

JOINT COMMITTEE MEETING

MINUTES

June 13, 2005

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 13th DAY OF JUNE A.D., 2005 at 7:00 PM, THE EXECUTIVE AND CORE COMMITTEES OF THE REGIONAL PLANNING GROUP FOR THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER MET IN OPEN SESSION IN THE CITY HALL OF THE CITY OF DRIPPING SPRINGS. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

EXECUTIVE COMMITTEE

City of Austin
Council Member Daryl Slusher
Barton Springs/Edwards Aquifer Conservation District
Precinct 5, Craig Smith
City of Dripping Springs
Mayor Todd Purcell
Hays County
Hays County Judge Jim Powers, presiding
Hays Trinity Groundwater Conservation District
Mr. Al Broun
Travis County
Commissioner Gerald Daugherty

CORE COMMITTEE

City of Austin
Council Member Daryl Slusher
Barton Springs/Edwards Aquifer Conservation District
Precinct 5, Craig Smith
City of Dripping Springs
Mayor Todd Purcell
Hays County
Hays County Judge Jim Powers, presiding
Hays Trinity Groundwater Conservation District
Mr. Al Broun
Travis County
Commissioner Gerald Daugherty
Village of Bee Cave
Alderman Mike Murphy
Blanco County/Blanco-Pedernales Groundwater District
Mr. Paul Babb
City of Buda
Mayor John Trube
City of Rollingwood
Alderman Bill Hamilton

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order at 7:00 PM.

PUBLIC COMMENTS

There was no one wishing to make a public comment.

NO ACTION.

Consent Items - Combined Committees

1. Minutes of April 13, 2005 Executive and Core Committees' Meetings. [Powers]

A motion was made by **Mayor PURCELL** and seconded by **Commissioner DAUGHERTY** to **Approve Consent Items #1 for the Combined Committees.**

PASSED. On a voice vote, all members present voting "Aye".

2. Administrative Report by the Executive Director. [Powers]

Terry Tull, the Executive Director reported that his written report had been prepared and was included in the package that had been provided to each Committee member. He explained that he had been unable to send the report to the Committees ahead of time due to failures of the internet system serving the Dripping Springs City offices. He highlighted the main points of his report, which are at attachment 1.

NO ACTION.

Consent Items - Executive Committee

3. Financial Management Report by the Executive Director. [Powers]

Terry Tull, the Executive Director stated that his written financial report was included in the agenda package that had been provided. A copy is at attachment 2. He outlined the main points, including the fact that all anticipated funding needs would be met by the funds that had been approved. He acknowledged the approval by Hays County of the final \$1,500 on June 7th. He indicated that, under current plans, there may be a few hundred dollars left after the Plan is completed, but that he is

reluctant to commit this amount now, but would prefer to save it for contingency purposes, or to leave for the follow on phase of the regional planning effort.

NO ACTION.

New and Old Business

4. Review of Revisions made to the Final Plan as approved during the Core Committee meeting of May 11, 2005. Action may follow. [Powers]

Mr. TERRY TULL, the Executive Director, referred to the summary table in the agenda package, titled “Responses to Public Comments,” which listed the various comments that had been reviewed at the last meeting, along with the actions taken by the Consultant. Mr. Tull stated that he had reviewed the changes made to the Plan and that he was satisfied that the Consultant had accomplished the revisions approved by the Committees. Further, he said that the revised Final Plan had also been distributed to the Committees, as directed at the last meeting, to give them the opportunity to review and comment, and that no one had posed any objections or comments about the revisions. Accordingly, he said that he considered the revised Plan to be final and ready for submission to the TWDB. However, as a matter of courtesy to the Committees, he asked if anyone had any final comments or objections that needed to be addressed before the Final Plan could be submitted. There were no comments or objections voiced.

NO ACTION.

5. Discussion and possible action to endorse the Regional Water Quality Protection Plan. [Smith & Cowan]

Mr. Smith, who had proposed this item, explained that it had been pulled from the agenda during last month’s meeting. He went on to explain that he had amended his original proposed motion for consideration at this meeting, and that the draft motion was included in the agenda packet.

Council Member Slusher then proposed certain amendments to the draft motion, in particular: substituting the word “framework” in place of the word “model” and substituting the words “of water quality standards” in place of the words “and implementation by”. **Mr. Smith** accepted the propose changes.

Council Member Slusher then moved and **Mayor Cowan** seconded the following motion, as amended:

MOTION: “The Core Committee of the Regional Water Quality Planning Project for the Barton Springs Segment of the Edwards Aquifer and its Contributing Zone endorses the final draft of the Regional Water Quality Protection Plan, including the amendments dated June 3, 2005, as a framework for adoption of water quality standards by the local governments represented on the Core Committee, recognizing that each has a unique role to play in achieving the regional solution and that it will take more time and a continuing strenuous effort by government and the public to reach the level of water quality protection described in the Plan.”

PASSED. On a roll call vote.

