

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting & Public Hearing  
November 19, 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, Brian Hunt, Robin Gary, Kendall Bell-Enders, Vanessa Escobar, 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 6:01 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 October 22, 2015 Regular Meeting.**
3. **Approval to close the District office on Tuesday, December 21, 2015.**
4. **Approval of the staff's individual incentive compensation projects for FY 2016.**
5. **Approval to issue a Request for Qualifications/Proposals for solicitation of a new financial auditor.**

Mr. Dupnik asked to remove item 3a. 4 from the consent agenda because it has not been finalized, and noted that it would be on the December 17<sup>th</sup> agenda.

Ms. Stansberry moved approval of Items 3a. 1, 2, 3 and 5, noting an invoice from Bickerstaff in the amount of \$8030.50, and noted that the date of the office closure should be December 22<sup>nd</sup>.

Mr. Smith 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. **Review of Status Update Report – at directors' discretion**
- ii. **Update on activities related to GMA and regional water planning**
- iii. **Update on regulatory and enforcement activities**
- iv. **Update on ongoing and prospective District grant projects**
- 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 – GMA 9 DFCs**

**The District will hold a public hearing on: 1) proposed Desired Future Conditions (DFCs) for the Trinity Aquifer (throughout GMA-9), the Edwards-Trinity Plateau Aquifer (Kendall County), the Ellenburger-San Saba Aquifer (Kendall County), and the Hickory Aquifer (Kendall County), and 2) proposed Non-Relevant Aquifer classifications for the Edwards Aquifer-Balcones Fault Zone Aquifer (Bexar, the Comal, Hays, and Travis Counties), the Edwards-Trinity Plateau Aquifer (Blanco and Kerr Counties), the Ellenburger-San Saba (Blanco and Kerr Counties), the Hickory Aquifer (Blanco, Hays, Kerr, and Travis Counties), the Marble Falls Aquifer (Blanco County) adopted by GMA-9. The Board will accept oral comment, testimony, and other documentation and information relevant to the proposed DFCs and Non-Relevant Aquifer Classifications.**

Ms. Stone opened the Public Hearing at 6:50 p.m.

Mr. Hunt explained that State rules require each GCD to hold a Public Hearing on the proposed Desired Future Conditions for the Trinity Aquifer throughout GMA-9. He stated that the public comment period began on October 1<sup>st</sup> and will end on December 31<sup>st</sup>. Members of the public are invited to attend the hearing and provide oral comment, testimony, and/or submit other documentation.

Mr. Dupnik stated that the District will prepare a report on comments received that will be provided to the GMA-9 Committee for their review, consideration, and incorporation into the DFC decision-making process.

Ms. Stone called for public comments.

Mr. Bill Bunch of Save Our Springs Alliance stated that they will be filing written comments before the deadline. He said that there will be a lot of talk about the 30 feet of drawdown on the Trinity and they join with others to urge that it not be renewed, and that it be reduced enough to maintain current groundwater levels or something very close to that. The main focus being Jacob's well.

Ms. Stone closed the Public Hearing at 7:00 p.m.

## **5. Discussion and Possible Action.**

### **5a. Discussion and possible action related to approval of the District's progress towards achieving goals and objectives in the District Management Plan in FY 2015, to be included in the District's Annual Report.**

Mr. Dupnik provided an overview of the Board-approved methodology for assessing the progress towards satisfying the District's objectives as defined in the District's Management Plan. Mr. Dupnik then informed the Board that staff has provided documentation of the progress made during FY15 in the draft Appendix B provided in the Board backup and offered that Staff's assessment was that satisfactory progress was made on each of the six management objectives.

After discussion, Mr. Smith moved that satisfactory progress was made on each of the objectives 1 through 6 in the District Management Plan in FY 2015.

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

### **5b. Discussion and possible action related to amending the FY16 Budget.**

Mr. Dupnik and Ms. Wilson explained the needed revisions to the FY16 Budget, and answered questions from the Board.

After discussion, Mr. Smith moved adoption of Revision 1 of the FY 2016 Budget as outlined.

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

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

Mr. Dupnik explained that Tom Hegemier, the District's contracted engineer, has actively participated in the technical work group's ongoing review of the stormwater control designs and concepts for SH45 southwest. The District's initial intent was to complete the design review under the comment period provided in the Consent Decree and provide comments for Board consideration and possible approval at this meeting, but it is apparent that the design is not ready for review at present. He went on to say that staff and Mr. Hegemier met with the Board subcommittee on November 17<sup>th</sup> to go over the status of the project and discuss a strategy going forward. He said that based on that discussion and direction from the subcommittee, staff recommends the following:

1. Restating the Board's adopted guiding principles for stormwater control design to the CTRMA.
2. Focusing the District engineer's time on review of the City of Austin's comments submitted on 11/19/15.
3. Reserving the District's comments until such time that the CTRMA's design intentions are firm.
4. Conveying these points and the District's intent to the CTRMA and request an updated timeline for submitting comments.

Mr. Dupnik said that Mike Personette from the City of Austin was present to provide the cities position.

Mr. Personette stated that the City is operating under some council resolutions that are getting outdated at this point according to the current council, but the Watershed Protection staff are engaging in the technical work groups offering deep expertise in storm water management and SOS levels of non-degradation. He also said that they are giving them a lot of input in construction management, and how to minimize impacts during construction. He ended with saying that at staff level, they are not agreeing at this point to any of the elements that they have come up with, and now is the time to get our opinions heard.

Mr. Bill Bunch stated that he appreciated the District working on this issue and hiring an engineer, but is concerned about the project and process for some time. He spoke to Dr. Luran Ross, their environmental consultant on this project, and she suggested that we keep a list of things not in agreement, and what's not being addressed as well as the list of good. He gave a list of examples and said that the original EIS stated that it would take three years to reach the 45 right away to the springs, if it even went there, and now we know that it takes less than three days for recharge to reach the springs. All three projects are not separate and they are one project. He appreciates our course of action.

Dr. Larsen moved approval of the recommendations of the staff and the board subcommittee as outlined in Mr. Dupnik's memorandum to the Board dated the 19<sup>th</sup> of November.

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

- 6. 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.

**Dr. Larsen reported the following:**

Lunch meeting with Carlos Swanke  
Met with Ken Jacobs  
Met with Joe Pantalione  
Gave a talk to TARG  
SH45SW meeting  
Gave a talk to Travis County Commissioners

**Mr. Smith reported the following:**

Attended a City of Austin workshop on the Barton Springs bath house

**Ms. Stansberry reported the following:**

Met with Robert Steinbomer  
Met with Kassandra Garza  
Met with staff on outreach

**Ms. Stone reported the following:**

Met with staff on outreach  
Met with Pam Schmidt

**Mr. Dorsett reported the following:**


Met with Goforth Water  
Met with Ryan Crump of Onion Creek Country Club

Attended the Creedmoor Maha Board meeting

**7. Adjournment.**

Without objection, Ms. Stone adjourned the meeting at 7:52 p.m.

Approved by the Board on December 17, 2015:

By:   
Mary Stone, President

Attest:   
Blayne Stansberry, Secretary