

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
October 10, 2013**

Board members present at commencement: Gary Franklin, Bob Larsen, and Blake Dorsett. Mary Stone and Craig Smith were absent. Staff present: John Dupnik, Brian Smith, Vanessa Escobar and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, and Acosta and Kirk Holland of Holland Groundwater Management Consultants 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.

Mr. Franklin presiding in Ms. Stone's absence 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 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 September 17, 2013 Work Session and September 26, 2013, Regular Meeting.**
3. **Approval of the collective judgment of the effectiveness of Directors' communications with stakeholders and constituents as required by the District's Management Plan.**

Mr. Dupnik briefed the Board on the consent agenda items above.

Dr. Larsen moved approval of the consent agenda items 3a. 1 through 3, noting invoices from Texas Municipal League in the amount of \$7221.08 and Holland Groundwater Management in the amount of \$6000.00.

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

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.

- 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 recent activities of teams and directors;**
- ii. Update on permitting and regulatory activities;**
- iii. Update on activities related to SH 45 Southwest;**
- iv. Update on efforts to characterize the saline zone of the Edwards Aquifer;**
- v. Update on the status of *SOS Alliance v. City of Kyle, Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District.***

Mr. Dupnik, staff, and Mr. Dugat updated the Board and answered directors' questions on 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.

Dr. Larsen reported the following:

Attended a Scoping Meeting on SH-45 South at Bailey Middle School

Mr. Dorsett reported the following:

Met with President Stone

Attended a Creedmoor Maha WSC Board Meeting

Mr. Franklin reported the following:

Attended a Scoping Meeting on SH-45 South at Bailey Middle School

4. Discussion and Possible Action

4a. Discussion and possible action related to amending the FY14 Budget.

Mr. Franklin opened items 4a. and 4b. simultaneously.

Mr. Dupnik briefed the Board on the details of the proposed amendment request including a transfer of funds from the District's general account to the more limited contingency account, and the additional expenses associated with conservation credits, TAGD membership dues, and adjusted incentive compensation and related expenses.

After discussion, Dr. Larsen approved the FY 14 Budget amendment as stated in the backup.

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

4b. Discussion and possible action related to approval of issuing earned Conservation Credits to permittees for FY13.

Mr. Dupnik described the calculated conservation credits, and informed the Board that the total amount was \$47,000 with \$17,000 of that amount being attributed to the City of Austin credit. He also noted that the total amount was above the initially budgeted amount of \$25,000 and that this was one of the primary drivers for the previously approved budget amendment.

Dr. Larsen stated that he did not agree with Onion Creek Country Club having a mark on their record due to a water line break made by a road construction crew.

Mr. Dorsett moved approval of the conservation credits.

Dr. Larsen seconded the motion only with a condition that the Onion Creek violation included an asterisk with an explanation of the reported violation that was to his satisfaction.

Mr. Dorsett agreed to Dr. Larsen's amendment to his motion.

Mr. Franklin called for a vote and the motion passed with a vote of 3 to 0.

4c. Discussion and possible action related to the staff's selection for FY13 Permittee of the Year.

Mr. Dupnik informed the Board of staff's selection of Cimarron Park WSC as Permittee of the Year. He further described the rationale for the staff's selection which included:

- Cimarron Park has been diligent in developing effective and creative demand management measures incorporated in their Drought plan and then implementing and enforcing those measures to ensure compliance with pumpage limits during drought.
- As a result, Cimarron Park has a perfect compliance history throughout the current 2013 drought.
- Cimarron Park has been proactive in communicating drought information and regulatory information to its end-users.
- Cimarron Park has a consistent history of timely submitted and accurate meter readings and fee payments and prompt response to all District correspondence.
- Cimarron Park has served as a model for District/Permittee cooperation on all issues related to aquifer management and preservation and other issues of mutual interest.

The Board agreed with the staff's selection, no formal action was needed.

4d. Discussion and possible action related to the SOAH hearing on the Groundwater Conservation District recommendation for the Hill Country PGMA – Travis and Comal Counties.

Mr. Dugat presented a summary of the position statements that were filed by the various parties by the October 1, 2013 deadline. He noted that none of the other parties indicated support of annexation of southwestern Travis County by the BSEACD. Dr. Larsen requested that the summary of party position statements be amended to include the BSEACD's position.

5. Adjournment.

Without objection, Mr. Franklin adjourned the meeting at 7:31 p.m.

Approved by the Board on October 24, 2013:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary