



Edwards Aquifer Authority

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

Meeting Minutes - Final

Board of Directors

Tuesday, August 14, 2018

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: 12 - Chairman Luana Buckner, Director Deborah Carington, Director Don Laffere, Director Gary Middleton, Director Byron Miller, Director Carol Patterson, Director Pat Stroka, Secretary Enrique Valdivia, Director Ron Walton, Director Clark Ward, Director Scott Yanta and Vice Chairman Ben Youngblood

Absent: 3 - Treasurer Ron Ellis, Director Rader Gilleland and Director Kathleen Krueger

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:

- *Ms. Laura Hernandez was hired as the Finance Supervisor for the Finance Department.*
- *Mr. Michael De La Garza was hired as the Senior Director of Communications & Development.*
- *Ms. Nicole Wilkinson was hired as the Employment Coordinator for the Human Resources Department.*
- *Ms. Hilda Campos was hired as the Benefits Coordinator for the Human Resources Department.*
- *Directors were asked to let Sandy know if they would be attending the board work session in Fredericksburg, and to turn in their menu selection for Friday evening's dinner.*
- *Directors received a flyer regarding the Texas Alliance of Groundwater Districts Texas Groundwater Summit and were asked to let staff know this week if they would like to attend.*
- *Directors also received a flyer regarding the Texas Water Foundation's Annual Texas Rainmaker Award Dinner honoring Lyle Larson at the Bob Bullock Texas State History Museum in Austin. Directors were asked to let staff know this week if they would like to attend.*
- *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 June 2018.**

In the absence of Treasurer Ellis, the board did not have any questions for staff regarding the unaudited financial statements for June 2018.

E. Board Reports**F. Consent Agenda****F.1****Approval of previous board meeting minutes
- Regular Board Meeting - July 10, 2018**

*Approval of previous board meeting minutes
- Regular Board Meeting - July 10, 2018*

- F.2** Consider recommendation from the Permits/Enforcement Committee to accept the settlement counter-offer from the City of Selma, related to exceeding authorized groundwater withdrawals during 2017.

Accept the counter-offer regarding the pending enforcement matter presented below.

- F.3** Consider recommendation from the Permits/Enforcement Committee to accept a settlement counter-offer from the Ronald G. Heiligman and Jacqueline D. Heiligman, husband and wife, related to exceeding authorized groundwater withdrawals during 2017.

Accept a counter-offer regarding the pending enforcement matter presented below.

- F.4** Consider recommendation from the Permits/Enforcement Committee to approve an application to convert base irrigation groundwater owned by Bexar County, based on a change in land use.

Adopt a Final Order Granting Application to Convert Base Irrigation Groundwater for Initial Regular Permit No. P108-781 (ME00607) based on a change in land use submitted by Bexar County.

[Attached and made a part of these minutes.]

- F.5** Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for June 2018.

Approve payment to Kemp Smith in the amount of \$92,710.50, for legal services for June 2018.

- F.6** Consider recommendation from the Finance/Administrative Committee to amend the 2018 Operating Budget by increasing Computer Hardware Expenditures by \$38,500, and reducing other line items accordingly.

Amend the 2018 Operating Budget by increasing Capital/Computer Hardware Expenses by \$38,500, and decreasing other line items accordingly.

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

G. Individual Consideration

- G.1 Consider EAA staff recommendation to approve an interlocal cooperation contract with Texas A&M-San Antonio, for strategic planning services associated with Edwards Aquifer Conservancy, in an amount not to exceed \$100,710.43.**

Mr. Roland Ruiz briefed the board regarding the interlocal communication contract between the EAA and Texas A&M University-San Antonio (TAMU-SA) for strategic planning services for the Edwards Aquifer Conservancy (EAC).

A motion was made by Director Laffere, seconded by Secretary Valdivia, the board adopt Resolution and Order No. 08-18-904 approving Interlocal Communication Contract No. 18-899-EX between the EAA and Texas A&M University-San Antonio for strategic planning services associated with the Edwards Aquifer Conservancy, in an amount not to exceed \$100,710.43, for the period September 1, 2018 through August 31, 2018, and authorizing the General Manager to execute the contract. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.2 Consider recommendation from the Permits/Enforcement Committee to approve a Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157) by Cano Investments.**

Mr. Omar Garcia, Permits Supervisor, briefed the board regarding a Cano Investments claim to interest to amend the affected permit (Zalman Resources, Inc., and Mardoche Abdelhak) and issue a Regular Permit to Cano Investments individually.

A motion was made by Secretary Valdivia, seconded by Director Laffere, the board approve a Final Order Granting the Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157), by Cano Investments, and authorize staff to take all actions necessary to amend and issue any affected permits accordingly. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.3 Consider recommendation from the Finance/Administrative Committee to approve the purchase of employee medical insurance from Blue Cross Blue Shield of Texas through CBG Benefits Group, in the approximate amount of \$759,821, for the period October 1, 2018 through September 30, 2019.**

A motion was made by Vice-Chairman Youngblood, seconded by Director Stroka, the board adopt Resolution and Order No. 08-18-905 of the Edwards Aquifer Authority Board of Directors approving the purchase of employee medical insurance from Blue Cross Blue Shield of Texas, through CBG Benefits Group, in the approximate amount of \$759,821, for October 1, 2018 through September 30, 2019, and authorizing the General Manager to execute the necessary documents. The motion passed viva voce.

[Attached and made a part of these minutes.]

G.4 Consider EAA staff recommendation to approve water conservation grant contracts for 2018.

Ms. Isabel Martinez, Conservation Coordinator, briefed the board regarding water conservation grant contracts with EAA groundwater withdrawal permit holders. These contracts would fund the installation of irrigation conservation equipment. Douglas Verstuyft, Scott G. Yanta and Kimberly Yanta, Curtis Boehme and Staci Seekatz Boehme, and McFadin Bixler, LP, requested funding for their proposed projects.

A motion was made by Director Patterson, seconded by Secretary Valdivia, the board approve water conservation grant contracts with: McFadin Bixler, LP (\$49,191.38); Douglas Verstuyft (\$60,889.63); Scott G. Yanta and Kimberly Yanta (\$39,918.99); and Curtis Boehme and Staci Seekatz Boehme (\$50,000), and authorize the General Manager to negotiate and execute the contracts. The motion passed viva voce. Director Yanta abstained from the vote on the motion.

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:

Chairman Buckner closed the meeting to the public at 3:43 p.m.

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)

Uvalde Cty. UWCD. v. Edwards Aquifer Auth. (38th Uvalde Cty. filed Jan. 16, 2018)

Gibson v. Edwards Aquifer Auth., (County Court at Law 2, Comal County, Texas, June 1, 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)

Chairman Buckner reopened the meeting to the public at 4:00 p.m.

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 4:01 p.m.

Enrique P. Valdivia
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary