

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Meeting & Public Hearing
Telephone & Videoconference
May 13, 2021**

Board members present at commencement: Blayne Stansberry, Christy Williams and Dan Pickens. Craig Smith and Blake Dorsett were absent. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Justin Camp, Erin Swanson, Kendall Bell Enders, Jeff Watson and Tammy Raymond. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development) 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. Call to Order.

President Stansberry called the virtual meeting to order at 4:00 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments of a General Nature).

There were no public comments of a general nature.

3. Consent Agenda. (Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)

3a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.

b. Approval of minutes of the Board's April 6, 2021 Work Session, April 8, 2021 Special Meeting and April 22, 2021 Work Session.

Director Pickens moved approval of the consent agenda items 3a. and 3b., noting an invoice from Bickerstaff in the amount of \$6007.50.

Director Williams seconded the motion and it passed unanimously with a vote of 3 to 0.

Discussion and Possible Action.

5a. Discussion and possible action related to the selection of the recipients of the Kent S. Butler Memorial Groundwater Stewardship College Scholarships.

Mr. Marino stated that six essays were submitted this year and that the District would give scholarships to the top three. 1st place would receive \$2500 and 2nd and 3rd place would receive \$1500. He said that the judges chose the following winners:

1st place – Applicant 5 for an essay titled: Saltwater Intrusion in Floridian Aquifers

2nd place – Applicant 4 for an essay titled: Water Conservation Education: an Investment for the Future

3rd place – Applicant 6 for an essay titled: Climate Change and Its Effects on Texas Groundwater Aquifers.

Director Williams moved approval of the three essay winners as stated.

Director Pickens seconded the motion and it passed unanimously with a vote of 3 to 0.

At that time the three winners were introduced as:

1st Place - Megan Wolter

2nd Place - Sachin Albums

3rd Place - Mandala Pham

The winners gave a brief explanation of their essays and where they plan to go to college.

The Board congratulated each of them and wished them well.

5b. Discussion and possible action related to permittee's monthly drought compliance.

Ms. Swanson gave an update on the monthly drought compliance of the permittees. She said that Tier 3 permittees were in compliance and Tier 2 were in compliance with the exception of Aqua Texas.

Mr. Redman stated that they have spoken to their representative and the overpumpage was due to high pumping from customers. They said that they are going to take steps to remedy the situation.

No action was needed.

5c. Discussion and possible action on an amendment to the FY 2021 Budget

Ms. Wilson went through the line items explaining the amendments needed to the budget.

President Stansberry commented on the original charge of over \$200,000 from Travis County for the last election. Thankfully with the help of the County it was reduced to \$92,600, but was still much higher than any other election.

Ms. Wilson stated that the pandemic was a huge factor.

5d. Discussion on prerecorded presentation - Public Relations Training 101.

Mr. Marino gave a presentation on public relations and answered questions from the Board.

President Stansberry said that she appreciated the broad background of the video, and Mr. Marino's past experience in the news reporting world.

5f. Discussion and possible action related to a legislative update by Sledge Law Group.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 4:48 p.m.

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 5:11 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

4. Public Hearing - GMA 9 DFCs

The District will hold a public hearing on: 1) proposed Desired Future Conditions (DFCs) for the Trinity Aquifer (throughout GMA-9), the Edwards-Trinity Plateau Aquifer (Kendall County), the Ellenburger-San Saba Aquifer (Kendall County), and the Hickory Aquifer (Kendall County), and 2) proposed Non-Relevant Aquifer classifications for the Edwards Aquifer-Balcones Fault Zone Aquifer (Bexar, the Comal, Hays, and Travis Counties), the Edwards-Trinity Plateau Aquifer (Blanco and Kerr Counties), the Ellenburger-San Saba (Blanco and Kerr Counties), the Hickory Aquifer (Blanco, Hays, Kerr, and Travis Counties), the Marble Falls Aquifer (Blanco County) adopted by GMA-9. The Board will accept oral comment, testimony, and other documentation and information relevant to the proposed DFCs and Non-Relevant Aquifer Classifications.

President Stansberry opened the Public Hearing at 5:12 p.m.

Mr. Redman stated that we did not receive any comments written or verbal on the DFCs. He then explained the DFC process for the Trinity Aquifer throughout GMA 9. He ended with saying that the District has only a small part in GMA 9, and a boundary change has been requested to the Water Development Board to withdraw us from this GMA. That would leave the District solely within GMA 10.

With no public comments, President Stansberry closed the Public Hearing at 5:24 p.m.

5e. Discussion and possible action on the Conservation Credit Policy.

Ms. Escobar gave the history of the Conservation Credit Policy, saying that it was originally created to incentivize the permittees to conserve. She went on to say that the policy is very complicated, and time consuming. The staff polled the permittees on several questions regarding the policy and whether it had a factor in their conservation. She said that the poll showed that it did not, and that after 30 years the permittees have learned to conserve automatically. She asked for guidance to discontinue the policy.

The Board had questions for staff, but overall seemed in favor of proceeding with a rule change.

The Board took a brief recess from 6:14 p.m. to 6:28 p.m.

5g. Discussion and possible action related to Cause No. D-1-GN-20-000835 in 250th Judicial District Court of Travis County, TESP v. BSEACD and Needmore, Water LLC. Pg. 97

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 6:28 p.m.

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 6:55 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Williams moved to authorize the Board President to work with Mr. Dugat and execute a settlement agreement if appropriate.

Director Pickens seconded the motion and it passed unanimously with a vote of 3 to 0.

4. General Manager's Report.

a. Update on personnel matters.

b. Update on Aquifer conditions and status of drought indicators.

c. Update on upcoming board committee activities

d. Review of Status Report and update on team activities/projects.

e. Upcoming events of possible interest.

Ms. Escobar and staff gave updates on the items above.

7. Directors' Reports.

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

No reports were given.

8. Adjournment.

With no objection, President Stansberry adjourned the meeting at 7:11 p.m.

Approved by the Board on June 10, 2021

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary

