

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
February 9, 2017**

Board members present at commencement: Blayne Stansberry, Craig Smith, Bob Larsen and Blake Dorsett. Mary Stone was absent. Staff present: John Dupnik, Brian Smith, Vanessa Escobar, Kendall Bell-Enders and Shannon DeLong. 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.

President Stansberry called the meeting to order at 6:01 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. 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 January 26, 2017 Regular Meeting.**

Director Smith moved approval of consent agenda items 1 and 2, noting an invoice from Bickerstaff in the amount of \$5737.50.

Director Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

4. Presentation

Presentation by Brian Lillibridge, Water Specialist with the City of Buda, on ongoing and planned water-related City projects.

Mr. Lillibridge gave an update on water activities including an interim water sharing agreement with HCPUA, a Direct Potable Reuse Feasibility Study and ASR.

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 GMA and regional water planning
- iii. Update on regulatory and enforcement activities
- iv. Update on District grant projects and other Aquifer Science Team projects
- v. Update on activities related to area roadway projects
- vi. Update on the HCP/ITP application and the associated draft EIS

Mr. Dupnik and staff updated the Board and answered Director's questions on the items listed above.

5. Discussion and Possible Action.

5a. Discussion and possible action related to the staff's selection for FY16 Permittee of the Year.

Ms. Escobar stated that the staff recommends St. Stephen's Episcopal Church & School as the Permittee of the year. She explained that as a groundwater user they were directly affected by the passage of HB 3405 and the District's annexation of the Shared Territory in 2015. She said that they stood out and were very receptive to the District, and even hosted a community meeting focused on the permit process.

Mr. Dupnik stated that the award would be given at the March 9th Board meeting.

After discussion, Director Smith moved approval of St. Stephen's Episcopal Church & School as the 2016 Permittee of the Year.

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

5b. Discussion and possible action related to hiring special counsel for the Board of Directors for the contested case hearing on the Needmore Water, LLC application to convert a Temporary Permit to a Regular Historical Production Permit authorizing groundwater production from the Trinity Aquifer.

Mr. Dugat explained that separate counsel is needed for the Board because he would be representing the General Manager in the contested case before SOAH. The Board Subcommittee recommended Brian Sledge because of his familiarity with HB 3405.

Director Larsen moved to select Brian Sledge as the Attorney for the Board in the Needmore case, and to delegate the President of the Board and Mr. Dugat to finalize and sign the engagement letter not to exceed \$350 per hour.

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

5c. Discussion and possible action related to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer.

Mr. Dupnik explained that as of this afternoon a draft settlement agreement had been distributed by the City of Austin (City) to certain interested parties.

Mr. Dugat said that he has not had time to fully digest the document but that it includes that Dripping Springs would maximize beneficial reuse so that they wouldn't discharge, and they identify different phases of the project with how much groundwater and how much storage and acreage for application of the wastewater. They would also report to the City annually, and that the City would not contest their permit.

After discussion, no action was taken by the Board. The item will be returned to agenda for further discussion at the next Board meeting.

5d. Discussion and possible action related to approval of a water pipeline easement from the District to the Hays Caldwell Public Utility Agency.

President Stansberry stated that this item would be returned to the next agenda pending action by the HCPUA Board.

5e. Discussion and possible action related to activities in the 85th Legislative session of interest to the District.

Mr. Dupnik briefed the Board on bills that concern the District.

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 7:37 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 8:04 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Mr. Dupnik gave a report on a draft bill for the creation of a District in Southwest Travis County.

Mr. Dugat reported on a letter from the Governor concerning the creation of Special Districts.

6. Adjournment.

Without objection, President Stansberry adjourned the meeting at 8:12 p.m.

Approved by the Board on February 23, 2017

By: Blayne Stansberry
Blayne Stansberry, President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary