



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, May 14, 2019

3:00 PM

EAA Board Room

Pursuant to the Texas Open Meetings Act, Ch. 551, 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.)
 - Legislative Activity
 - 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 March 2019.**

E. Board Reports

F. Consent Agenda

- F.1** **Approval of previous board meeting minutes**
 - Regular Board Meeting - April 9, 2019

- F.2** **Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Schertz 312, LLC, based on a change in land use.**

- F.3** **Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Schertz 312, LLC, based on a change in land use.**

- F.4** Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Schertz 312, LLC, based on a change in land use.
- F.5** Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Tierra Lytle LLC, that is in excess of the one acre-foot per acre of historically irrigated land.
- F.6** Consider recommendation from the Permits/Enforcement Committee to approve ASR springflow protection program forbearance agreements with Stolte Farms, Ltd., Colby Joe Heyen, and Henry P. DeCock for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$517,277.70.
- F.7** Consider recommendation from the Permits/Enforcement Committee to restore limited production well status for the well owned by Fernando & Jesusa Castillo, based on the owners' ability to meet annual groundwater withdrawal limits.
- F.8** Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for March 2019.

G. Individual Consideration

- G.1** Consider recommendation from the Finance/Administrative Committee to approve a contract with Quacito LLC, for development of an EAA database and data migration, in an amount not to exceed \$500,000.
- G.2** Consider recommendation from EAA staff to refer to General Counsel an enforcement matter against 7-Eleven, Inc. and Sonnahr Enterprises, Inc., for violations of EAA rules, and authorize General Counsel to file a civil suit, if necessary.

H. Staff Reports

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. (5th Cir. filed Aug. 9, 2018)

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

Gibson v. Edwards Aquifer Auth. (37th Bexar Cty. transferred Sept. 6, 2018)

Gonzales v. Mendez (285th Bexar Cty. filed Sept. 20, 2018; EAA intervened May 8, 2019)

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.**

May 9, 2019

Jennifer Wong-Esparza
Assistant to Board Secretary

In this Notice of Open Meeting ("Notice"), the posting of an agenda item to be discussed in open session is not intended to limit or require discussion of that item in open session if it is otherwise appropriate to discuss the item in closed session. If, during the discussion of an agenda item posted for discussion in open session, 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 to be discussed in closed session is not intended to limit or require discussion of that item in closed session if it is otherwise appropriate to discuss the item in open session. In open session, the Board may discuss and take action on any agenda item 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.