Voting “Aye”:

Board Member Backus
Mayor Cowan
Mr. Babb
Alderman Hamilton
Judge Powers
Mayor Purcell
Council Member Slusher
Board Member Smith
Mayor Trube

Voting “Nay”:

Commissioner Daugherty
Alderman Murphy

Following the vote, **Mayor Purcell** read the following statement and asked that it be included in the meeting record:

Mayor Purcell’s statement: “The Regional Planning Group approved this plan and its attachments as a guidance document for the Region. The Regional Plan is not a model, but instead provides a framework and suggestions within which members of the Region should operate. Individual jurisdictions shall retain the right to modify or customize the Plan based on the jurisdiction’s specific situation. The Regional Plan is intended as a template containing recommendations and suggestions based on scientific research, policy evaluations and legal analysis. The Regional Plan does not anticipate

a cookie cutter approach to water planning, but allows flexibility and creativity for water related problem solving.”

6. Discussion and possible action to create an Implementation Committee to assist the implementation of the adopted Regional Water Quality Protection Plan. [Smith & Cowan]

Mr. Smith introduced this item, explaining that he was concerned that, with funding expiring and the possibility that the Regional Planning Group might disband, he wanted to set up a group to follow on after the Plan was adopted that would help each jurisdiction with implementation. He said that, while he had proposed a specific structure, he would be open to recommendations to make adjustments to his proposal.

Mayor Cowan said that he had supported the proposed action because he felt the planning product and effort invested deserved continued action. He also said that he had no pre-conception of what would actually be done.

Judge Powers stated that he had some reservations with setting up an implementation committee along the lines proposed. He said that he intends to take the Plan back to his county and to ask his County Court to appoint an implementation group. He went on to say that he did not feel he could impose an implementation committee, appointed by the Regional Planning Group, on his County Commissioners.

An extensive discussion then ensued, with various representatives voicing ideas for how best to support the implementation efforts of the jurisdictions without infringing on their local freedom to do as they desired. Among the various points made were these:

- a. **Council Member Slusher** suggested a Stakeholder Committee group of advisors,
- b. **The Executive Director** emphasized his belief that the jurisdictions would need help in understanding the reasons behind the Plan’s recommendations and that those who had been involved in the Planning process would be able to help provide this insight,
- c. **Gene Lowenthal, of the Stakeholder Committee**, offered to be available as a Stakeholder Committee resource to help explain the thought and discussion behind the Plan’s,
- d. **Mayor Purcell** expressed the view that he would prefer to depend on the Consultant, rather than the Stakeholder Committee

- e. **Core Committee Member Andrew Backus** suggested that some workshops might be a good approach, given the success of the recent Transfer of Development Rights workshop
- f. **Tom Brown, of Naismith Engineering**, reminded the Committees that the Plan included an Adaptive Management Process, which called for periodic reviews of implementation issues by the entities, and adjustments as needed.
- g. **Alderman Murphy** suggested that the task of the Regional Planning Group has been completed, and that no follow on actions are needed.
- h. **Judge Powers** acknowledged that he could see the need to get together periodically as recommended under the Adaptive Management approach that Mr. Brown mentioned.
- i. **Mayor Trube** recommended that: 1) When the Final Plan is distributed, the implementation matrix should be pulled out of the Plan and included with the distribution letter; and 2) Any remaining funds should be given to Naismith who should be asked to make periodic follow-up calls to the jurisdictions to see how the implementation process is going and whether any assistance is needed.

Following the discussions, **Mr. Smith** withdrew his original proposed motion and made a new motion, with a friendly amendment by **Mayor Purcell**, and seconded by **Mayor Cowan**, which read as follows:

MOTION: “The Core Committee will meet in approximately one year to review implementation progress under the framework of the Adaptive Management Process as recommended in the Regional Water Quality Plan, or at an earlier date upon the call of the Chairman or the agreement of four (4) of the members of the Core Committee. ”

PASSED. On a voice vote, all members present voting “Aye.”

7. Discussion and possible action to elect the members of an Implementation Committee. [Smith & Cowan]

Mr. Smith withdrew this item as it was no longer necessary.

NO ACTION.

8. Presentation by the Executive Director regarding recommended actions to bring the current phase of the Regional Water Quality Planning Project to administrative and financial completion. Discussion and possible action may follow. [Powers]

Mr. Tull advised the Committees that he had submitted his termination letter to take effect on June 23, 2005, and that a copy of the letter had been provided to each Committee member, attachment 3. He had also provided a report which identified various actions that are needed to bring the current work to completion, and this was included in the agenda packet. A copy is at attachment 4.

Mr. Tull highlighted the key points of the transition plan, which included his commitment to organize the financial and administrative affairs of the office and to leave them in good order. He also said the transition plan assumes the City of Dripping Springs would continue in its role as the Administrator for the Regional Planning Group, and that he would need the City to designate someone to receive this hand off. He said that he realized that a number of the remaining actions would not be familiar to the City's staff, such as making payment requests to TWDB or processing payments to the Consultant, and he pledged to be available on a volunteer basis to assist the City in dealing with these types of issues. Finally, he advised that he was not seeking action by the Committee regarding the proposed transition plan, unless it desired to direct that changes be made.

A short discussion followed, during which **Mayor Purcell** sought to confirm Mr. Tull's commitment to assist the City dealing with contract and payment matters that were unfamiliar to the City staff, which Mr. Tull did.

NO ACTION.

Announcements

There are no meetings of the Executive Committee, the Core Committee or the Stakeholder Committee planned.

Adjourned at 8:30 PM.

Attachments:

1. Executive Directors Administrative Report for May 11, 2005 – June 10, 2005
2. Executive Director's Financial Status Report for May, 2005
3. Executive Director's letter of termination dated June 13, 2005
4. Executive Director's memo dated June 13 regarding Transition Planning