

NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held at the **District office**, located at 1124 Regal Row, Austin, Texas, on **Thursday, March 23, 2017**, commencing at **6:00 p.m.** for the following purposes, which may be taken in any order at the discretion of the Board.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to meet in 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.**
2. **Citizen Communications (Public 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 a separate item of Regular Business on this agenda.)*
 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **NBU**
 2. Approval of minutes of the Board's March 9, 2017 regular Meeting. **Not for public review at this time**
 3. Approval of a Resolution to provide check-signing authority for Dana Wilson, Blayne Stansberry and Blake Dorsett; and removal of authority for any former Directors and former staff members. **Pg. 7**
 4. Approval to issue a Request for Qualifications/Proposals for solicitation of technical services related to development of an integrated groundwater data management and reporting system. **NBU**
 - b. **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 unless the topic is specifically listed elsewhere in this agenda.)*

Topics:

1. Personnel matters and utilization
2. Upcoming public events of possible interest
3. Aquifer conditions and status of drought indicators

4. Noteworthy team activities

4. Presentation.

Selection of the recipients of the Aquatic Science Adventure Camp scholarships. **Pg. 13**

5. Discussion and Possible Action.

- a. Discussion and possible action related to Public Information Act requests received by the District and approval of a Resolution and policy for costs and inspection of public documents. **NBU**
- b. Discussion and possible action related to approval of a water pipeline easement from the District to the Hays Caldwell Public Utility Agency. **Pg. 18**
- c. Discussion and possible action related to approval of edits to the draft Habitat Conservation Plan in response to comments from the U.S. Fish and Wildlife Service, Regional Office. **NBU**
- d. Discussion and possible action related to activities in the 85th Legislative session of interest to the District. **NBU**

6. Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

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;
- Committee formation and updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

7. Adjournment.

Please note: This agenda and available related documentation have been posted on our website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

Item 1

Call to Order

Item 2

Citizen Communications

Item 3

Routine Business

a. Consent Agenda

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- 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
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BB&T

RESOLUTION AND AGREEMENT FOR DEPOSIT ACCOUNT

BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT 74-2488641
 Name of Entity EIN

- | | | |
|---|---|---|
| <input type="checkbox"/> Corporation | <input checked="" type="checkbox"/> Government Entity | <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Unincorporated Association | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Non-Profit Corporation |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Other |

I, the undersigned, hereby certify to BB&T that I am the Secretary (or as applicable, Proprietor, Authorized Partner, Authorized Manager or other Authorized Employee) of the above named Entity duly organized and existing under the laws of the State of TEXAS; and that the following are resolutions duly adopted by the Entity, and that such resolutions are in full force and effect and have not been amended or rescinded:

RESOLVED, that BB&T is hereby designated as a depository institution in which the funds of this Entity may, subject to the rules of BB&T, be deposited by any of its officers, agents or employees; and that any such officer, agent or employee is hereby authorized on behalf of the Entity and in its name to endorse for deposit, whether in demand or time accounts, or for negotiation or collection, any and all checks, drafts, certificates of deposit or any other payment instrument payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing, it being understood that on such items all prior endorsements are guaranteed by the Entity, irrespective of the lack of a guarantee by the Entity; and

FURTHER RESOLVED, that any of the individuals listed below (a "Designated Representative") is hereby authorized to open or close any deposit account with BB&T and to authorize those persons ("Authorized Signers") who may execute a BB&T signature card on behalf of the Entity and transact business on such account:

Designated Representative (Signature)	Printed/Typed Name	Title
	JOHN DUPNIK	
	DANA WILSON	

FURTHER RESOLVED, that BB&T be and is hereby authorized and directed to honor, pay and charge any of the accounts of the Entity, without inquiry to or responsibility for the application of the proceeds thereof, all checks, drafts, or other orders for the payment, withdrawal or transfer of money in the accounts of or to the credit of the Entity, and to honor any authorization for the transfer of funds between different accounts whether oral, by phone or electronic means without inquiry as to the circumstances related thereto and for whatever purpose or to whomever payable, including requests for conversion into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any person signing same or any other officer, agent or employee of the Entity, when signed or endorsed by an original or facsimile signature of any ONE Authorized Signer; and

FOR BANK USE ONLY		
Prepared By <u>DONNIE A FOWLER (80519)</u>	Date _____	
Center _____	Bank No. <u>8720002</u>	State <u>TX</u>

Forward to:
 Centralized Document Scanning Operations
 M/C 100-99-15-11

FURTHER RESOLVED, that BB&T be and is hereby authorized to honor, receive, or pay any items bearing the signature of any one Authorized Signer even though payment may create an overdraft or even though such items may be drawn or endorsed to the order of such signer for exchange or cashing, or in payment of the individual obligation of such signer, or for deposit to such Authorized Signer's personal account and BB&T shall not be required or be under any obligation to inquire as to the circumstances of the issuance or use of any such item or the application or disposition of such item or the proceeds thereof; and

