



NOTICE OF OPEN MEETING

Available at www.edwardsaquifer.org

As required by Article VI, Sections 6.02, 6.04, and 6.05 of the Bylaws of the Edwards Aquifer Authority, a special meeting of the Board of Directors will be held on **Tuesday, January 23, 2007, at 12:00 p.m. in the Conference Center of the Authority's office, 1615 N. St. Mary's, San Antonio, Texas.**

At this meeting, the following business may be considered and recommended for board action:

- A. Call to Order – Roll Call – Pledge of Allegiance.
- B. Public Comment.
- C. Closed Session.

The Board of Directors of the Edwards Aquifer Authority may go into a closed session under the authority of the Government Code, Chapter 551, Texas Open Meetings Act, to discuss:

1. Consultation with Attorney - Pending Litigation (§ 551.071)

1.1 Active Litigation:

- 1.1.1 *Guadalupe-Blanco River Authority v. Royal Crest Homes*, No. 89-0381 (22nd Dist. Ct., Hays County, Tex. filed June 15, 1989).
- 1.1.2 *Chemical Lime, Ltd. v. Edwards Aquifer Authority*, No. C2004-115A (22nd Dist. Ct., Comal County, Tex. filed Jan. 22, 2004).
- 1.1.3 *Day v. Edwards Aquifer Authority*, No. 04-04-0294-CVA (218th Dist. Ct., Atascosa County, Tex. filed Apr. 23, 2004).
- 1.1.4 *777 Operating Company v. Edwards Aquifer Authority*, No. 05-10-17660-CV (38th Dist. Ct., Medina County, Tex. filed Oct. 27, 2005).
- 1.1.5 *Bragg v. Edwards Aquifer Authority*, No. 06-11-18170-CV (38th Jud. Dist., Medina County, Tex. removed to federal court Dec. 26, 2006).
- 1.1.6 *Edwards Aquifer Authority v. Chemical Lime, Ltd.*, No. 06-0911 (Tex. pet. filed Nov. 29, 2006).
- 1.1.7 *Bragg v. Edwards Aquifer Authority*, No. 06-CA-1129-XR (W. D. Tex. filed Dec. 26, 2006).

1.2 Active Litigation: Enforcement

1.2.1 *Edwards Aquifer Authority v. Milberger Landscaping, Inc.*, No. 2004-CI-17559 (37th Dist. Ct., Bexar County, Tex. filed Nov. 23, 2004).

1.2.2 *Edwards Aquifer Authority v. Berry*, No. 2005-CI-05609 (37th Dist. Ct., Bexar County, Tex. filed Apr. 11, 2005).

1.2.3 *Edwards Aquifer Authority v. Boyd*, No. 2005-CI-17842 (224th Dist. Ct., Bexar County, Tex. filed Nov. 8, 2005).

1.3 Administrative:

1.3.1 *In The Matter Of The Request Of The South Central Texas Water Advisory Committee For The Texas Commission On Environmental Quality To Review The Final Action Of The Board Of Directors Of The Edwards Aquifer Authority Taken On December 16, 2003, To Adopt Resolution And Order No. 12-03-478 Relative To Certain Rulemaking* (Texas Commission on Environmental Quality, State of Texas, filed June __, 2004).

1.3.2 *In the Matter of the Request by Rep. Hilderbran for an Opinion of the Attorney General on Certain Issues Concerning the "Junior/Senior" Rules of the Edwards Aquifer Authority* (Texas Attorney General, filed Mar. 22, 2006).

2. Consultation with Attorney – Attorney/Client Privileged Consultations (§ 551.071)

3. Deliberations Regarding Real Property (§ 551.072)

4. Deliberations Regarding Personnel Matters (§ 551.074)

D. Consider recommendation(s) regarding matters discussed in closed session.

E. Adjournment.

January 18, 2007

Jennifer Wong-Esparza
Administrative Assistant

In this Notice of Open Meeting, the posting of an agenda item as a matter to be discussed in open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in executive session. If, during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the board may, as permitted by law, adjourn into executive session to deliberate on the matter.

The posting of an agenda item as a matter to be discussed in executive session is not intended to limit or require discussion of that matter in executive session. The Board may discuss in open session any matter for which notice has been given in this notice of open meeting, including an agenda item posted for executive session. In no event, however, will the Board take action on any agenda item in executive session, whether it be posted for open or executive session discussion.