



Edwards Aquifer Authority

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

Meeting Minutes Board of Directors

Tuesday, August 11, 2020

3:00 PM

Via Teleconference

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

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

Present: 9 - Director Deborah Carington, Director Rader Gilleland, Director Gary Middleton, Treasurer Byron Miller, Director Carol Patterson, Director Abe Salinas, Director Rachel Sanborn, Vice Chair Enrique Valdivia and Secretary Ben Youngblood

Absent: 2 - Director Kathleen Krueger and 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.)
 - 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:

- *Mr. Ricardo Fonseca, Finance Coordinator, completed five years of service with the EAA.*
- *The deadline for filing an EAA election application to secure a place on the November ballot was 5:00 p.m. on Monday, August 17.*
- *COVID response has continued with limited personnel reporting to the office in person. Additionally, effective Monday, August 17, we would begin utilizing a daily self-check/health screening procedure for all employees.*
- *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 2020.

Treasurer Ellis presented the unaudited financial statements for June 2020.

E. Board Reports

E.1 Receive report from EAA staff on the status of the aquifer storage and recovery project under development by New Braunfels Utilities.

Mr. Paul Bertetti, Director of Aquifer Science, briefed the board regarding project activities including preparations for the start of Phase 2 of the project's three-phases - the Demonstration Well Phase, continued background monitoring results, schedule changes, and next steps in the approval process.

F. Consent Agenda

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

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

F.2 Consider recommendation from the Research & Technology Committee to approve an Interlocal Cooperation Contract with the University of Texas at San Antonio for water quality responses to recharge at Comal Springs, in an amount not to exceed \$60,000.

Approve Interlocal Cooperation Contract No. 20-017-AMS between the EAA and the University of Texas at San Antonio for water quality responses to recharge at Comal Springs, in an amount not to exceed \$60,000 for the period August 12, 2020 through December 31, 2022.

F.3 Consider recommendation from the Finance/Administrative Committee to approve payment to Kemp Smith for legal services for June 2020.

Approve payment to Kemp Smith in the amount of \$40,025.00 for legal services for June 2020.

A motion was made by Treasurer Ellis, 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 approve Voluntary Irrigation Suspension Program Option forbearance agreements with A & S Ranch, Ltd.; Troy L. Bippert and Michelle Bippert, Shawn P. Noonan and Kris A. Noonan; Ray Griggs and Sharon M. Griggs; William E. Schultz, Jr. and Pamela M. Schultz; and Archbishop of San Antonio - St. Joan of Arc Catholic Church for Edwards groundwater withdrawal rights in the total amount of not less than \$212,714.37 and not to exceed \$842,979.17 for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan.

A motion was made by Director Laffere, seconded by Secretary Valdivia, the board adopt Resolution and Order No. 08-20-970 of the Edwards Aquifer Authority Board of Directors to approve VISPO forbearance agreements for permitted Edwards groundwater rights between the EAA and the permit holders listed below, in the total amount of not less than \$212,714.37 and not to exceed \$842,979.17 for the Voluntary Irrigation Suspension Program Option in support of the Edwards Aquifer Habitat Conservation Plan and authorizing the General Manager to execute the Agreements. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.2** Consider EAA staff recommendation to approve ASR springflow protection program forbearance agreements with Donald E. Mosing, Larry K. Mosing, Billy F. Mosing and Mosing Land and Cattle Co. d/b/a 4-M Ranch, Grona Partners, Ltd., John T. Brigman, and Stull Farms, a Texas General Partnership, d/b/a Stull Farms for the Aquifer Storage and Recovery Forbearance Program, in support of the Edwards Aquifer Habitat Conservation Plan, in the total amount of \$901,664.00.

A motion was made by Secretary Valdivia, seconded by Director Patterson, the board adopt Resolution and Order No. 08-20-971 of the Edwards Aquifer Authority Board of Directors to approve springflow protection program forbearance agreements with the permit holders listed below, to the EAA for the Aquifer Storage and Recovery Program in support of the Edwards Aquifer Habitat Conservation Plan and authorize the General Manager to execute the agreements. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.3** Consider recommendation from EAA staff to approve a contract with Exhibit Concepts, Inc., for installation of interactive exhibits at the EAA Education Outreach Center, in an amount not to exceed \$785,000.00.

A motion was made by Director Patterson, seconded by Treasurer Ellis, the board adopt Resolution and Order No. 08-20-972 of the Edwards Aquifer Authority Board of Directors approving Contract No. 20-027-CDS between the EAA and Exhibit Concepts, Inc., to conceptualize, develop, construct, and install interactive exhibits at the EAA Education Outreach Center, in the amount of \$785,000.00 for the period August 12, 2020, through December 31, 2021, with an option to renew for two additional years. The motion passed viva voce.

[Attached and made a part of these minutes.]

- G.4** Consider recommendation from the Finance/Administrative Committee to amend the 2020 EAA Operating Budget by transferring \$50,000 from the Information Technology Capital Expense to Non-Capital accounts.

A motion was made by Treasurer Ellis, seconded by Director Laffere, the board amend the 2020 EAA Operating Budget by transferring \$50,000 from the Information Technology capital expenses to non-capital accounts. The motion passed viva voce.

- G.5** Consider recommendation from EAA staff to approve the purchase of employee medical insurance from Humana of Texas through CBG Benefits Group, for the period October 1, 2020 through September 30, 2021.

A motion was made by Secretary Valdivia, seconded by Treasurer Ellis, to approve the purchase of employee medical insurance from Humana of Texas through CBG Benefits Group, for the period October 1, 2020 through September 30, 2021. The motion passed viva voce.

- G.6** Receive report and consider possible action regarding a proposed conceptual framework for the development of the conservation initiative: "Edwards Aquifer Authority/Edwards Aquifer Conservancy: The Next Generation."

A motion was made by Director Patterson, seconded by Director Walton, the board approve a conceptual framework as presented for the development of the conservation initiative: "Edwards Aquifer Authority/Edwards Aquifer Conservancy: The Next Generation" and authorize the General Manager to take all steps necessary to effectuate the development of the appropriate program and policy recommendations. 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:

The board did not meet in closed session.

I.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)****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 4:30 p.m.

Enrique P. Valdivia
Secretary, Board of Directors

Jennifer Wong-Esparza
Assistant to Board Secretary