

Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting and Public Hearing
April 11, 2024

Board members present at commencement: Blayne Stansberry, Lily Lucas, and Vanessa Puig-Williams. Christy Williams arrived at 5:32pm. Staff present included: Tim Loftus, Kendall Bell-Enders, Erin Swanson, Jacob Newton, Jeff Watson, Justin Camp, 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 5:01pm.

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 February 8, 2023, Regular Meeting.**

Dr. Loftus updated the Board that the correct Financial reports would be in the supplemental materials within their blue folders. The reason for the correction on the reports is that items were not added properly before. The Admin team worked to resolve the issue as best as possible, but it is a work in progress.

No questions or concerns on item 3b.

Director Puig-Williams moved to approve the financial reports and the previous minutes. Director Lucas seconded. The motion passed 3-0.

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 recently had a positive meeting regarding the Trinity Sustainable Yield. Staff is working on hiring a modeling consultant to help Jeff Watson with the workload.

ii. **Groundwater Symposium with the Edwards Aquifer Authority**

Dr. Loftus updated the Groundwater Symposium went well. Gave a shoutout to Shay Hlavaty and Staff that helped for such a great turnout.

iii. **Administrative Program Update**

Dr. Loftus updated that the Administrative Team has officially moved to QuickBooks Online and Gusto, a new HRIS and Payroll software. Gusto and QuickBooks do integrate which makes payroll a much more manageable task. Additionally, as discussed during item 3a, the Admin team is working through legacy issues surrounding record keeping.

iv. **New Website**

Dr. Loftus updated that the new website is up and is a great improvement on our last website. The next step, for the Directors, is to add them to the website with a bio section as we already have for Staff.

President Stansberry had a couple of questions before we moved on. The first question was surrounding a permit application. The name was different on the last agenda materials than it was on this agenda materials. It was explained that the names can change as we move farther in the application process as the owners update us with more accurate information.

The second question was surrounding the Habitat Conservation Plan. Dr. Loftus updated that the District is on track.

b. **Aquifer status update.**

Justin Camp gave the drought update. Discussed the rainfall we received since January. Director Puig-Williams asked if he knew when we would be out of drought. Justin did say that he played with some numbers and that May and June are our wettest months.

c. **Upcoming events of possible interest**

Dr. Loftus called attention to our Permittee event that will be held in May.

6. Discussion and possible action.

6a. Discussion and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the General Manager.

Kim Jones from Austin Alliance Group (AAG), the District's HR consultants, explained the review process. She stated that the General Manager reports on a quarterly basis. Director Puig-Williams has a question about how involved AAG would be in the review process going forward. Kim Jones responded that they built out a process that could be continued on without the presence of AAG, so they can and will be as involved as they are asked to be.

Executive Session began at 5:31pm to discuss item 6a.

Director Williams arrived at 5:32pm.

Executive Session ended at 7:18pm. No final action or decision was made while in Executive Session.

President Stansberry discussed Dr. Loftus' review, stating the tasks he has been able to accomplish since starting at the District. President Stansberry also mentioned that the District will move forward with more teambuilding, leadership training, and work on having better communication going forward.

Director Puig-Williams moved to instate a 13% raise for Dr. Loftus, effective immediately. Director Lucas seconded the motion. The motion passed 4-0.

6b. Discussion and possible action on EEOC No. 451-2024-00138 charge of discrimination by Brian Smith against the District.

Executive Session began at 7:28pm to discuss item 6b.

Executive Session ended at 7:51pm. No final action or decision was made while in Executive Session.

5. Public Hearing

The City of Buda, 405 E Loop St, Buda, TX, 78610, filed an Aquifer Storage and Recovery (ASR) application with the Barton Springs/Edwards Aquifer Conservation District (District). The City of Buda is applying for an Aquifer Storage and Recovery Permit that authorizes the production of Class D Conditional Edwards Aquifer water during non-drought periods for the purposes of injection, storage, and recovery from an ASR recovery well. The City of Buda is requesting a Class D Conditional Permit to withdraw up to 133,660,000 gallons/year from the Edwards Aquifer; this permit class is reserved for ASR projects and is 100% curtailed during drought. The City of Buda ASR project involves the production of Edwards Aquifer water for injection into the Middle Trinity Aquifer for subsequent recovery and use as public water supply. The ASR project and associated wells are located at 673 Cullen Blvd, Buda, TX, 78610.

President Stansberry opened the Public Hearing at 7:53pm.

Kendall Bell-Enders presented on Buda's ASR application request. Neil Deeds, an ASR consultant with LRE Water, was present to answer any technical questions as well as Blake Neffendorf was present from the City of Buda to answer any questions surrounding the City of Buda's plans. The Public Hearing closed at 8:30pm.

6. Discussion and possible action.

6c. Discussion and possible action related to the City of Buda Aquifer Storage and Recovery (ASR) production/recovery permit application as described in the Public Hearing Agenda item above.

Director Lucas moved to approve the permit application with the special conditions outlined in the Staff recommendation. Director Puig-Williams seconded the motion. The motion passed 4-0.

A short recess was called at 8:32pm.

The recess ended at 8:36pm.

6g. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.

Jacob Newton presented on drought enforcement.

6d. Discussion and possible action on grant agreement/contract with City of Austin for installation of the Westbay Multiport equipment in the new Zilker Park monitoring well.

Dr. Loftus discussed the grant terms. This grant will cover everything the District has already spent on the project as well as costs that we will acquire going forward. The delay on getting the grant will cause a remobilization fee for the drilling equipment at Zilker.

Director Puig-Williams moved to approve the grant agreement between the City of Austin and the District. Director Lucas seconded the motion. The motion passed 4-0.

6e. Discussion and possible action on Interlocal Agreement for joint funding of an explanatory report and related activities for Groundwater Management Area 10.

Dr. Loftus discussed the terms of this agreement. President Stansberry had a question on what the District's cost is. The answer was found in the contract. Dr. Loftus did point out that this budget does not include if we wanted to do new model runs in the future.

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

6f. Discussion and possible action on Phase 2 Scope of Work related to database and MSA with LRE Water.

Dr. Loftus discussed what will be covered in Phase 2 of launching the new database. This scope adds due dates along with each milestone.

Secretary Williams moved to approve the task order associated with Phase 2 of the database. Director Lucas seconded the motion. The motion passed 4-0.

6h. Discussion and possible action on the District’s transition to new general counsel by end of the calendar year.

Dr. Loftus will draft an RFQ in June to begin the search for new counsel. Dr. Loftus will work with Bill Dugat to build out a plan that can be presented to the Board during the May Board Meeting.

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.

No updates from the Board.

9. Adjournment.

With no objection, President Stansberry adjourned the meeting at 9:06pm.

Approved by the Board on May 9, 2024.

By: _____
Blayne Stansberry, Board President

Attest: _____
Christy Williams, Board Secretary