



# Edwards Aquifer Authority

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

## NOTICE OF OPEN MEETING

### Board of Directors

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Tuesday, April 11, 2017

3:00 PM

EAA Board Room

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**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 February 2017.**

**E. Board Reports**

**F. Consent Agenda**

- F.1**                      **Approval of previous board meeting minutes**  
                             **- Regular Board Meeting - March 14, 2017**

- F.2**                      **Consider recommendation from the Executive Committee to approve a conversion of base irrigation groundwater owned by Scott G. Yanta and wife, Kimberly Yanta, based on the installation of conservation equipment.**

- F.3**                      **Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by FDSS, Ltd., based on the installation of conservation equipment.**

**F.4** Consider recommendation from the Permits/Enforcement Committee to approve a conversion of base irrigation groundwater owned by Mildred Celina Verstuyft, Lorraine Agnes Wauters, and Norman Robert Suberg, based on a change in land use.

**F.5** Consider recommendation from the Permits/Enforcement Committee regarding a Groundwater Trust Transfer Contract with Mr. Michael Humphreys.

**F.6** Consider recommendation from the Finance/Administrative Committee to approve an amended Edwards Aquifer Habitat Conservation Plan Program FY2017 Funding Application for the City of San Marcos.

**F.7** Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for February 2017.

**G. Individual Consideration**

**G.1** Receive report from independent auditor, RSM US LLP, and consider final audit report for the 12-month period of January 1, 2016, through December 31, 2016.

**G.2** Consider recommendation from EAA staff to authorize the general manager to submit amendment applications to the Texas Commission on Environmental Quality for the EAA's surface water diversion permits associated with the EAA's four existing recharge dam structures.

**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)
  - Confer with General Counsel regarding the status of a pending settlement offer with Hot Wells, LP, a Texas limited partnership, Lifshutz Management, LLC, a Texas limited liability company, and James G. Lifshutz, an individual.
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.**

April 6, 2017

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.