



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, September 14, 2021

4:00 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. Board members may participate by video conference consistent with Section 551.127 of the Texas Government Code and Section 7.09 of the EAA Bylaws.

The public may also attend the live meeting virtually by going to <https://us02web.zoom.us/j/81469774953>. Individuals wishing to offer public comment remotely must register their name, telephone number and the item, if any, on which they wish to speak no later than 5:00 pm Monday, September 13, 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 board.

AGENDA

- A. Call to Order – Roll Call
- 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 2021.
- 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 EAA staff regarding the Interinformational Flow Study.
- F. **Consent Agenda**
- F.1 Approval of previous board meeting minutes
 - Regular Board Meeting - August 10, 2021
- F.2 Consider recommendation from EAA staff to approve ASR springflow protection program forbearance agreements with Troy Zinsmeyer and Melissa Zinsmeyer, and M&TZ Properties, LLC, for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$57,219.40.
- F.3 Consider recommendation from the Aquifer Management Planning Committee to renew and amend a contract with ICF Jones and Stokes, Inc., for the development and preparation of EAHCP Annual Report, in an amount not to exceed \$56,505.
- 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 renewal of interlocal cooperation contracts with the Texas Municipal League Intergovernmental Risk Pool for property and casualty insurance, and for workers' compensation insurance, in the total amount of \$119,242, for the period of October 1, 2021 through October 1, 2022.
- F.6 Consider recommendation from the Finance/Administrative Committee to approve an arrangement letter with RSM US, L.L.P., to provide independent audit services for fiscal year 2021, in the amount of \$60,500.
- F.7 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith, in the amount of \$50,094.04, for legal services for July 2021.

F.8

Consider recommendation from the Finance/Administrative Committee to amend the 2021 EAA Operating Budget by transferring \$247,000 from Public Information Professional Technical Services to Capital Assets, Property Services and Supplies accounts.

G. Individual Consideration

G.1 Consider recommendation from EAA staff to approve water conservation grant contracts in the total amount of \$74,376.83 to Marla Lee Schaefer (\$58,900) and Mark Roberts (\$15,476.83).

G.2 Consider recommendation from EAA staff to approve a renewal and extension of an interlocal cooperation contract with the Evergreen Underground Water Conservation District to conduct a Precipitation Enhancement Program, in an amount not to exceed \$175,000.

G.3 Consider recommendation from EAA staff to approve contracts with Enterprise FM Trust and Enterprise Fleet Management, Inc. for the lease and maintenance of EAA vehicles, in an approximate amount of \$78,000 for the initial nine proposed vehicle replacements.

G.4 Consider recommendation from the Aquifer Management Planning Committee to approve an interlocal cooperation contract with the City of San Antonio for services associated with the City's Edwards Aquifer Protection Program, and associated reimbursement to the EAA totaling \$1,230,705 over the term of the contract.

G.5 Consider recommendation from the Finance/Administrative Committee to declare real property of the EAA located at 1610 N. St. Mary's Street, San Antonio, Texas, to be surplus and to authorize the disposal of the surplus property.

G.6 Consider recommendation from EAA staff to approve a contract with Urban Genesis for the sale of the EAA property located at 1610 N. St. Mary's St., in the amount of \$1,715,000.

H. Staff Reports

H.1 Receive report from EAA staff on the General Manager's 2022 Proposed Operating Budget.

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.**

September 9, 2021

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.

