



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, October 8, 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.

AGENDA

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 the unaudited financial statements for August 2019.**

E. Board Reports

F. Consent Agenda

- F.1** **Approval of previous board meeting minutes**
- Regular Board Meeting - September 10, 2019
 - Special Board Meeting - September 13, 2019
- F.2** **Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Shops at Luckey Ranch, 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 Dos Ninas, LP, based on the installation of conservation equipment.

F.4 Consider recommendation from the Finance/Administrative Committee to approve an engagement letter with RSM US, L.L.P., to provide independent audit services for fiscal year 2019.

F.5 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for August 2019.

G. Individual Consideration

G.1 Consider recommendation from the Permits/Enforcement Committee to approve ASR springflow protection program forbearance agreements with Ruth Ranch 2, LLC; SFD/Medio Creek Land Partnership, LTD; Zinsmeyer Farms; Tausch Land and Cattle, Ltd., a Texas limited partnership; and James E. Verstuyft, for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$1,007,264.70.

G.2 Consider recommendation from the Finance/Administrative Committee to authorize staff to present the 2020 proposed budget and associated aquifer management fee rates for public comment.

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. decided Aug. 28, 2019)

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

Monitored Litigation:

In re Estate of Eva May Sanderlin (Cty. Ct., Uvalde Cty. filed Jan. 8, 2015)

In re Estate of Watts (Prob. Ct. No. 1, Bexar Cty. filed Jan. 27, 2016)

Stratta v. Harris (5th Cir. filed Nov. 29, 2018)

2. Consultation with Attorney - Attorney/Client Privileged Consultations (§ 551.071)
3. Consultation with Attorney - Settlement Offers (§ 551.071)
4. Deliberations Regarding Real Property (§ 551.072)
5. Deliberations Regarding Personnel Matters (§ 551.074)
6. Deliberations Regarding Security Devices or a Security Audit (§§ 551.076, 551.089)

J. Consider recommendation(s) regarding matters discussed in closed session.**J.1**

Consider authorization for the Chairman of the EAA Board of Directors to correspond with Southwest Sustainable Water Supply regarding aspects of its proposed Aquifer Storage and Recovery Project.

K. Discuss items for future board meeting agendas.**L. Adjournment.**

October 3, 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.