



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, October 13, 2020

3:00 PM

Via Teleconference

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.

In response to the COVID-19 crisis and in accordance with section 418.016 of the Texas Government Code, Governor Greg Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. To protect the health of the public, EAA staff and Board of Directors, this meeting will be conducted via teleconference in a manner consistent with these streamlined meeting standards.

The public may virtually attend the live meeting by going to <https://us02web.zoom.us/j/88658211819>. Individuals wishing to offer public comment during the meeting must register their name, telephone number and the item, if any, on which they wish to speak no later than 5:00 pm Monday, October 12, by emailing jesparza@edwardsaquifer.org or by calling 210.477.5116. Staff will contact registered speakers prior to the meeting time to arrange the process of addressing the committee.

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 unaudited financial statements for August 2020.

E. Board Reports

E.1 Receive report from EAA staff on the role of the Contributing Zone in maintaining historical water quantity and quality.

F. Consent Agenda

F.1 Approval of previous board meeting minutes
- Regular Board Meeting - September 8, 2020

F.2 Consider recommendation from the Permits/Enforcement Committee to approve forbearance agreements with Turner-Pasche Ranch, LLC, and George D. Koch, for Edwards groundwater withdrawal rights in the total amount of not less than \$83,430.00, and not to exceed \$330,630.00, for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.

F.3 Consider recommendation from the Permits/Enforcement Committee to approve a springflow protection program forbearance agreement with Sammy L. Gugliotti for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$24,000.00.

F.4 Consider recommendation from the Finance/Administrative Committee to approve the 2021 plan agreement with the Texas County and District Retirement System.

F.5 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for August 2020.

G. Individual Consideration

G.1 Consider recommendation from the Permits/Enforcement Committee to approve an Interlocal Cooperation Contract between the EAA and Evergreen Underground Water Conservation District to conduct a Precipitation Enhancement Program, in an amount not to exceed \$175,000.

- G.2** Consider recommendation from the Finance/Administrative Committee to authorize staff to present the 2021 proposed budget and associated aquifer management fee rates for public comment.
- G.3** Consider recommendation from the Finance/Administrative Committee to approve an interlocal contract between the EAA and the City of New Braunfels to fund Conservation Measures and Program Activities in accordance with the Edwards Aquifer Habitat Conservation Plan.
- G.4** Consider recommendation from the Finance/Administrative Committee to approve an interlocal contract between the EAA and the City of San Marcos and Texas State University to fund Conservation Measures and Program Activities in accordance with the Edwards Aquifer Habitat Conservation Plan.
- G.5** Consider recommendation from EAA staff to approve an agreement with the San Antonio Zoological Society, Inc., for the lease of self-contained portable research facilities, in exchange for in-kind considerations.
- G.6** Consider recommendation from EAA staff to assess an Administrative Penalty under Section 1.37 of the EAA Act against Hugo and Eva Sanchez for failing to submit a 2019 Annual Groundwater Use Report with the EAA.
- G.7** Consider recommendation from EAA staff to assess an Administrative Penalty under Section 1.37 of the EAA Act against Ms. Andrea Sanger for failing to submit a 2019 Annual Groundwater Use Report with the EAA.

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:

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. 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.

K. Discuss items for future board meeting agendas.

L. Adjournment.

October 8, 2020

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.