Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Executive Committee

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

Monday, February 6, 2017 **11:00 AM** **EAA Board Room**

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 the agenda for the February 14, 2017, technical briefing.**

E.2 **Consider EAA staff recommendation to approve the agenda for the February 14, 2017, regular meeting of the EAA Board of Directors.**

F. Staff Reports

F.1 **Receive report from EAA staff on legislation filed during the 85th session of the Texas Legislature.**

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:

Klamath Irrigation v. United States (Fed. Cl. filed 2001)

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)

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

Weaks v. Tex. Comm'n on Envtl. Quality (353rd Travis Cnty. filed Apr. 4, 2014)

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

In re permits of Flying "L" Guest Ranch, Ltd., No. 955-16-2056 (SOAH referred Oct. 8, 2015)

Graham v. Tex. Comm'n on Envtl. Quality, No. D-1-GN-15-005510 (53rd Travis Cnty. filed Dec. 2, 2015)

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

In re permit application of New Braunfels Utils., No. 582-16-6164 (SOAH referred Aug. 19, 2016)

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

February 2, 2017

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.