FURTHER RESOLVED, that the Entity assumes full responsibility and holds harmless BB&T for any and all payments made or any other action taken by BB&T in reliance upon the signatures, including facsimiles thereof, of any Authorized Signer regardless whether or not the use of the facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed if such signature reasonably resembles the specimen or facsimile signature of the Authorized Signer; and

FURTHER RESOLVED, that any Designated Representative, or person authorized in writing by a Designated Representative, is authorized to act on behalf of the Entity as follows: obtain information on accounts; appoint, remove or change Authorized Signers; deliver any night depository agreement; enter into any agreement for cash management services; lease a safe deposit box; enter into an agreement for deposit access device; enter into an agreement for credit cards; or enter into other agreements concerning the deposit accounts at BB&T; and

FURTHER RESOLVED, that any and all prior resolutions executed on behalf of the Entity are hereby revoked and that the foregoing resolutions shall remain in full force and effect until the Entity officially notifies BB&T to the contrary in writing. BB&T may conclusively presume that this Resolution and Agreement for Deposit Account and any signature cards executed pursuant hereto are in effect and that persons identified herein are properly authorized to act on behalf of the Entity. The Entity, as changes to the Designated Representatives and/or Authorized Signers are made, will immediately report and certify such changes to BB&T through submission of a new Resolution and Agreement for Deposit Account and/or signature card, as applicable. BB&T shall be fully protected in relying on such certifications and shall be indemnified and saved harmless from any claims, demands, expenses, losses, or damages resulting from the signature of any Designated Representative so certified, or refusing to honor any signature not so certified; and

FURTHER RESOLVED, that all transactions by any officer, employee or agent of the Entity on its behalf and in its name prior to the delivery of this Resolution and Agreement for Deposit Account are hereby ratified and approved.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal, if any, of this Entity,
this _____ day of _____, Year _____.

For Corporations including Non-Profit:

Secretary/Assistant Secretary (Seal)

(Corporate Seal)

For All Other Entities:

_____ (Seal)

_____ (Seal)

_____ (Seal)
(Proprietor, Authorized Partner, Authorized Manager, or other Authorized Person)

STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

RESOLUTION #3302017-2

BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT

Banking Authorization for BB&T Bank Accounts

WHEREAS, the Barton Springs/Edwards Aquifer Conservation District (the District) hereby resolves to amend the signature card on file for the BB&T financial institution in which the District conducts business;

WHEREAS, the District desires to allow any one of the authorized signatories to sign checks from the BB&T checking account consistent with internal financial procedures and controls;

WHEREAS, the District desires to maintain the status for the requirement of two signatures necessary for cash/check withdrawals in excess of \$500.00 from the two BB&T checking accounts;

WHEREAS, John Dupnik is the District General Manager and continues to have signature authority on both BB&T accounts; and

WHEREAS, Dana Christine Wilson, who remains authorized to manage all BB&T accounts, is now being added as a signatory to provide the requisite authority to allow communications with BB&T necessary to manage all accounts but not to authorize actual check signing.

NOW THEREFORE BE IT RESOLVED that the District Board of Directors -

- (1) continues to recognize Craig Smith as a signatory for both BB&T accounts;
- (2) continues to recognize Robert D. Larsen as a signatory for both BB&T accounts;
- (3) continues to recognize Brian Smith as a signatory for both BB&T accounts;
- (4) continues to recognize Mary Stone as a signatory for both BB&T accounts;
- (5) continues to recognize John Dupnik as a signatory for both BB&T accounts;
- (6) and designates the following to be added as signatories for both BB&T accounts:

Blayne Stansberry
Blake Dorsett, and
Dana Christine Wilson.

**Banking Authorization
Resolution # 3302017-2
Page 2 of 2**

THEREFORE, the following is a complete list of authorized signatories on behalf of the District as of the date of this Resolution, for purposes of conducting financial transactions concerning the District:

BB&T Accounts:

John Dupnik	General Manager
Mary Stone	Director Precinct 1
Robert D. Larsen	Director Precinct 4
Craig Smith	Director Precinct 5
Brian Smith	Principal Hydrogeologist
Blayne Stansberry	Board President, Precinct 2
Blake Dorsett	Board Secretary, Precinct 3
Dana Christine Wilson	Senior Administration Manager

The motion passed with _____ ayes, and _____ nays.

PASSED AND APPROVED THIS 30th DAY OF MARCH, 2017.

Blayne Stansberry
Board President

ATTEST:

Blake Dorsett
Board Secretary

Item 3

Routine Business

- b. 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 unless the topic is specifically listed elsewhere in this agenda.)*

Topics:

- 1. Personnel matters and utilization**
- 2. Upcoming public events of possible interest**
- 3. Aquifer conditions and status of drought indicators**
- 4. Noteworthy team activities**

Item 4

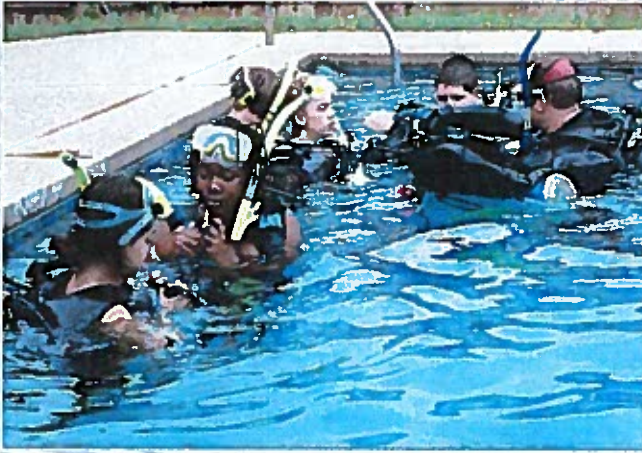
Presentations

**Selection of the recipients of the Aquatic Science Adventure
Camp scholarships.**

ENGLISH
VERSION

Aquatic Sciences Adventure Camp Summer 2017 Scholarships

The Barton Springs/Edwards Aquifer Conservation District will offer several scholarships (both six-day sleepover & two-day day camp) to the Edwards Aquifer Research and Data Center's Aquatic Science Adventure Camp At Texas State University in San Marcos



Scholarship winners will learn about Central Texas' water resources through a variety of educational and recreational activities. For more information on the camp, please visit: www.eardc.txstate.edu/camp.html.

Scholarship contest is open to children ages 9 through 15 who reside in one of the six school districts within the District's boundaries. Interested students must submit an application and a 1-page essay/artwork entitled "Why I want to attend the Aquatic Science Adventure Camp!" (Note: Essays are not being graded, and the contents of which do not form a basis for selection.) Scholarship winners will be chosen in a random drawing. Only completed applications with essays will be eligible.

The District would like to thank our permittees Centex Materials, Creedmoor WSC, Texas Lehigh Cement Company, Goforth WSC, and Oak Forest WSC for donating a portion of their FY2016 Conservation Credits to the scholarship fund. The scholarship program would not be a success without these generous donations!

Deadline for submissions: Wednesday, March 22, 2017.
For more information, rules, and an application form, please visit:
<http://www.bseacd.org/events/scholarships>



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

2017 SUMMER CAMP SCHOLARSHIP CONTEST

Application Form

Name of Camp Scholarship Applicant: _____

Name of Parent(s) or Legal Guardian(s): _____

Home Mailing Address: _____

City, State, Zip: _____

Parent's Phone Number: _____

Parent's Email: _____

Applicant's School: _____ Grade Level: _____

School District: _____ Age: _____

How did you hear about the camp scholarship program? _____

Please check the box that applies to your child:

	<p>I am interested in attending one of the 5-day camps. (Note: Parent will be responsible for providing the registration fee (\$150), which will be the deposit needed to hold the child's spot.)</p>
	<p>I am interested in attending one of the 2-day camps. (Total cost of the camp will be provided by BSEACD.)</p>
	<p>I am interested in attending either camp.</p>

Please staple your "Why I want to attend the Aquatic Sciences Adventure Camp!" 1-page essay/artwork to this application and mail/deliver documents to: Camp Scholarship Contest, BSEACD, 1124 Regal Row, Austin, TX 78748. Applications must be received in the District's office by 5:00 p.m. on Wednesday, March 22, 2017. Scholarship winners will be chosen in a random drawing. Only completed applications with essays will be eligible for the scholarship drawing. Note: Essays are not being graded and the contents of which do not form a basis for selection.

I have read and agree to abide by the Rules of the Barton Springs/Edwards Aquifer Conservation District Camp Scholarship Contest. In addition, if selected as a scholarship recipient, I grant permission to the BSEACD to use my name, photo, or essay in any manner deemed appropriate by the District.

Student Signature _____ Date _____

Parent or Guardian Signature: _____ Date _____

BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT CAMP SCHOLARSHIP CONTEST RULES

1) ELIGIBILITY

- a) The Barton Springs/Edwards Aquifer Conservation District's Camp Scholarship program will provide:
 - \$550 scholarships to the Edwards Aquifer Research and Data Center's Week-Long Aquatic Science Adventure Camp (Note: Parent will be responsible for providing the other \$150 of the camp fee, which will be the deposit needed to hold the child's spot.)
 - \$150 scholarships to the Edwards Aquifer Research and Data Center's 2-Day Aquatic Science Adventure Camp (Note: All \$150 will be paid for by BSEACD.)
 - For more information on the camp and its activities, please visit:
<http://www.eardc.txstate.edu/camp.html>
- b) Scholarship contest is open to children ages 9 through 15. Students must reside in one of the eight school districts within the District boundaries. These school districts are: Austin, Del Valle, Dripping Springs, Eanes, Hays Consolidated, Lockhart, San Marcos Consolidated, and Wimberley.
- c) Students must attend a public, private, or other accredited school located within the boundaries of those school districts. Home-schooled students living within these boundaries are also eligible.
- d) Students who have previously been awarded a BSEACD Camp or Groundwater Essay Contest Scholarship are not eligible.

2) SUBMISSION GUIDELINES

A completed application form that contains contestant's name and contact information should accompany each 1-page essay/artwork. Essays, which are not being graded and the contents of which do not form a basis for selection, must be completed by the applicant and address why the child would like to attend the camp and what they hope to learn/do while there. Essay cannot be longer than **one** page and **can** include artwork.

Applications and essays must be received in the office by 5:00 p.m. on Wednesday, March 22, 2017. The Board of Directors reserves the right to refuse distribution of funds if minimum guidelines are not satisfied.

3) JUDGING CRITERIA

Scholarship winners will be chosen in a random drawing of eligible entries for each camp; only completed applications with essays will be eligible. Parents will be notified in April 2017 if their child's name is chosen. District staff will arrange for the appropriate paperwork to be completed, and parents will be expected to provide registration materials in a timely fashion. Failure to do so will result in forfeiture of the scholarship.

Item 5

Board Discussions and Possible Actions

- a. Discussion and possible action related to Public Information Act requests received by the District and approval of a Resolution and policy for costs and inspection of public documents.**

Item 5

Board Discussions and Possible Actions

- b. Discussion and possible action related to approval of a water pipeline easement from the District to the Hays Caldwell Public Utility Agency.**



**Lockwood, Andrews
& Newnam, Inc.**
A LEO A DALY COMPANY

Consultant to Hays Caldwell Public Utility Agency

Offer Letter

October 12, 2016

Certified Mail Return Receipt Requested
Article # 7015 1520 0002 8885 7430

Barton Springs/Edwards Aquifer Conservation District
Attn: John Dupnik
1124-A Regal Row
Austin, Texas 78748-3701

RE: Hays Caldwell Public Utility Agency, Phase IA Project, Parcel 25


Dear Mr. Dupnik,

As you may know, Hays Caldwell Public Utility Agency (HCPUA) is in the process of installing a water line in your area in the near future. To this end, it is necessary for HCPUA to acquire easements from your property. Attached, please find the surveys describing areas to be acquired.

Based on an appraisal made by an independent appraiser, HCPUA is authorized to offer you \$19,235.00 for your property, which includes \$15,829.00 for the permanent Waterline Easement, \$1,646.00 for the Permanent Access Easement and \$1,760.00 for the Temporary Construction Easement. This amount is the total amount of just compensation for the easement portion of your property to be acquired, as determined in accordance with State law, less oil, gas and sulphur, subject to clear title being conveyed to HCPUA.

If you wish to accept the offer based upon this appraisal, please contact Jeanne Ganley, at (512) 338-2727, so that the process of issuing your payment may be started. If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter. *Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is not received by HCPUA within the 30 day time deadline.*

In the event the condition of the property changes for any reason, the HCPUA shall have the right to withdraw this offer. In addition as an entity possessing eminent domain authority, the HCPUA is required by law to inform you of your rights as stated in the attached Texas Landowner's Bill of Rights provided by the Office of the Texas Attorney General and HUD brochure.

Respectfully,

David Baylor
Right of Way Project Manager
Lockwood, Andrews & Newnam, Inc.

Enclosures:
Surveys (metes and bounds) (2)
Appraisal Report
Texas Landowner Bill of Rights
When a Public Agency Acquires your Property
Information About Brokerage Services (LABS 1-0)

Item 5

Board Discussions and Possible Actions

c. Discussion and possible action related to approval of edits to the draft Habitat Conservation Plan in response to comments from the U.S. Fish and Wildlife Service, Regional Office.

Item 5

Board Discussions and Possible Actions

d. Discussion and possible action related to activities in the 85th Legislative session of interest to the District.

Item 6 Director's Reports

Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

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- **Issues or problems of concern.**

Item 7

Adjournment