



Edwards Aquifer Authority

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

Meeting Minutes - Draft

Board of Directors

Tuesday, February 11, 2020

3:00 PM

EAA Board Room

A. Call to Order – Roll Call – Pledge of Allegiance.

Chairman Buckner called the meeting to order at 3:01 p.m.

Present: 14 - Chairman Luana Buckner, Director Deborah Carington, Treasurer Ron Ellis, Director Rader Gilleland, Director Don Laffere, Director Gary Middleton, Director Byron Miller, Director Carol Patterson, Director Abe Salinas, Director Rachel Sanborn, Director Pat Stroka, Director Clark Ward, Director Scott Yanta and Vice Chairman Ben Youngblood

Absent: 3 - Director Kathleen Krueger, Secretary Enrique Valdivia and Director Ron Walton

B. Public comment.

There were no citizens who requested to address the board.

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

Mr. Roland Ruiz, General Manager, made the following announcements:

- *Ms. Jennifer Wong-Esparza, Assistant to Board Secretary, completed 20 years of service with the EAA.*
- *Mr. Jared Morris, Director of Information Technology, completed five years of service with the EAA.*
- *Mr. Kyle Craig, Recharge Zone Protection Coordinator, completed five years of service with the EAA.*
- *Ms. Julia Carillo, Intergovernmental Affairs Liaison, completed five years of service with the EAA.*
- *Ms. Jessica Quintanilla, Hydrogeologist, completed five years of service with the EAA.*
- *In directors' folders was a flyer regarding The Science of Business – Business Network Event. The EAA would be hosting the 2nd annual business networking event on Wednesday, February 26 from 6:00 – 7:30 p.m. at The Doseum on Broadway.*
- *Also in directors' folders was a memorandum from Carriage House Partners regarding the interim report for January 2020.*
- *Directors received a letter from Mr. David Jackson, CaveSim, regarding creating a CaveSim system for the EAA.*
- *Mr. Mike De La Garza, Senior Director - Communications & Development, updated the board on Edwards Aquifer Conservancy activities, and noted that the next meeting was scheduled for March.*
- *Mr. Paul Bertetti, Director of Aquifer Science, briefed the board on current aquifer conditions.*

D. Treasurer's Report**D.1**

Receive report from EAA staff on unaudited financial statements for December 2019.

Treasurer Ellis presented the unaudited financial statements for December 2019.

E. Board Reports**F. Consent Agenda**

**F.1 Approval of previous board meeting minutes
 - Regular Board Meeting - January 14, 2020**

*Approval of previous board meeting minutes
- Regular Board Meeting - January 14, 2020*

**F.2 Consider recommendation from the Finance/Administrative
 Committee to approve a contract with BBVA USA, for central
 depository services.**

Adopt Resolution and Order No. 02-20-962 of the Edwards Aquifer Authority Board of Directors approving a contract between the EAA and BBVA USA, for central depository services for the period March 1, 2020 through February 28, 2022, with an option to renew for up to three additional one-year periods, and authorizing the General Manager to execute all necessary documents to effectuate the contract.

[Attached and made a part of these minutes.]

**F.3 Consider recommendation from the Finance/Administrative
 Committee to approve purchases in 2020 with SHI for Microsoft
 software products, in the total amount not to exceed \$80,000.**

Approve purchases of Microsoft products from SHI Government Solutions through 2020, in the total amount not to exceed \$80,000.

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

Approve payment to Kemp Smith in the amount of \$64,562.48 for legal services for December 2019.

**F.5 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.**

Adopt Resolution and Order No. 02-20-963 of the Edwards Aquifer Authority Board of Directors declaring certain personal property of the EAA to be surplus and authorizing the General Manager to sell or otherwise dispose of the surplus property.

[Attached and made a part of these minutes.]

A motion was made by Director Stroka, seconded by Director Laffere, the board approve the consent agenda. The motion passed viva voce.

G. Individual Consideration

- G.1 Consider recommendation from EAA staff to approve Groundwater Trust Transfer Contracts with Bexar County WCID No. 10, Mr. Douglas Miller, Elm Creek Owners Association, Mr. Steve M. Tedford, and Los Patios.**

Mr. Chuck Ahrens, Water Resources Manager, briefed the board regarding approving Groundwater Trust Transfer Contracts with Bexar County WCID No. 10, Mr. Douglas Miller, Elm Creek Owners Association, Mr. Steve M. Tedford, and Los Patios.

A motion was made by Director Patterson, seconded by Director Stroka, the board authorize the General Manager to enter into Groundwater Trust Transfer Contracts with Bexar County WCID No. 10 (Permit No. P107-697 - 305 acre-feet), Mr. Douglas Miller (Permit No. P101-873 - 13 acre-feet), Elm Creek Owners Association (Permit No. P101-996 - 25 acre-feet), Mr. Steve M. Tedford (Permit No. P100-224 - 5 acre-feet) and Los Patios (Permit No. P100-591 - 60 acre-feet) for a total trust enrollment of 408 acre-feet. The motion passed viva voce.

- G.2 Consider recommendation from EAA staff to 1) rescind two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Lyle N. Riff, Trustee of the Gertrude S. Riff Family Trust (P100-925); 2) enter into two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Lyle N. Riff (P109-123); and 3) enter into two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Michael J. Riff (P109-124), all in support of the Edwards Aquifer Habitat Conservation Plan.**

A motion was made by Director Stroka, seconded by Director Laffere, the board: 1) rescind two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Lyle N. Riff, Trustee of the Gertrude S. Riff Family Trust (P100-925); 2) enter into two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Lyle N. Riff (P109-123); and 3) enter into two Aquifer Storage and Recovery Springflow Protection leases and one Aquifer Storage and Recovery Springflow Protection Forbearance Agreement with Michael J. Riff (P109-124), all in support of the Edwards Aquifer Habitat Conservation Plan, and authorize the General Manager to execute the rescission and the subsequent agreements. The motion passed viva voce.

- G.3 Consider recommendation from EAA staff to approve a lease agreement with Concept General Contracting, Inc., for the EAA property located at 1610 N. St. Mary's St.**

Mr. Ruiz and Mr. Felix Marquez, Executive Director - Administration & Financial Services, briefed the board regarding the property located at 1610 N. St. Mary's St., and a lease agreement between the EAA and Concept General Contracting, Inc.

A motion was made by Director Laffere, seconded by Director Youngblood, the board approve a lease agreement between the EAA and Concept General Contracting, Inc., for the EAA property located at 1610 N. St. Mary's St. from February 11, 2020 through February 11, 2021, and authorize the General Manager to execute all necessary documents. The motion passed viva voce.

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. (U.S. pet. for cert. filed Nov. 26, 2019)

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)**

The board did not meet in closed session.

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

The board did not consider any recommendations.

K. Discuss items for future board meeting agendas.

The board did not discuss future board meeting agenda items.

L. Adjournment.

There being no further business to discuss, the meeting adjourned at 3:29 p.m.

*Enrique P. Valdivia
Secretary, Board of Directors*

*Jennifer Wong-Esparza
Assistant to Board Secretary*