



Edwards Aquifer Authority

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

Meeting Minutes Board of Directors

Tuesday, November 14, 2017

3:00 PM

EAA Board Room

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

Chairman Buckner called the meeting to order at 3:15 p.m.

Present: 5 - Chairman Luana Buckner, Director Don Laffere, Director Pat Stroka, Director Ron Walton, and Director Clark Ward

Absent: 3 - Director Amy Akers, Director Rebekah Bustamante, and Treasurer Ron Ellis

Present: 8 - Director Deborah Carington, Director Rader Gilleland, Director Kathleen Krueger, Director Gary Middleton, Treasurer Byron Miller, Director Carol Patterson, Chair Enrique Valdivia and Secretary Ben Youngblood

Absent: 1 - Director Scott Yanta

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.)
- 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:

- *Chairman Buckner informed directors that they received the 2017 General Manager Performance Assessment forms and were to return them to her via email, or by mail, by November 27, or in person at the December 4 Executive Committee meeting.*
- *Directors were informed of the passing away of Judith Sanders Castro, Dr. Virginia Moody, and Director Rebekah Bustamante's step daughter.*
- *Mr. Adrian Lopez was hired as a Web/Digital Media Specialist for the Communications & Development Department.*
- *Dr. Changbing Yang was hired as a Senior Modeler for the Modeling and Data Management Department.*
- *Mr. Ramiro Mendoza, Information Technology Technician, completed 15 years of service with the EAA.*
- *Directors received a work session summary recapping what was discussed at the work session in September. Included was a General Manager executive summary that attempted to lay out our general vision moving forward.*
- *On November 17 at the EAA, Mr. Jim Winterle, Director of Modeling and Data Management, would provide an Edwards Aquifer technical presentation regarding the recently completed revisions to the MODFLOW model. He would discuss the revisions and provide a comparison of differences in model output between the revised and original MODFLOW.*
- *Mr. Jim Boenig, Director - Aquifer Protection, briefed the board on current water levels and springflows, and introduced the media coverage by Justin Horne, meteorologist and reporter - KSAT 12, to demonstrate the use of the nano camera, discuss the Bexar County Groundwater Protection Initiative, and explain the importance of well registration and inspection.*

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

Receive report from EAA staff on unaudited financial statements for September 2017.

Chairman Buckner noted that Ms. Shelly Hendrix, Director/Controller Financial Services, was available for questions regarding the unaudited financial statements for September 2017.

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

**F.1 Approval of previous board meeting minutes
 - Regular Board Meeting - October 10, 2017**

*Approval of previous board meeting minutes
 - Regular Board Meeting - October 10, 2017*

**F.2 Consider recommendation from EAA staff to approve payment
 to Kemp Smith for legal services for September 2017.**

*Approve payment to Kemp Smith in the amount of 47,910.71, for legal services for
September 2017.*

**F.3 Consider recommendation from EAA staff 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. 11-17-887 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.]

**F.4 Consider recommendation from EAA staff to approve the 2018
 plan agreement with the Texas Counties and District Retirement
 System.**

*Adopt Resolution and Order No. 11-17-888 of the Edwards Aquifer Authority Board of
Directors approving the plan agreement with the Texas Counties and Districts
Retirement System, for the period January 1, 2018 through December 31, 2018.*

[Attached and made a part of these minutes.]

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

G. Individual Consideration

- G.1 Consider recommendation from EAA staff to authorize the General Manager to submit proposed amendments to the EAHCP's San Antonio Water System Aquifer Storage and Recovery Springflow Protection Measure for consideration through the EAHCP Adaptive Management Process.**

Mr. Marc Friberg, Executive Director - External & Regulatory Affairs, briefed the board regarding proposed amendments to the San Antonio Water System (SAWS) Aquifer Storage and Recovery (ASR) Springflow Protection Measure for consideration through the Edwards Aquifer Habitat Conservation Plan (EAHCP) Adaptive Management Process.

A motion was made by Director Krueger, seconded by Director Stroka, the board authorize the General Manager to take the steps necessary to develop and submit proposed amendments to the San Antonio Water System Aquifer Storage and Recovery Springflow Protection Measure contained in the Edwards Aquifer Habitat Conservation Plan for consideration through the Adaptive Management Process. The motion passed viva voce.

