

RESOLUTION AND ORDER NO. 10-13-001

OF THE IMPLEMENTING COMMITTEE OF THE EDWARDS AQUIFER HABITAT CONSERVATION PLAN PROGRAM (“EAHCP PROGRAM”) REGARDING THE SELECTION OF NATHAN PENCE AS THE PREFERRED CANDIDATE FOR THE POSITION OF PROGRAM MANAGER FOR THE EAHCP PROGRAM OF THE EDWARDS AQUIFER AUTHORITY.

WHEREAS, the Implementing Committee of the Edwards Aquifer Habitat Conservation Plan Program (“EAHCP Program”) was created pursuant to Section 7.7 of the Funding and Management Agreement by and among the Edwards Aquifer Authority, the City of New Braunfels, the City of San Marcos, the City of San Antonio, acting by and through its San Antonio Water System Board of Trustees, and Texas State University – San Marcos to fund and manage the Habitat Conservation Plan for the Edwards Aquifer Recovery Implementation Program (“FMA”) (eff. Jan. 1, 2012); and

WHEREAS, under Section 7.7 of the FMA, the purpose of the Implementing Committee is to supervise the implementation of the EAHCP Program; and

WHEREAS, under Section 2.3.1 the Implementing Committee provides that the EAA will, among other things, confer with the Implementing Committee in the selection of the preferred candidate for the position of Program Manager, and make reasonable efforts to accommodate the views and comments of the Implementing Committee in making the final hiring decision for this position; and

WHEREAS, a regular meeting of the Implementing Committee was held on October 17, 2013, at 9:00 a.m., notice of meeting having been duly and properly posted in accordance with Section 7.7.4 of the FMA; and

WHEREAS, Agenda Item 9 was listed for the following purpose:

CONSIDERATION OF AND POSSIBLE ACTION ON ADOPTING RESOLUTION AND ORDER NO. 10-13-001 OF THE IMPLEMENTING COMMITTEE OF THE EDWARDS AQUIFER HABITAT CONSERVATION PLAN PROGRAM (“EAHCP PROGRAM”) REGARDING THE SELECTION OF NATHAN PENCE AS THE PREFERRED CANDIDATE FOR THE POSITION OF PROGRAM MANAGER FOR THE EAHCP PROGRAM OF THE EDWARDS AQUIFER AUTHORITY; and

WHEREAS, all members of the Implementing Committee were present and constituted a quorum; and

WHEREAS, a unanimous vote of the Implementing Committee passed on, voted in favor of, and adopted the following resolution and order.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE

IMPLEMENTING COMMITTEE OF THE EDWARDS AQUIFER HABITAT
CONSERVATION PLAN PROGRAM THAT:

- Section 1. The recitals set out above are found to be true and correct, and they are hereby adopted by the Implementing Committee and are made a part of this resolution and order for all purposes.
- Section 2. The Implementing Committee hereby acknowledges its support for the selection of Nathan Pence as the preferred candidate for the position of Program Manager for the Edwards Aquifer Authority.
- Section 3. This Resolution and order shall become effective from and after its adoption.

PASSED AND APPROVED BY THE IMPLEMENTING COMMITTEE OF THE
EDWARDS AQUIFER HABITAT CONSERVATION PLAN PROGRAM THIS 17th DAY OF
OCTOBER, 2013.

Thomas Taggart
Chairman, Implementing Committee

ATTEST:

Steve Ramsey
Secretary, Implementing Committee

APPROVED AS TO FORM:

Darcy Alan Frownfelter
General Counsel
Edwards Aquifer Authority