brush, LP, based on a change in land use.
- F.5** Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by Electric Transmission Texas, LLC, based on a change in land use.
- F.6** Consider recommendation from EAA staff to approve an engagement letter with RSM US, L.L.P., to provide independent audit services for fiscal year 2016.
- F.7** Consider recommendation from EAA staff to approve payment to Kemp Smith for legal services for August 2016.
- F.8** Consider recommendation from EAA staff to declare certain personal property of the EAA to be surplus and to authorize the disposal of the surplus property.
- G. Individual Consideration**
- G.1** Consider recommendation from the Executive Committee to approve priorities for the EAA's legislative program for the 85th Session of the Texas Legislature.
- G.2** Consider recommendation from the Research & Technology Committee to approve a renewal and extension of Contract No. 12-611-AM, as previously amended, between the EAA and TestAmerica Laboratories, Inc., for analytical laboratory services in an amount not to exceed \$210,000, for the period January 1, 2017 through December 31, 2017.
- G.3** Consider recommendation from the Research & Technology Committee to approve a renewal, extension, and amendment of a contract with BIO-WEST, Inc., to continue to provide biological monitoring services for Comal and San Marcos Springs Ecosystems, in an amount not to exceed \$734,352.

- G.4** Consider recommendation from the Research & Technology Committee to approve a renewal, extension, and amendment of a contract with SWCA Incorporated to continue to provide water quality sampling and analysis for Comal and San Marcos springs ecosystems, in an amount not to exceed \$431,000.
- G.5** Consider EAA staff recommendation to approve a contract with Express Information Systems, Inc., for the purchase and implementation of the Intaact Financial Management Cloud ERP Accounting Software in the amount of \$93,576.
- G.6** Consider EAA staff recommendation to approve the expenditure of funds to Doublehorn Communications for cloud computing brokerage services in an amount not to exceed \$80,000.
- G.7** Receive report and recommend possible action on open and concealed carry of weapons.
- G.8** Consider recommendation from EAA staff to authorize staff to hold public meetings on the 2017 proposed budget and aquifer management fee rates.

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:

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

In re Jaffe, No. 16-50355 (W.D. Tex. filed Feb. 12, 2016)

Active Litigation - Enforcement:

Edwards Aquifer Auth. v. Barnard (274th Hays Cnty. filed Oct. 6, 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)

J. Consider recommendation(s) regarding matters discussed in closed session.**K. Discuss items for future board meeting agendas.****L. Adjournment.**

October 6, 2016

Jennifer Wong-Esparza
Assistant to Board Secretary

In this Notice of Open Meeting ("Notice"), the posting of an agenda as a matter to be discussed in open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in closed session. If, during the discussion of any agenda item, 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 as a matter to be discussed in closed session is not intended to limit or require discussion of that matter in closed session. In open session, the Board may discuss and take action on any matter 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, whether it be posted for open or closed session discussion.