



# Edwards Aquifer Authority

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

## NOTICE OF OPEN MEETING

### Executive Committee

*Luana Buckner – Chairman*  
*Directors Ellis, Hughes, Patterson, Stroka, and Valdivia*  
*Marc Friberg - EAA Staff Liaison*

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Monday, December 5, 2016

11:00 AM

EAA Board Room

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At this meeting, the following business may be considered, and the committee may take action to make recommendations to the board on any of the following items:

**A. Call to Order**

**B. Public Comment**

**C. General Manager's Report**

- *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*
- *Aquifer Conditions*

**D. Committee Reports**

**E. Individual Consideration**

- E.1** Consider EAA staff recommendation to approve a contract with the University of Texas at San Antonio, to provide a comprehensive statistical analysis of long-term EAHCP biological monitoring data, in an amount not to exceed \$56,934.
- E.2** Consider EAA staff recommendation to approve a one-year renewal and extension of Contract No. 13-680-PPEA with Wickley, LLC, for continued development and maintenance of two EAA managed websites, in an amount not to exceed \$143,800.
- E.3** Consider EAA staff recommendation to approve payment to Kemp Smith for legal services for October 2016.
- E.4** Consider EAA staff recommendation for a potential subject for the EAA's 2017 Water Conservation Grant Program.

**E.5** Consider EAA staff recommendation to recommend board authorization to submit amendment applications for the EAA's surface water diversion permits associated with the EAA's four existing recharge dam structures.

**E.6** Consider EAA staff recommendation to approve the agenda for the December 13, 2016, regular meeting of the EAA Board of Directors.

**F. Staff Reports**

**G. Closed Session**

**G.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)

**Monitored Litigation:**

*United States Fish & Wildlife Serv. v. People for the Ethical Treatment of Property Owners* (10th Cir. filed Nov. 26, 2014)

*City of Lubbock v. Coyote Lake Ranch, LLC* (Tex. 2016, mot. for r'hrng denied)

*Weeks v. Tex. Comm'n on Env'tl. Quality* (353rd Travis Cnty. filed Apr. 4, 2014)

*Weeks v. Tex. Comm'n on Env'tl. Quality* (353rd Travis Cnty. dismissed June 15, 2016)

*City of Conroe v. Tramm* (284th Montgomery Cnty. filed Aug. 31, 2015)

*Fort Stockton Holdings, L.P. v. Middle Pecos Groundwater Conservation Dist.*, No. 08-15-382-CV (Tex. App.-El Paso notice of appeal Dec. 29, 2015)

*WildEarth Guardians v. Jewell* (D.D.C. filed Dec. 14, 2015)

*Republic Water Co. of Tex., LLC v. Blackwelder* (83rd Pecos Cnty. Oct. 27, 2016)

*Republic Water Co. of Tex., LLC v. Weatherby* (W.D. Tex. dismissed Nov. 10, 2016)

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)

**H. Consider and take action on recommendation(s) regarding matters deliberated in closed session.**

**I. Consider future agendas****J. Adjournment.****K. Written Reports**

December 1, 2016

Jennifer Wong-Esparza  
Assistant to Board Secretary

Pursuant to Section 36.064(b) of the Texas Water Code, this scheduled meeting of this Committee is not subject to the requirements of the Texas Open Meetings Act, Chapter 551, Texas Government Code. However, because this meeting is open to the public, members of the Board of Directors of the Edwards Aquifer Authority who are not members of this committee may attend this meeting. If non-committee member directors attend this meeting such that a quorum of the Board of Directors of the Edwards Aquifer Authority is present, this meeting will constitute a meeting of the Board of Directors of the Authority for the purposes of the Open Meetings Act. In any event, non-committee member directors present at this meeting will have no right to vote on any matter before the committee. Moreover, and in any event, no final action of the Edwards Aquifer Authority will be taken at this meeting. In this Notice of Open Meeting, the posting of an agenda item 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 executive session. If, during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the committee may, as permitted by law, adjourn into executive session to deliberate on the matter. The posting of an agenda item as a matter to be discussed in executive session is not intended to limit or require discussion of that matter in executive session. The committee may discuss in open session any matter for which notice has been given in this notice of open meeting, including an agenda item posted for executive session. In no event, however, will the committee take action on any agenda item in executive session, whether it be posted for open or executive session discussion.