- G.2 Consider recommendation from the Executive Committee to approve a renewal and amendment of Contract No. 13-670-EX with Carriage House Partners, LTD, for legislative consultant services, in an amount not to exceed \$284,000.**

A motion was made by Director Patterson, seconded by Director Walton, the board adopt Resolution and Order No. 11-17-889 of the Edwards Aquifer Authority Board of Directors approving a two-year renewal and amendment of Contract 13-670-EX between the EAA and Carriage House Partners, LTD, for legislative consultant services in an amount not to exceed \$284,000, for the period December 1, 2017, through November 30, 2019. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.3 Consider recommendation from EAA staff to approve the purchase and installation of computer network equipment from SHI, in the amount of \$102,477.**

Mr. Ruiz and Mr. Felix Marquez, Executive Director - Administrative & Financial Services, briefed the board regarding the purchase and installation of computer network equipment from SHI. The purchase of this equipment would enhance and facilitate network security, data backups and redundancy that are required to maintain the integrity and safekeeping of EAA electronic databases.

A motion was made by Director Youngblood, seconded by Director Patterson, the board adopt Resolution and Order No. 11-17-890 of the Edwards Aquifer Authority Board of Directors approving the purchase and installation of computer network equipment from SHI, in the amount of \$102,477. The motion passed viva voce.

[Attached and made a part of these minutes.]

G.4 Consider recommendation from EAA staff to amend the 2017 Operating Budget by increasing Capital Expenditures by \$89,056, and reducing other line items accordingly.

Mr. Marquez briefed the board regarding amending the 2017 operating budget by increasing the line item for Capital Expense by \$89,056, and decreasing other line items accordingly. This transfer of funds from other line items to the Capital Expense line item was needed to effectuate the purchase and installation of computer network equipment from SHI.

A motion was made by Director Youngblood, seconded by Director Patterson, the board amend the 2017 Operating Budget by increasing Capital Expenses by \$89,056, and decreasing other line items accordingly. The motion passed viva voce.

[Attached and made a part of these minutes.]

G.5 Consider recommendation from EAA staff to approve the Edwards Aquifer Habitat Conservation Plan FY2018 Funding Applications submitted by the Edwards Aquifer Authority (\$17,680,444), the City of New Braunfels (\$520,000), and the City of San Marcos/Texas State University (\$851,583).

Mr. Ruiz briefed the board regarding approving the Edwards Aquifer Habitat Conservation Plan FY2018 Program Funding Applications submitted by the Edwards Aquifer Authority, the City of New Braunfels, and the City of San Marcos/Texas State University, for the purpose of implementing the Conservation Measures and Program Activities as required by the EAHCP.

A motion was made by Secretary Valdivia, seconded by Director Youngblood, the board adopt Resolution and Order No. 11-17-891 of the Edwards Aquifer Authority Board of Directors approving the Edwards Aquifer Habitat Conservation Plan FY2018 Program Funding Applications submitted by the Edwards Aquifer Authority, in an amount not to exceed \$17,680,444; the City of New Braunfels, in an amount not to exceed \$520,000; and the City of San Marcos/Texas State University, in an amount not to exceed \$851,583, for the purpose of implementing the Conservation Measures and Program Activities as required by the EAHCP, for the period January 1, 2018 through December 31, 2018. The motion passed viva voce.

[Attached and made a part of these minutes.]

G.6 Consider recommendation from EAA staff to adopt the annual budget for fiscal year 2018, and assessing aquifer management fee and program aquifer management fee rates for 2018.

Mr. Marquez briefed the board regarding adopting the annual budget, as amended, for fiscal year 2018, and assessing the aquifer management fee and program aquifer management fee rates for 2018.

A motion was made by Director Youngblood, seconded by Director Laffere, the board adopt Resolution and Order No. 11-17-892 of the Edwards Aquifer Board of Directors adopting the annual budget, as amended, for fiscal year 2018, and assessing the aquifer management fee and program aquifer management fee rates for 2018, as follows:

Non-agricultural aquifer management fee (General Fund) -- \$42 per acre-foot

Agricultural aquifer management fee (General Fund) -- \$2 per acre-foot

Non-agricultural program aquifer management fee (EAHCP Fund) -- \$42 per acre-foot.

The motion passed viva voce.

[Attached and made a part of these minutes.]

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. (W.D. Tex. filed June 21, 2012)

Active Litigation - Enforcement:

Edwards Aquifer Auth. v. Barnard (274th Hays Cty. filed Oct. 6, 2010)

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)

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 items for future board meeting agendas.

L. Adjournment.

There being no further business to discuss, the meeting adjourned at 3:54 p.m.

Enrique P. Valdivia
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary