

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
March 21, 2013**

Board members present at commencement: Mary Stone, Gary Franklin, and Blake Dorsett. Craig Smith arrived at 6:04 p.m. Bob Larsen was out of town. Staff present: Kirk Holland, John Dupnik, Brian Smith, Robin Gary and Tammy Raymond. 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 March 7, 2013, Regular Meeting.**
3. **Approval of the District's underwriting a portion of the cost, up to \$500, at the Regional Water Quality Protection Plan's "The Next Wave" workshop, April 26, 2013.**
4. **Approval of a joint-funding agreement with USGS to include the Lovelady Drought Indicator well in the USGS-managed and reported Texas Data Collection Program for an initial amount of \$10,500 and then an annual amount of \$7,370 thereafter.**

Following a brief overview by Mr. Holland on Item's 3 and 4, Mr. Smith moved approval of the consent agenda as stated above, noting a \$500 contribution to the RWQPP workshop on April 26th, and a joint funding agreement with USGS for a data collections program.

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

4c. Discussion and possible action related to granting an extension to the Agreed Order with Grey Rock Golf Club.

Mr. Dupnik informed the Board of the progress on Grey Rock Golf Club's compliance with the existing enforcement order, including an update on the progress of the current application and the pump test that had just recently been completed. He also informed them of the delays that precluded issuance of the permit within the deadline extension that was granted in November and that was to expire at the end of March. He stated that the staff's recommendation is to grant another enforcement order compliance extension, with deadlines that would be consistent with the District's processing timeframes applicable to the pending production permit application.

After discussion, Mr. Franklin moved to grant the extension of the agreed order as recommended by staff.

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

4f. Update, discussion and possible action related to the pursuit of the District's legislative agenda including direction to the General Manager on specific bills of interest to support or oppose.

Mr. Holland and Ms. Russell provided the legislative update and presented a summary of key bills that have been filed that affect the District specifically, and GCDs generally.

After discussion, Mr. Smith moved that the committee offer testimony in support of any substitute of HB 340, unless it undergoes drastic change from what the Board discussed so far, and similarly in favor of the committee substitute on the Senate companion bill (SB 1532) as well..

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

The Board generally concurred with the staff approaches and recommendations concerning the other bills discussed, but no Board action was taken, except as described under agenda item 4.d.

4d. Discussion and possible action on approving a resolution in support of HB 2046 and SB 1024 related to the study of wastewater management practices affecting the Aquifer.

Mr. Holland explained that the draft resolution is in support of HB 2046 and SB 1024, a bill to commission a study that would provide recommendations for appropriate wastewater management practices in the contributing zone of the Barton Springs segment of the Edwards Aquifer and authorize TCEQ to undertake additional rulemaking, if and as warranted.

After discussion, Mr. Franklin moved approval of Resolution 032113-01.

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

4e. Discussion and possible action related to notifying well owners with wells within both the City of Austin and District jurisdictions of the City's new well registration requirements and the District's role in facilitating compliance with the ordinance.

Ms. Gary informed the Board of the City of Austin's recently passed water well ordinance that would require all existing wells to be registered by April 20, 2013. She explained that the District received a request from the City of Austin to provide data on the District's wells within the City's jurisdiction to be used to facilitate the City's efforts to solicit registration in compliance with the ordinance. She provided two options that would utilize either: 1) a hands-off level of participation in which the District would strictly provide the well data currently on hand, or 2) a more involved level in which the District would request an extension and coordinate the mail out of forms and information to facilitate well owner's compliance with the ordinance.

The Board agreed that a hands-off approach would be best; therefore, providing well data in response to an open records request.

No formal action was taken.

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

Mr. Dupnik reported the pumpage for all permittees and provided an overview of the staff's assessment of compliance with monthly drought curtailments for the month of February. Per the District's protocol for initiating enforcement, staff identified reported overpumpage of two permittees, Lone Star Soccer Club and Manchaca Optimist Youth Sports Complex that triggered the initial pre-enforcement meetings.

Mr. Smith moved to initiate pre-enforcement meetings with Lone Star Soccer Club and Manchaca Optimist Youth Sports Complex.

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

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. While the telemetered data initially indicated that water levels at the Lovelady drought indicator well were below the threshold for Stage III Critical Drought, actual physical measurements indicated that the high daily value was actually just above the trigger level. The 10-day average spring flow at Barton Springs was also just about the trigger threshold of 20 cfs.

The Board took no action.

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. Review of Status Update Report – at directors' discretion;
- ii. Update on GMA and regional water planning activities;
- iii. Update on private-well water quality testing event; and
- iv. Update on the selection of the new regulatory compliance specialist and intent to make an offer of employment.

Mr. Holland and the staff 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.

Mr. Smith and Mr. Franklin gave reports.

4g. Discussion and possible action related to the process to be used in hiring a new general manager.

The Board adjourned into Executive Session at 8:14 p.m., as authorized by the Texas Government Code Section 551.074 (Personnel Matters).

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

The Board reconvened into Open Session at 8:36 p.m.

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

No Board action was taken in Open Session.

Ms. Stone appointed a committee for assisting in the solicitation and screening of candidates for a replacement General Manager consisting of 2 Directors, 2 staff members, and 1 member of the general public. It was clarified by director questions that the entire Board would be involved in the actual selection of the new General Manager.

5. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:37 p.m.

Approved by the Board on April 11, 2013:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary