



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, November 10, 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/87843811844>. 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, November 9, 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 September 2020.

E. Board Reports

- E.1 Receive report from General Manager on the status of the strategic planning process for the 2021-30 plan period.
- E.2 Receive report from EAA staff and consultants on the status of interim legislative activities as they relate to the EAA.
- E.3 Receive report from Gary Middleton - South Central Texas Water Advisory Committee (SCTWAC), regarding the SCTWAC 2020 Biennial Report on the Effectiveness of the Edwards Aquifer Authority.

F. Consent Agenda

- F.1 Approval of previous board meeting minutes
 - Regular Board Meeting - October 13, 2020
- F.2 Consider recommendation from the Finance/Administrative Committee to amend the 2020 EAA Operating Budget by transferring \$50,000 from the Information Technology Capital Expense to Non-Capital accounts.
- F.3 Consider recommendation from the Finance/Administrative Committee to approve amendments to the Edwards Aquifer Authority Bylaws and reapprove Article IX pertaining to the EAA Investment Policy and Investment Strategy.
- F.4 Consider recommendation from the Finance/Administrative Committee to declare certain personal property of the EAA to be surplus and to authorize the disposal of the surplus property.
- F.5 Consider recommendation from the Finance/Administrative Committee to approve the purchase of disaster recovery hardware and related technology from SHI Government Solutions, in the amount of \$46,921.
- F.6 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for September 2020.

G. Individual Consideration

- G.1** Consider recommendation from the Executive Committee to approve a contract renewal and extension with Eurofins Xenco, LLC, for analytical laboratory services, in an amount not to exceed \$210,000.
- G.2** Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2020 Funding Application Amendment submitted by the City of New Braunfels.
- G.3** Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2020 Funding Application Amendment submitted by the City of San Marcos/Texas State University and associated 2020 EAA Operating Budget amendment.
- G.4** Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2021 Funding Applications submitted by the Edwards Aquifer Authority (\$11,815,625), the City of New Braunfels (\$470,385), and the City of San Marcos/Texas State University (\$1,396,377).
- G.5** Consider recommendation from the Finance/Administrative Committee to adopt the annual operating budget for fiscal year 2021 and assessing aquifer management fee and program aquifer management fee rates for 2021.
- G.6** Consider canvassing and declaring the official result that an election was not held on Tuesday, November 3, 2020, to elect a voting member to the EAA Board of Directors from single-member EAA Director District No. 10 in Hays County.
- G.7** Consider recommendation from EAA staff to authorize the General Manager to submit a proposal to Quantified Ventures under the Texas Outcomes-Based Finance Challenge to identify and secure potential alternative funding sources for implementation of conservation programs, including those within the Next Generation concept.

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.**

November 5, 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.

