

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
June 25, 2015**

Board members present at commencement: Mary Stone, Craig Smith, Blayne Stansberry, Bob Larsen, and Blake Dorsett. Staff present: John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders, 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. Stone 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 June 11, 2015 Regular Meeting.**
3. **Annual review and approval of the District investment policy.**
4. **Review and approval of District's quarterly financial performance reports.**
5. **Reschedule the regular July Board meetings for July 16 and July 30, 2015.**

Mr. Smith moved approval of consent agenda items 1 through 5.

Ms. Stansberry seconded the motion and it passed unanimously with a vote of 5 to 0.

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 efforts to prepare for prospective annexation
- v. Update on efforts to assess saline Edwards desalination and ASR feasibility
- 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. Discussion and possible action related to the review and revision of the draft rule language markup and approval of its use as proposed rules to initiate formal rulemaking, including setting a public hearing on the proposed rules. The rule changes relate to changes in the law made by the 84th Texas Legislature in HB 3405 and HB 2179, including provisions addressing administrative completeness and processing temporary and regular permit applications, notice and hearing for regular permits, production fees, well exemptions, drilling authorization, adding definitions, addressing the desired future conditions and modeled available groundwater in permitting, revisions to the non-domestic use general permit, and non-substantive changes to be more specifically explained in the notice of formal rulemaking if authorized.

Mr. Dupnik gave a presentation on the draft rule language, and Ms. Escobar and Mr. Dugat explained the permitting and contested case process.

The Board members gave their input on the draft rules.

After further discussion, Mr. Smith moved to accept the draft rules revisions as the review draft for purposes of formal rule making and public hearing, and that we post notice that a public hearing will be held on July 16, 2015, and that written public comments will be taken until July 9th and oral comments can be submitted at the July 16th meeting.

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

4c. Discussion and possible action related to activities associated with the District's review of SH 45 Southwest and associated stormwater controls.

Mr. Dupnik stated that Tom Hegemeir was interviewed and is under contract for engineering support for review of the SH 45 Southwest design plans. He has already attended his first meeting and has had correspondence with CTRMA.

Mr. Tom Hegemeir stated that he feels like he could be an extension of the staff and help review and make sure that the building of the road complies with the consent decree, and also achieves the goals that they had in mind to exceed the current state standards in this area. He went on to say that he has been in stormwater engineering for the past 33 years and has looked into the different BMPs during and after construction, as well as maintenance.

He then gave a briefing on his first meeting with CTRMA, and answered questions by the Board.

4b. Presentation, discussion, and possible action related to the 84th Legislative Session Debriefing Report and the Board's collective judgment as to the appropriateness of the District's legislative agenda, actions taken, and outcomes achieved.

Mr. Brian Sledge gave an update and brief explanation on bills that passed and failed in the 84th Legislative Session.

The Board thanked Mr. Sledge for his hard work during the session.

Dr. Larsen moved to adopt the legislative debriefing report to satisfy the District's Management Plan requirements.

Ms. Stansberry seconded the motion and it passed unanimously with a vote of 5 to 0.

4d. Discussion and possible action related to renewing and extending the employment agreement with John T. Dupnik, P.G. as General Manager.

Ms. Stone stated that this item would be returned to a future agenda.

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. Dorsett reported the following:

Received a call from Mr. Higginbotham commending the staff on the District's permitting process.

Dr. Larsen reported the following:

Attended a Desal and Water Conference.

Ms. Stone reported the following:

Received numerous calls when HB 3405 passed.

Ms. Stansberry reported the following:

Attended a conference on Adaptive Stormwater Management.

Mr. Smith reported the following:

Attended a RWQPP meeting.

Attended a briefing at the City Administrative Building on the new PACE Program.

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:51 p.m.

Approved by the Board on July 16, 2015:

By: Mary Stone
Mary Stone, President

Attest: Blayne Stansberry
Blayne Stansberry, Secretary