

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
February 25, 2016**

Board members present at commencement: Blayne Stansberry, Craig Smith, Bob Larsen, and Blake Dorsett. Mary Stone was absent. Staff present: John Dupnik, Vanessa Escobar, Robin Gary, Brian Smith, Kendall Bell Enders, Justin Camp, Stephen Davis and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta 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. Stansberry called the meeting to order at 6:00 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no 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 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 11, 2016 Regular Meeting.**
3. **Approval of the out-of-state travel for Justin Camp, Staff Hydrogeologist Technician, to attend the Princeton Groundwater Pollution and Hydrology Course in San Francisco, California, from March 7-11, 2016.**

Mr. Smith moved approval of Items 3a. 1 through 3, noting an invoice from Montemayor Britton Bender PC, in the amount of \$6000.00.

Dr. Larsen seconded the motion and it passed unanimously with a vote of 3 to 0. Mr. Dorsett abstained.

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.)*

1. Standing Topics.

- i. Personnel matters and utilization
- ii. Upcoming public events of possible interest
- iii. Aquifer conditions and status of drought indicators

2. **Special Topics.** *(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 Team activities and highlights**
- ii. **Update on regulatory and enforcement activities**
- iii. **Update on current Aquifer Science Team projects**
- iv. **Update on ongoing District grant projects**
- v. **Update on the activities related to the SH 45 SW roadway project**
- vi. **Update on activities related to the HCP and the associated draft EIS**

Mr. Dupnik and staff updated the Board and answered Director's questions on the items listed above

4. Discussion and Possible Action.

4a. Staff briefing and discussion related to the planning and coordination of the District's Well Water Checkup and Ask-an-expert Open House event on April 13, 2016.

Mr. Camp briefed the Board on the planning of the Open House event on April 13th, and the experts that will be present to answer questions of well owners.

Ms. Gary gave an overview of why we have the water well checkup, and how she reached over 700 homes in the newly annexed area by using "Every Door Direct Mail," offered by the USPS for a minimal cost.

4b. Discussion and possible action related to prospective amendments and changes to the District's Rules and Bylaws for implementation of HB 3405, other legislation from the 84th Legislative Session, and other changes to be the subject of a workshop on March 1, 2016 and a public hearing on March 24, 2016.

Ms. Escobar gave an overview of the prospective rule changes to be discussed in the Work Session on Tuesday, March 1st. She also gave a timeline of pertinent dates related to rulemaking leading up to the Public Hearing on March 24th.

After Board discussion, there was no action.

4c. Discussion and possible action related to authorizing the General Manager to enter into an agreement with Texas Disposal Systems (TDS) to allow the District to drill and have future access to a monitor well on TDS property

Mr. Dupnik stated that the Agreement before the Board was a culmination of edits by TDS and staff.

After discussion, Dr. Larsen moved to approve the Agreement for Hydrogeologic Investigations Related to Brackish Groundwater Development between the District and Texas Disposal Systems Landfill, Inc., as to the placement of a monitor well on TDS property, and have it be signed by the Board President and attested by the Board Secretary.

Mr. Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

4d. Discussion and possible action related to approval of contributing to the cost of preparation of an Amicus Brief in support of the pleas filed by Lone Star Groundwater Conservation District and its officials in *City of Conroe, et al, v. Lone Star Groundwater Conservation District.*

Mr. Dupnik explained that the District has been asked to help support the Amicus Brief prepared by Greg Ellis to support Lone Star GCDs arguments against the City of Conroe.

Mr. Dugat explained that Lone Star GCD has a program to try to get people off of groundwater completely and switch them to surface water. He said that they have legislation that will allow that, and that they have adopted DFCs, and associated fees after 2010 that the City of Conroe and big water utilities have challenged. He went on to say that most of the things in the law suit do not apply to other GCDs, but that there are a couple of things such as, they have sued the Director's individually, and the Private Property Act, which could be a challenge for every GCD.

After discussion, Mr. Smith moved to agree to support Lone Star GCD in principle, and to authorize the General Manager to authorize a contribution of up to \$5000.00 toward the Amicus Brief.

Dr. Larsen seconded the motion and it passed unanimously with a vote of 4 to 0.

5. 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;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

Mr. Smith reported the following:

The first loan of the Property Assessed Clean Energy (PACE) project in Texas has closed, and hopes that Barton Creek Square Mall located in the District will be the next loan to close and that it will include water conservation.

Dr. Larsen reported the following:

Met on redistricting with Bill Dugat
Met with State Hwy 45 SW subcommittee meeting
Met with the TWDB on the Grant that we did not receive
Met with Centex on flood control
Met with Corolla Engineering on the grant kickoff meeting

Mr. Dorsett reported the following:

Met with Carlos Rubenstein and Creedmoor Maha regarding SWIFT money
Met with FEMA

6. Adjournment.

Without objection, Ms. Stansberry adjourned the meeting at 8:26 p.m.

Approved by the Board on March 24, 2016:

By: Blayne Stansberry
Blayne Stansberry, President

Attest: Blake Dorsett
Blake Dorsett, Secretary