

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Meeting
Telephone & Videoconference
October 8, 2020**

Board members present at commencement: Blayne Stansberry, Bob Larsen, Blake Dorsett, and Craig Smith. Mary Stone joined at 4:04 p.m. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Justin Camp, Erin Swanson, Jackie Vay, 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 4:00 p.m., noting that a quorum of the Board was present.

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

There were no public comments of a general nature.

3. 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.)*

a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.

b. Approval of minutes of the Board's September 10, 2020 Special Meeting and Public Hearing.

c. Approval of an extension to the Hays Trinity Groundwater Conservation District ILA.

Director Smith moved approval of Consent Agenda Items 3.a. through 3.c., noting an invoice from Texas Municipal League in the amount of \$8726.00 and Bickerstaff, Heath in the amount of \$6622.00.

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

4. Discussion and Possible Action.

4a. Discussion and possible action related to the cost of conducting the joint election in Director Precinct 4 including, but not limited to, authorizing a budget amendment and/or transfer from reserves, and approval of any required materials for the November 3rd, 2020 election.

Ms. Escobar stated that we had received an estimate from Travis County for holding our joint Board Election.

Ms. Wilson explained that the estimate is \$195,000 plus, but we are thinking that the estimate is high because they may have accidentally combined Precincts 4 and 5. When she made them aware of this, they said to pay 48% now, and it will be reconciled on the back end.

Ms. Escobar said that the District has never paid over \$20,000 and that was the amount budgeted. Travis County said that the costs for this election were substantially more due to it being a Presidential Election year and the Covid-19 pandemic. They have to rent locations for polling places instead of using schools and Church's, more people working the polls, and the cleaning materials needed.

President Stansberry said that at Mary's suggestion, she reached out to Commissioner Brigid Shea regarding the amount due. Commissioner Shea said that they may be able to help with money left from the Cares Act.

Director Smith moved approval of a deposit payment of \$93,635.66 to Travis County for the Precinct 4 Election, and a budget amendment transferring the funds from the Contingency account.

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

4b. Discussion and possible action related to approval of distributing FY 2020 Conservation Credits.

Ms. Escobar explained that it's the time of year that we balance the budget and calculate conservation credits. In your backup is the spreadsheet that Ms. DeLong creates showing the credits due back to the permittees. Each year we ask the permittees if they would like to donate their Conservation Credits to our Scholarship program. We have a few permittees that donate every year.

Director Smith moved approval of distributing the FY 2020 Conservation Credits.

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

4c. Discussion and possible action on the current Conservation Credit Policy and Board direction.

Ms. Escobar explained that staff wanted to check in with the Board and share some thoughts regarding the Conservation Credit policy. It is a complicated policy and most of the larger

permittees are the ones that have taken advantage of it. The factors to be eligible include timely meter readings and payments, and drought compliance. Also, we have a secondary process where they can receive an additional credit by looking at the last 3 years of pumpage and taking the highest year and then subtracting the current year. In the last 10 years we have given out almost \$200,000 in credits back to the permittees from our budget. One reason that staff would like to discontinue the policy is that we feel that it is outdated. We feel like it's not a representative of what true measures of conservation are. Early on when the District implemented the policy it was prior to conditional permitting and we were looking for ways to incentivize them. Our permittees are now in a rhythm of conserving. Another reason is that it takes a lot of time that could be used elsewhere, and the funds could be applied to other line items due to our budget constraints. We would need to contact the permittees to see if it would change their practices in any way.

Director Larsen said that he agrees with staff, but would like a survey put out to the permittees, and the result brought back to the Board.

Director Dorsett asked where the money for scholarships would come from if the policy was discontinued.

Ms. Escobar said that we would have money to create a line item in the budget for scholarships.

No formal action was taken.

4d. Discussion and possible action on aquifer conditions as related to Stage II Alarm Drought declaration.

Mr. Camp explained that there has been no rain in October, and even with the 7.5" that we received in September, the Love Lady monitor well crossed over to drought levels two weeks ago. He said that the Barton Springs monitor well had not crossed over but was very close. He said that in the District's Rules it only takes one well to go into drought but two to come out.

After Board discussion, Director Smith moved to declare Stage II Alarm drought effective immediately.

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

Ms. Escobar stated that staff would notify permittees, send out a press release, and post it on our website.

4e. Discussion and possible action related to District Annual Goals.

Ms. Escobar gave a presentation on the Annual Goals that staff teams would work on this year.

- 1) EP SOAH matter
- 2) DFC/MAG/GMA
- 3) Database development
- 4) Update Enforcement Procedures in District Rules

- 5) HCP Implementation
- 6) Hays County ILA and HTGCD ILA
- 7) Management Plan Annual Report
- 8) Budget Planning
- 9) Legislative tracking
- 10) Post Election Directors Onboarding
- 11) Grant Administration

Director Larsen moved approval of the Annual Goals with the changes in wording suggested by President Stansberry.

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

4f. Discussion and possible action related to a legislative update by Sledge Law Group.

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 5:01 p.m.

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

The Board reconvened into open session at 5:54 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

No Board action was taken in open session.

5. 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

- a. **Update on Personnel matters.**
- b. **Review of Status Report and update on team activities/projects.**
- c. **Upcoming public events of possible interest.**

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

6. 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.

Board members that had outside and Zoom meetings gave reports.

7. Adjournment.

Without objection, President Stansberry adjourned the meeting at 6:24 p.m.

Approved by the Board on November 12, 2020

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary