



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, September 12, 2017

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. Director Recognition.
 - C.1 Recognition of Outgoing Directors - Ms. Susan Hughes, Bexar County, and Mr. Craig Massouh, Comal County.
- D. General Manager's announcements and reports.
 - D.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
 - Aquifer Conditions
- E. Treasurer's Report
 - E.1 Receive report from EAA staff on unaudited financial statements for July 2017.
- F. Board Reports
 - F.1 Receive report from EAA staff and ARCADIS U.S., Inc. on the final summary of the San Antonio Water System Meter Implementation Projects.
- G. Consent Agenda
 - G.1 Approval of previous board meeting minutes
 - Special Board Meeting - August 8, 2017
 - Regular Board Meeting - August 8, 2017

- G.2** Consider recommendation from the Finance/Administrative Committee to consider payment to Kemp Smith for legal services for July 2017.
- G.3** Consider recommendation from the Finance/Administrative Committee to authorize the General Manager to submit the Edwards Aquifer Habitat Conservation Program FY2018 draft Funding Application to the EAHCP process.
- G.4** Consider recommendation from the Finance/Administrative Committee to approve a Memorandum of Understanding with City of San Antonio Zoo for the development of an Edwards Aquifer Conservation and Education Exhibit within the San Antonio Zoo.
- G.5** Consider recommendation from the Finance/Administrative Committee to approve amendments to the 2017 EAA Operating Budget, increasing the appropriations for the purchase of flow meters and for the awarding of conservation grants, funded by grants from the Texas Water Development Board.

H. Individual Consideration

- H.1** Consider recommendation from the Permits/Enforcement Committee to accept the settlement counter-offer from Pesca Pluma, LLC, a Texas limited liability company, related to exceeding authorized groundwater withdrawals during 2016.
- H.2** Consider recommendation from the Research & Technology Committee to approve a Joint Funding Agreement with the United States Geological Survey for groundwater model uncertainty analysis in an amount not to exceed \$130,000.
- H.3** Consider recommendation from the Research & Technology Committee to approve a Joint Funding Agreement with the United States Geological Survey for hydrostratigraphic mapping, in an amount not to exceed \$462,000.
- H.4** Consider recommendation from the Research & Technology Committee to approve a Joint Funding Agreement between the EAA and the United States Geological Survey for stream and spring flow data collection, in an amount not to exceed \$500,830.

- H.5 Consider recommendation from the Research & Technology Committee to approve a contract renewal 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.
- H.6 Consider recommendation from the Research & Technology Committee to approve the purchase of data loggers, rain gauges, associated hardware and software, and services from Sutron Corp. in the amount not to exceed \$251,600.
- H.7 Consider recommendation from the Aquifer Management Planning Committee to renew and extend an Interlocal Cooperation Contract with the Evergreen Underground Water Conservation District to conduct a Precipitation Enhancement Program, in an amount not to exceed \$163,000.
- H.8 Consider recommendation from the Permits/Enforcement Committee to approve Proposed Rules regarding conversion of base irrigation groundwater.

I. Staff Reports

- I.1 Receive report from EAA staff on the General Manager's 2018 Proposed Operating Budget.

J. 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:

J.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)

Active Litigation - Enforcement:

Edwards Aquifer Auth. v. Barnard (274th Hays Cty. 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)

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

September 7, 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.