



# Edwards Aquifer Authority

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

## NOTICE OF OPEN MEETING

### Board of Directors

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Tuesday, December 11, 2018

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
  - Aquifer Conditions

**D. Treasurer's Report**

- D.1**                      **Receive report from EAA staff on unaudited financial statements for October 2018.**

**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.**

- E.2**                      **Receive report from Carriage House Partners, LLC, legislative consultants, on recent and future legislative activities.**

**F. Consent Agenda**

- F.1**                      **Approval of previous board meeting minutes**
- **Regular Board Meeting - November 13, 2018**
  - **Special Board Meeting - November 20, 2018**

- F.2** Consider recommendation from the Executive Committee to approve payment to Kemp Smith for legal services for October 2018.

**G. Individual Consideration**

- G.1** Consider recommendation from EAA staff to approve an application to convert base irrigation groundwater owned by F&M Santleben Properties, Ltd., based on the installation of conservation equipment.

- G.2** Consider recommendation from EAA staff to 1) rescind Aquifer Storage and Recovery (ASR) springflow protection lease agreements with Bruce Gilleland and wife, Linda Gilleland (P101-701 and P101-711), Darrell Bruce Gilleland (P101-702), and Gilleland Land Co., LP (P101-703); 2) enter into an ASR springflow protection lease agreement with Alamo Concrete Products Company (P100-376) for the remaining term length of the rescinded agreements; and 3) enter into ASR springflow protection forbearance agreements with Bruce Gilleland and wife, Linda Gilleland (P101-701 and P101-711), Darrell Bruce Gilleland (P101-702), and Gilleland Land Co., LP (P101-703 and P106-266), all in support of the Edwards Aquifer Habitat Conservation Plan, and authorize the General Manager to execute the rescission and the subsequent leases.

- G.3** Consider recommendation from EAA staff to approve ASR springflow protection program forbearance agreements with Jack David Wardlaw and wife, Jessie Lem Wardlaw, Jack D. Wardlaw III, Mack M. Wardlaw, and William Chase Wardlaw, OJR Farms, Inc., Mark C. Kelling, Jana Lyda Mask, Tierra Mireles Limited Partnership, Jerry Kye Mask, Weiblen Enterprises Ltd., Charles Fohn Family Investments, LLC, Annie J. Halbardier, James Ray Carnes, Jr., Thomas Boehme and wife Helene Mae Boehme, Wilde Family Farms, Ltd., Callaghan Road, Ltd., TJ Hondo Ranch, Ltd. and M4 Enterprises, LLC, Lena Jo Davenport, as Trustee of the Lena Jo Davenport Revocable Trust, Lyle N. Riff, Trustee of the Gertrude S. Riff Family Trust, WM Kenton Hammond and wife, Linda R. Hammond, James L. Persyn and wife, Ruth E. Persyn, New Fountain United Methodist Church Board of Trustees, Carol Todd, and Church of Christ of New Braunfels for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$6,111,503.00.
- G.4** Consider recommendation from EAA staff to approve Voluntary Irrigation Suspension Program Option (VISPO) forbearance agreements with Reus Farm, LP managed by Reus Management, LLC, Betty June Jeffery, Gladys M. Zinsmeyer, Glenn Bragg and wife, Jo Lynn Bragg, David G. Bragg and wife, Tammy R. Bragg, Jim Biediger and Boyle, Ltd. for Edwards groundwater withdrawal rights in the total amount of not less than \$206,567.55 and not to exceed \$818,619.55 for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.
- G.5** Consider recommendation from EAA staff to extend authorization of a waiver of registration fees.
- H. Staff Reports**
- H.1** Receive report from EAA staff regarding the EAA's Conservation Grant Program and related issues.
- H.2** Receive report from EAA staff on recharge calculation methodology.

**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)

*Uvalde Cty. UWCD. v. Edwards Aquifer Auth.* (38th Uvalde Cty. filed Jan. 16, 2018)

*Gibson v. Edwards Aquifer Auth.*, (County Court at Law 2, Bexar County, Texas, June 1, 2018)

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.**

December 6, 2018

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.