

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Meeting via
Telephone & Videoconference
May 14, 2020**

Board members present at commencement: Blayne Stansberry, Craig Smith, Mary Stone, and Bob Larsen. Blake Dorsett was having technical difficulties. Staff present included: Vanessa Escobar, Dana Wilson, Brian Smith, Brian Hunt, Kendall Bell-Enders, Justin Camp, Erin Swanson, Jackie Vay, Lane Cockrell, Shannon DeLong and Tammy Raymond. 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 virtual meeting to order at 4:01 p.m., noting that a quorum of the Board was present.

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

No public comments of a general nature were given.

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.**
2. **Approval of minutes of the Board's March 12, 2020, Regular Meeting.**
3. **Approval of an amended waterline easement with Alliance Water consisting of a time extension for the Temporary Construction Easement across BSEACD's property at Onion Creek.**

Director Smith moved approval of Consent Agenda Items 3a. 1 through 3, noting two invoices from Bickerstaff, Heath in the amounts of \$9337.30 and \$9982.50.

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

4. Discussion and Possible Action.

4b. Discussion and possible action on Scholarship nominations.

Ms. Vay explained that we received seven camp applicants this year and that all camps have been cancelled for the summer of 2020 due to the pandemic. She proposed giving the applicants a Spring Lake Annual Pass which includes unlimited glass bottom boat tours, adding one adult pass for a parent as well. She then proposed honoring more than one college student this year due to funds left over from the camp scholarships. The top three applicants were submitted to the Board committee for review.

After discussion, Director Smith moved to approve the amended camp and college scholarship format this year.

Director Stone seconded the motion and it passed unanimously with a vote of 4 to 0.

Ms. Vay stated that applicants #1, #7, and #9 received the highest scores from the judges this year.

Director Larsen then made a motion to award applicants #1, #7, and #9 a \$2500 College Scholarship to the college of their choice.

Director Smith seconded the motion and it passed unanimously with a vote of 5 to 0.

President Stansberry then introduced the previously anonymous College Scholarship winners:

Arushi Harkawat - Essay titled "Impact of Distance from Water in Cardinals in St. Edwards Park"

Aliaa Helal - Essay titled "The Effect of Earthquakes on Groundwater"

Alexandra Lopez - "Essay titled "The Crises of Nitrate Fertilizer in Groundwater"

The Board congratulated the winners and wished them the best.

Director Smith made a motion awarding the seven camp scholarship winners a Spring Lake Annual Pass including one adult ticket for unlimited boat tours.

Director Larsen seconded the motion and it passed unanimously with a vote of 5 to 0.

4d. Discussion and possible action on pending and potential litigation against Kinder Morgan including but not limited to *City of Austin et. al. v. Kinder Morgan, Texas Pipeline, Cause No. 1:20-CV-00138 U.S. District Court, Western District, Austin Division; TESP*

Notice of Intent to sue Kinder Morgan under various Federal Laws; and, Texas Railroad Commission Notice of Violation.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 5:14 p.m. (The Board members left the virtual meeting to use a conference call to conduct the Executive Session)

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 5:40 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

4a. Discussion and possible action on the approval of Budget Revision 1.

Ms. Wilson answered questions by the Board on the proposed budget revisions.

President Stansberry and Director Stone thanked Ms. Wilson for the well-organized spreadsheet explaining the changes.

After discussion, Director Stone moved approval of Budget Revision 1.

Director Smith seconded the motion and it passed unanimously with a vote of 5 to 0.

4c. Discussion and possible action on future Board meeting dates and format of the meetings.

Ms. Escobar stated virtual meetings may need to take place in June and July due to the pandemic.

The Board agreed to have virtual meetings as long as necessary. No formal action was needed.

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 for consideration. 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.)*

Topics

1. Update on personnel matters.
2. District's response to COVID-19.
3. Update on Aquifer conditions and status of drought indicators.
4. Update on Hays County Elections coding corrections.
5. Update on PHP construction activities in the Hill County including coordination among GCDs in Hays County.

6. Update on Sustainable Yield and modeling activities.
7. Review of Status Report and update on team activities/projects.
8. Update on the pending SOAH proceeding for the Electro Purification LLC application.
9. Update on pending litigation in the matter of *TESPA v. BSEACD*, Cause No. D-1-GN-20-000835, 459th Travis County District Court.
10. Upcoming public events of possible interest.

Ms. Escobar, Mr. Dugat, and staff gave updates to the Board.

5. Directors' 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 reports were given.

6. Adjournment.

Without objection, President Stansberry adjourned the meeting at 6:16 p.m.

Approved by the Board on June 11, 2020

By: Blayne Stansberry Attest: Blake Dorsett
Blayne Stansberry, President Blake Dorsett, Board Secretary