

**Barton Springs/Edwards Aquifer Conservation District**  
Board of Directors Meeting Minutes  
Regular Meeting  
May 9, 2024

Board members present at commencement: Blayne Stansberry, Lily Lucas, Dan Pickens, and Vanessa Puig-Williams. Christy Williams arrived at 5:28pm. Staff present included: Tim Loftus, Erin Swanson, Jacob Newton, Jeff Watson, Justin Camp, Shay Hlavaty and Hannah Riggs. 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 meeting to order at 5:02pm.

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

There were no public comments at this time.

**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.)*

- a. **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 11, 2024, Regular Meeting and Public Hearing and the April 16, 2024, Special-Called Meeting.**

Dr. Loftus updated the Board that that Staff continues their efforts to clean up accounting data in QuickBooks. President Stansberry asked a question about the Balance Comparison report, stating that the numbers seem off from what was reported last year at the same time. Dr. Loftus responded that the Admin team is working through reconciliations from previous years and that we should have a more true report before the end of FY 2024. Dr. Loftus updated that there is a meeting scheduled to talk with our auditors from the last several years and the Budget Committee to discuss why we may be seeing these discrepancies.

No questions or concerns on item 3b.

Director Puig-Williams moved to approve the financial reports, the four (4) invoices over \$5,000, and the previous minutes. Vice President Pickens seconded. The motion passed 4-0.

4. **General Manager’s Report. Discussion and possible action.**

**Topics**

a. **Review of key team activities/projects.**

i. **Trinity Sustainable Yield Study**

Dr. Loftus updated that Staff is going to seek a contract agreement.

ii. **Administrative Program Update**

Dr. Loftus updated that the Administrative Team has been working on updating and optimizing QuickBooks Online and Gusto, our new HRIS and Payroll software. Additionally, the Budget Committee is meeting this month with our previous auditors as well as having initial meetings around building the budget for FY 2025.

iii. **Conservation Grant Status**

Dr. Loftus updated that all contracts have been signed and approved and the District is waiting on the grant funds from the City of Austin

iv. **New Monitoring Wells Status: Update**

Dr. Loftus updated that the Aquifer Science team will be finishing up the installation of the multi-port the week of May 20<sup>th</sup>, 2024.

v. **New Property Developments Within the District**

Dr. Loftus updated that the Hays Commons developers have removed themselves from Hays County and are working with the City of Austin. Additionally, the MoPac South Expansion Environmental Study kickoff call was earlier in the week and Tim, Jeff, and Justin attended.

Dr. Loftus updated on the new Database. Kelly Close, from LRE, came into the office last month to walk through the database with Staff and we are officially in Phase 2, which was approved last Board Meeting.

Summer Board Meetings schedule was discussed. Three (3) Board members will not be able to attend the meeting in July. Agreed to cancel the meeting in July because we will not have a quorum.

Dr. Loftus presented a Staff announcement that Kendall Bell-Enders is leaving the District and her last day will be May 17, 2024.

Secretary Williams arrived at 5:28pm.

b. **Aquifer status update.**

Justin Camp gave the drought update. Discussed the rainfall we received in April, stating that there have been two (2) months this year that we have been above historical average. Barton Springs is declining, but slowly. Lovelady has been declining since early April and has not seen much of a change with the recent rain. Sky Ranch has returned to levels from before the rain earlier in the year.

c. **Upcoming events of possible interest**

Dr. Loftus called attention to our Permittee event that will be held in May. Shay Hlavaty mentioned that as well as Permittees we have invited local elected officials.

5. **Discussion and possible action.**

**5a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**

Jacob Newton went through the UDCP.

**5b. Discussion and possible action on a combined drilling authorization and Individual Production Permit (IPP) application during District-declared drought for Oak Haven Preserve. The well location is 1775 Hilliard Rd, San Marcos, TX 78666, in Precinct 1. Lat/Long: 29.93444° N, -97.95592° W. The annual volume applied for is 1,642,500 gallons from the Upper Trinity Aquifer and is for a public water supply use type.**

Jacob Newton presented on the Oak Haven permit application. Kevin Byrd, owner of Oak Haven, Bryan W. Boyd, P.G., and Hugo Elizondo, Jr P.E., C.F.M. were here to answer any questions on their application.

There are a low amount of wells in the area and they are Edwards wells, the permit application is for a Trinity well, so we can conclude that will be no impact on surrounding wells. Irrigation is not a part of this permit.

Director Puig-Williams moved to approve the permit application. Director Lucas seconded the motion. The motion passed 4-1 with Vice President Pickens voting nay.

**5c. Discussion and possible action on an Individual Production Permit (IPP) application during District-declared drought for PQ Holdings, LLC. The well location is 12419 Lowden Lane, Austin, TX 78652, in Precinct 2. Lat/Long: 30° 8' 9.72"N, -97° 50' 4.44"W. the annual volume applied for is 72,857 gallons from the Edwards Aquifer, converting an existing-exempt Edwards well to a Class A Conditional well for a commercial use type.**

Jacob Newton presented on PQ Holdings well permit application. They will be the smallest permittee we will have so this well will have a low impact.

Director Puig-Williams moved to approve the permit application. Director Lucas seconded the motion. The motion passed 4-0.

**5d. Discussion and possible action on EEOC No. 451-2024-00138 charge of discrimination by Brian Smith against the District.**

Executive Session began at 6:00pm.

Executive Session ended at 6:26pm.

No action or decision was made in Executive Session.

Director Puig-Williams moved to approve and authorize the Board President to make any non-substantive changes to the agreement. Director Lucas seconded the motion. The motion passed 4-0.

**5e. Discussion and possible action on the Agreed Order presented to Ruby Ranch Water Supply Corporation.**

Staff met with Ruby Ranch and they would like to negotiate an extension on signing their Agreed Order.

Director Puig-Williams moved to approve the extension submitted to July 22<sup>nd</sup>, 2024. Director Lucas seconded the motion. The motion passed 4-1 with Vice President Pickens voting nay.

**5f. Discussion and possible action on a Statement of Work under a MSA with the Austin Alliance Group.**

Dr. Loftus discussed the terms of this agreement. This would include a two (2) day workshop and several group sessions after the fact.

Director Puig-Williams moved to approve the contract. Director Lucas seconded the motion. The motion passed 5-0.

**5g. Discussion and possible action on a new Master Service Agreement and an initial Statement of Work with William R. Hutchison, Ph.D., P.E., P.G.**

Director Lucas moved to approve the Master Service Agreement with William R. Hutchison, Ph.D., P.E., P.G. Vice President Pickens seconded the motion. The motion passed 5-0.

**5h. Discussion and possible action on the District's transition to new general counsel by end of the calendar year.**

Director Puig-Williams moved to approve. Secretary Williams seconded the motion. The motion passed 5-0.

**6. Director 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.

Director Puig-Williams noted that she is attending the World Water Week Conference in Stockholm, Sweden.

Director Lucas is going to an event with the Texas Stream Team to remove invasive plant species on Spring Lake.

President Stansberry is working on the mediation for the EEOC case and attending meetings for the Trinity Sustainable Yield and the Budget Committee.

Secretary Williams had no update.

Vice President Pickens brought up a drilling authorization that will be on the next Board Meeting agenda. As well, he updated that he is having a hard time finding a replacement for his seat.

**9. Adjournment.**

With no objection, President Stansberry adjourned the meeting at 7:49pm.

Approved by the Board on June 13, 2024.

By: \_\_\_\_\_  
Blayne Stansberry, Board President

Attest: \_\_\_\_\_  
Christy Williams, Board Secretary