

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting & Public Hearing
July 16, 2015**

Board members present at commencement: Mary Stone, Blayne Stansberry, Bob Larsen, Craig Smith and Blake Dorsett. Blayne Stansberry was absent. Staff present: John Dupnik, Dana Wilson, Kendall Bell-Enders, Brian Hunt 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 25, 2015 Regular Meeting.**
3. **Approval of a joint-funding agreement with USGS at an annual cost of \$7,370 to continue the inclusion of the Lovelady Drought Indicator well in the USGS-managed and reported Texas Data Collection Program.**

Mr. Smith moved approval of consent agenda items 1 through 3, noting an invoice from Bickerstaff in the amount of \$10,689.75.

Dr. Larsen seconded the motion and it passed unanimously with a vote of 4 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. **Review of Status Update Report – at directors' discretion**
- ii. **Update on activities related to GMA and regional water planning**
- iii. **Update on activities related to annexation of the new area in Hays County**
- iv. **Update on efforts to assess saline Edwards desalination and ASR feasibility**
- v. **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. Public Hearing (6:15)

The Board will hold a public hearing on proposed revisions to the District Rules and Bylaws related generally to: the introduction, definitions, permits and exemptions, permit process and applications, Temporary and Regular Permits for existing wells in the Shared Territory, action on permits, permit amendments, permit conditions and requirements, spacing and production limits, modification of permits, City of Austin water use fees, Limited Production Permits, maximum withdrawals for management zones, proscribed water uses, notice and hearing process, contested cases, well construction standards, and other general administrative clarifications and corrections.

Ms. Stone opened the Public Hearing at 6:15 p.m.

Mr. Dupnik gave a presentation on the significant changes to the Proposed District Rules and Bylaws along with an addendum outlining two addition revisions drafted by staff in response to comments received. He then answered questions from the Board.

Ms. Stone called for Public Comments.

The following citizens expressed gratitude of the Board and staff, and encouraged the Board to adopt the Rules and Bylaws before them with the addendum.

Louie Bond
Lila Knight
Laurie Luttrell
David Crowell
Malcolm Harris
Vanessa Puig-Williams – TESPAs Attorney
Les Carnes

Ed McCarthy, attorney for Electro Purification, provided comments to the draft rules and suggested postponing action on the Rules and Bylaws for further clarification. Mr. McCarthy stated that he did not have written comments prepared for the Board’s consideration but intended to provide them after the hearing.

Ms. Stone closed the Public Hearing at 6:36 p.m.

5. Discussion and Possible Action.

5a. Discussion and possible action related to approving some or all of the proposed revisions to the District Rules and Bylaws presented in the public hearing.

Ms. Stone stated that the Board would adjourn into Executive Session as authorized by the Texas Government Code Section 551.071, Consultation with Attorney, at 6:38 p.m. Ms. Stone stated that no final actions or decisions would be made while in Executive Session.

The Board re-convened into open session at 7:13 p.m. Ms. Stone stated that no final actions or decisions were made while in Executive Session.

Mr. Smith moved to adopt the proposed Rules and Bylaws including Addendum No. 1 described by staff.

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

5b. Discussion and possible action related to reviewing the draft FY 2016 annual budget and fee schedule, and setting a public hearing.

Mr. Dupnik gave a presentation on the draft FY 2016 annual budget.

After discussion, Mr. Smith moved to accept the draft FY 2016 budget and to set a Public Hearing on the proposed version at the July 30, 2015 Board meeting.

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

Dr. Larsen moved to accept the draft FY 2016 fee schedule and to set a Public Hearing on the proposed version at the July 30, 2015 Board meeting.

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

5c. Discussion and possible action related to 1) selecting a first-choice firm to provide public relations support services to assist the District with outreach efforts associated with annexation and 2) authorizing the General Manager to negotiate and execute a contract.

Mr. Dupnik stated that the District received two Statements of Qualifications, and that the review committee consisting of the GM, Robin Gary, and Director Blayne Stansberry interviewed both firms. He went on to say that all parties agreed that GAP Strategies was the recommended first-choice firm and would best represent the District. He recommended Board action providing the authority to the GM to negotiate and execute a contract with them.

Dr. Larsen agreed with Mr. Dupnik, and moved approval of the general manager to negotiate and execute a contract with GAP Strategies to assist with the District's annexation.

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

5d. Discussion and possible action related to activities associated with the District review of State Highway 45 Southwest design plans.

Ms. Stone stated that the Board would adjourn into Executive Session as authorized by the Texas Government Code Section 551.071 Consultation with Attorney at 7:37 p.m. Ms. Stone stated that no final actions or decisions would be made while in Executive Session.

The Board re-convened into open session at 8:17 p.m. Ms. Stone stated that no final actions or decisions were made while in Executive Session.

Mr. Dupnik stated that Mr. Hegemier was on a long needed vacation with his family and apologized for not attending the meeting. He went on to say that he has been very active in conversations with CTRMA and has attended meetings with the design team. He has developed some principles that would help guide the design.

Ms. Bell-Enders stated that the following were some potential water quality guiding principles drafted by Mr. Hegemier for the Board to consider:

- A well-functioning, low maintenance water quality system to ensure long-term performance
- Practices that minimize construction disturbance to help avoid contact with karst features, sink-holes, and other natural recharge areas.
- A well-developed and properly inspected and enforced erosion and sediment control plan as the construction phase has a high level of water quality risks.
- Reasonable hazardous materials traps/conveyance systems that do not generate excessive disturbance and drive project design approach.
- Non-erosive outfalls from the right-of-way that manage runoff velocity and forces to

prevent downstream creek degradation and ecological impacts.

After discussion, Dr. Larsen moved to adopt the water quality guiding principles suggested by Mr. Hegemier, and to bring those forward to the CTRMA, the City of Austin, and all of the participants in the technical group.

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

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:21 p.m.

Approved by the Board on July 30, 2015:

By: Mary Stone
Mary Stone, President

Attest: Blayne Stansberry
Blayne Stansberry, Secretary