



Edwards Aquifer Authority

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

NOTICE OF OPEN MEETING

Board of Directors

Tuesday, April 9, 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.)
 - 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 February 2019.**
- E. **Board Reports**
- F. **Consent Agenda**
- F.1 **Approval of previous board meeting minutes
- Regular Board Meeting - March 12, 2019**
- F.2 **Consider recommendation from the Permits/Enforcement Committee and staff to approve Agricultural Secondary Containment Assistance Program Agreements with Rancho La Cochina Minerals, Ltd. and George D. Koch.**
- F.3 **Consider recommendation from the Finance/Administrative Committee to approve the purchase of technology hardware and associated software from Insight Public Sector.**

F.4 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for February 2019.

G. Individual Consideration

G.1 Receive report from independent auditor, RSM LLP, and consider recommendation from the Finance/Administrative Committee to accept the audit report for the 12-month period of January 1, 2018 through December 31, 2018.

G.2 Consider recommendation from the Finance/Administrative Committee to approve an agreement with Quacito LLC, for development of an EAA website.

G.3 Consider recommendation from the Finance/Administrative Committee to approve an amendment to the FY2019 Edwards Aquifer Habitat Conservation Plan Funding Application, increasing the amount of this funding application by \$1,241,906 for Refugia activities.

G.4 Consider recommendation from the Finance/Administrative Committee to amend the 2019 EAA Operating Budget by increasing the General Fund appropriation by \$84,901 and decreasing the Habitat Conservation Plan Fund by \$139,080.

H. Staff Reports

H.1 Receive report from EAA staff on the draft Edwards Aquifer Habitat Conservation Plan Comprehensive Phase II Work Plan.

H.2 Receive report from EAA staff regarding the revised Edwards Aquifer Authority General Manager Compliance and Settlement Guidelines.

H.3 Receive report from EAA staff on proposed compliance settlement offers to owner/operators of facilities with aboveground storage tank (AST) systems that operated on the Edwards Aquifer Recharge Zone after December 31, 2018 in violation of EAA rules.

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 Dist. Ct., Bexar Cty., Tex. transferred Sept. 6, 2018)

Gonzales v. Mendez (285th Dist. Ct., Bexar Cty., Tex. filed Sept. 20, 2018)

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.**J.1**

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.

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

April 4, 2019

Jennifer Wong-Esparza
Assistant to Board Secretary

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