



Edwards Aquifer Authority

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

Meeting Minutes - Draft

Board of Directors

Tuesday, March 9, 2021

4:00 PM

Via Teleconference

A. Call to Order – Roll Call

Chairman Buckner called the meeting to order at 4:00 p.m.

Present: 14 - Chairman Luana Buckner, Director Don Baker, Director Fohn Bendele, Director Deborah Carington, Director Austin Bodin, Director Rader Gilleland, Director Kathleen Krueger, Director Abe Salinas, Director Rachel Sanborn, Vice Chairman Enrique Valdivia, Director Gary Middleton, Director Ron Walton, Director Scott Yanta and Secretary Ben Youngblood

Absent: 2 - Treasurer Byron Miller and Director Carol Patterson

B. Public comment.

There were no citizens who requested to address the board.

C. Election of Member to the Edwards Aquifer Conservancy

C.1 Consider appointment of Edwards Aquifer Conservancy board member.

A nomination was made by Director Yanta to nominate Director Sanborn as a member to the Edwards Aquifer Conservancy. There were no further nominations, and no objections.

D. General Manager's announcements and reports.

D.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:

- *Updated the board on the recharge structures re-permitting process as we approach the final stage with the state for water diversions occurring as a result of the four recharge structures.*
- *Updated the board on the GBRA request for reduced funding of the EAHCP. Staff was still in discussions and was optimistic that something could be brought to the board for consideration in the next couple of months.*
- *Updated the board on the Next Generation concept and noted that staff was in negotiations with a potential corporate donor regarding funding for the acquisition of property for a pilot program for land management concepts. Staff was also in discussions with San Antonio River Authority regarding a possible cost share agreement and has met with the Texas Nature Conservancy and the Guadalupe Blanco Land Trust, and staff anticipates hosting visits with their staff representatives to the Field Research Park in the near future.*
- *Provided the board with a general update on the EAA mission as the Next Generation initiative gains footing and momentum. The board was reminded of the numerous uncertainties that we were facing 10 years ago.*
- *Staff would continue to monitor and report bill filings in the weekly bill tracking report, particularly those that attempt to amend the EAA Act, and would report developments to the Executive Committee as appropriate.*
- *Mr. Paul Bertetti, Director of Aquifer Science, briefed the board on current aquifer conditions.*

E. Treasurer's Report**E.1****Receive report from EAA staff on unaudited financial statements for January 2021.**

In Treasurer Miller's absence, Chairman Buckner asked for questions regarding the unaudited financial statements for January 2021. There were none.

F. Board Reports

- F.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.**

Director Middleton briefed the board regarding downstream water conditions of the Guadalupe River Basin and current activities and issues of interest to the South Central Texas Water Advisory Committee (SCTWAC), and noted that the area was 9 - 10 inches below rainfall for the end of the year, and conditions were still dry for the start of the year.

- F.2 Receive report from EAA staff on the status of the Education and Outreach Center located at Morgan's Wonderland Camp and the nearby Field Research Park.**

Mr. Michael De La Garza, Senior Director - Communications & Development, briefed the board regarding an update on the Education Outreach Center with pictures of the progress that has been made and the floor plan of the EOC.

Mr. Mark Hamilton, Executive Director - Aquifer Management Services, briefed the board regarding an update on the Field Research Park with pictures of the progress to date.

G. Consent Agenda

- G.1 Approval of previous board meeting minutes
- Regular Board Meeting - February 9, 2021**

*Approval of previous board meeting minutes
- Regular Board Meeting - February 9, 2021*

- G.2 Consider EAA staff recommendation to approve payment to Kemp Smith for legal services for January 2021.**

Approve payment to Kemp Smith in the amount of \$47,320.91 for legal services for January 2021.

A motion was made by Vice-Chairman Valdivia, seconded by Director Salinas, to approve the consent agenda. The motion passed without opposition.

H. Individual Consideration

- H.1 Consider recommendation from EAA staff to 1) rescind an Aquifer Storage and Recovery (ASR) springflow protection forbearance agreement with Karolyn Irene Stone; 2) enter into an ASR springflow protection forbearance agreement with both McFadin Dimmit Minerals, LP and L. Carper Capt for the remaining term length of the rescinded agreements; and 3) authorize the General Manger to execute the rescission and the subsequent agreements.**

Mr. Javier Hernandez, Special Projects Liaison, briefed the board regarding three transactions in furtherance of the ASR springflow protection program. The three related transactions necessitate a rescission in order to be fully implemented. In brief, transactions related to permit ownership have necessitated the need for these administrative actions under the terms of the ASR springflow protection program and the individual agreements.

A motion was made by Vice-Chairman Valdivia, seconded by Secretary Youngblood, the board: (1) rescind the Aquifer Storage and Recovery (ASR) springflow protection forbearance agreements with Karolyn Irene Stone (P108-739); (2) approve the ASR springflow protection forbearance agreements with McFadin Dimmit Minerals, LP (P109-402) and L. Carper Capt (P109-398) for the remaining term length of the rescinded agreements; and (3) authorize the General Manger to execute the rescission and the subsequent agreements. The motion passed without opposition.

- H.2 Consider recommendation from EAA staff to approve a Groundwater Trust Transfer Contract with the San Antonio Country Club.**

Mr. Chuck Ahrens, Water Resources Manager, briefed the board regarding authorizing the General Manager to enter into a Groundwater Trust Transfer Contract with San Antonio Country Club.

A motion was made by Vice-Chairman Valdivia, seconded by Secretary Youngblood, the board authorize the General Manager to enter into a Groundwater Trust Transfer Contract with the San Antonio Country Club (Permit No. P100-214) for a total trust enrollment of 100 acre-feet. The motion passed without opposition.

I. Staff Reports

J. 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:

The board did not meet in closed session.

J.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)

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

The board did not consider any recommendations.

L. Discuss items for future board meeting agendas.

The board did not discuss future board meeting agenda items.

M. Adjournment.

There being no further business to discuss, the meeting adjourned at 5:03 p.m.

Benjamin F. Youngblood III
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary