

Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
March 7, 2013

Board members present at commencement: Mary Stone, Gary Franklin, Bob Larsen and Blake Dorsett. Craig Smith arrived at 6:04 p.m. Staff present: Kirk Holland, John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders, and Tammy Raymond. Bill Dugat and Claudia Russell of Bickerstaff also participated in the meeting. Also present were those on the attached sign-in sheet. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

1. Call to Order.

Ms. Stone called the meeting to order at 6:03 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no comments of a general nature.

3. Routine Business.

- a. **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 an item of Regular Business.

1. **Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
2. **Approval of minutes of the Board's February 21, 2013, Regular Meeting.**
3. **Review and approval of the financial performance reports for mid-FY 2013.**

Following a brief overview by Mr. Holland and Ms. Wilson of item 3, Mr. Franklin moved approval of the consent agenda as stated above noting an invoice from Bickerstaff in the amount of \$6890.47.

Mr. Smith seconded the motion and it passed with a vote of 5 to 0.

3b. General Manager's Report. Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

1. Standing Topics.

- a. Personnel matters and utilization;
- b. Upcoming public events of possible interest;
- c. Aquifer conditions and status of drought indicators.

2. Discussion related to current staff work areas and specific activities of staff teams and directors. Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.

- i. Update on recent activities of teams and directors;
- ii. Update on permitting and non-drought regulatory activities;
- iii. Update on the progress of a joint project to develop the brackish groundwater from the saline zone of the Edwards Aquifer and/or from the Trinity Aquifer;
- iv. Update on the status of *SOS Alliance v. City of Kyle, Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District*, following the Austin Court of Appeals decision.

Mr. Holland, staff, and Mr. Dugat updated the Board and answered directors' questions on the teams' activities concerning the items listed above.

3c. Directors' Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.

Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Conversations with public officials, permittees, other stakeholders, and private citizens;
- Kudos and recognition of people doing good things for groundwater management in the District;
- Concerns about specific issues or problems for groundwater management in the District.

Ms. Stone, Dr. Larsen, Mr. Smith, and Mr. Franklin gave reports.

4a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.

Mr. Dupnik informed the Board that because of the timing of the Board meeting so early in the month, not all meter readings had been received or vetted. Staff recommended that the monthly compliance review be deferred until the next Board meeting where staff would provide a full report with recommendations for any enforcement actions, if needed. The recommendation was accepted without objection.

4d. Update, discussion and possible action related to the pursuit of the District's legislative agenda in this legislative session, including the consideration of specific bills and bill language to be advanced, and a briefing on other introduced bills of particular interest to the District.

Mr. Holland and Ms. Russell briefed the Board on legislation pertaining to the District and answered questions from the Board. Mr. Holland indicated that the staff and Ms. Russell, the District lobbyist, would highlight several bills of potential significance to the District in the next Board meeting, and seek Board direction as to whether the District should offer testimony in support of or in opposition to those bills. The directors expressed general concurrence with the approach being taken, but no formal Board action was required.

4b. Discussion and possible action on assessing the status of drought triggers and declaring a Stage III Critical Drought.

Mr. Holland informed the Board of current aquifer conditions relative to the drought triggers. He stated that conditions were approaching the Stage III Critical Drought threshold but were not there yet. Conditions will likely be very close to or beyond one or both of the trigger levels at the next Board meeting, at which time the Board will be posted to consider a Stage III Critical drought declaration.

No action was taken.

4c. Discussion and possible action related to follow-up of the initial meeting of the Alternative Water Supplies Stakeholder Advisory Committee.

Dr. Brian Smith provided a review of the inputs received at the Stakeholders Advisory Committee on alternative water supplies. The review was a synthesis of the results of small group discussions, noting that the most favored strategies were consistent with many of the District's current efforts and objectives. Staff indicated the intent to provide the meeting summary to the SAC along with another opportunity to provide input, via a second survey similar to the one provided in advance of the meeting.

No action was needed.

4e. Discussion and possible action on an employment agreement with John Dupnik for the position of general manager.

The Board adjourned into Executive Session at 7:25 p.m., as authorized by the Texas Government Code Section 551.074 (Personnel Matters), and 551.071 (Consultation with Attorney).

Ms. Stone stated that no decisions or actions would be taken while in Executive Session.

The Board reconvened into Open Session at 7:58 p.m.

Ms. Stone stated that no decisions or actions were taken while in Executive Session.

No Board action was taken in Open Session.

5. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 7:59 p.m.

Approved by the Board on March 21, 2013:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary