

STATE OF TEXAS            }  
COUNTY OF UVALDE       }  
CITY OF UVALDE           }

**BE IT REMEMBERED**, that the City Council of the City of Uvalde, Texas, met in a Special Meeting at 12:00 p.m. on Monday, May 13, 2013, with the following members present:

J Allen Carnes	Mayor
Stephen E. Balke	Councilmember
Todd G. Dorris	Councilmember
John H. Flores, Jr.	Councilmember
Jesse Rodriguez	Councilmember

*Also present:*

Jennifer E. Garver	City Manager
Joe A. Cardenas	Assistant City Manager
Brian Smith	City Attorney

Agenda Item No. 1 – Call meeting to order

*Mayor J Allen Carnes called meeting to order at 12:00 p.m.*

Agenda Item No. 2 – Invocation

*Councilman Todd G. Dorris the led invocation.*

Agenda Item No. 3 – Pledge of Allegiance

*Mayor J Allen Carnes led Pledge of Allegiance*

***Mayor J Allen Carnes made an executive Motion to hear New Business first on the Agenda.***

Agenda Item No. 6 – New Business

- 6A. Consider and possible action on joining a lawsuit of the League of Latin American Citizens (LULAC), et al., and SAN ANTONIO WATER SYSTEM v. EDWARDS AQUIFER AUTHORITY (EAA) Western District Court of Texas Case No. 5:12-CV-620-OLG; and authorize City Manager to retain legal counsel to represent the City.

*Ms. Luana Buckner from EAA and Mr. Darcy Frownfelter, Attorney spoke and addressed Mayor and Council. As background, EAA was formed by legislature in 1993 and amended in 1995 by the legislature to be a 15 member elected board. Suit was filed by LULAC in the summer of 2012 challenging the makeup of the board and alleging 14<sup>th</sup> Amendment Voting Rights violation of one man one vote. The City of San Marcos has intervened in the lawsuit on behalf of EAA and the City of Victoria has filed an amicus brief on behalf of the EAA. The EAA was created by legislature as a regulatory authority*

*to manage natural resources. The subject matter of this lawsuit is does the water district fall under the protection of the 14<sup>th</sup> Amendment.*

Agenda Item No. 4 - Executive Session

The City Council of the City of Uvalde, Texas, will convene into executive session in accordance with the purposes permitted by the Open Meetings Act, Section, § 551.071

- 4A. EXECUTIVE SESSION – IN ACCORDANCE WITH TEXAS GOVERNMENT CODE Section 551.071 (1) (A) (Consultation with attorney about pending or contemplated litigation) and Section 551.071 (2) (Consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly requires discussion in closed session). Attorney consultation – League of Latin American Citizens (LULAC), et al., and SAN ANTONIO WATER SYSTEM v. EDWARDS AQUIFER AUTHORITY (EAA), in the U.S.D.C., Western District of Texas, Case No. 5:12-CV-620-OLG

*Mayor and Council convened into Executive Session at 12:16 p.m*

Agenda Item 5 – Reconvene from Executive Session

The City Council will reconvene from executive session.

*Mayor and Council reconvened from Executive Session at 12:40 p.m.*

Agenda Item No. 6 – New Business

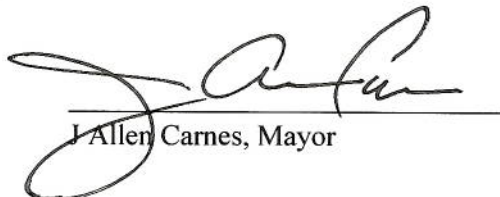
- 6A. Consider and possible action on joining a lawsuit of the League of Latin American Citizens (LULAC), et al., and SAN ANTONIO WATER SYSTEM v. EDWARDS AQUIFER AUTHORITY (EAA) Western District Court of Texas Case No. 5:12-CV-620-OLG; and authorize City Manager to retain legal counsel to represent the City.

*Mayor J Allen Carnes made a motion to have The City of Uvalde intervene in the lawsuit of the League of Latin American Citizens (LULAC), et al., and SAN ANTONIO WATER SYSTEM v. EDWARDS AQUIFER AUTHORITY (EAA) Western District Court of Texas Case No. 5:12-CV-620-OLG on behalf of the EAA and to have The City of Uvalde retain legal counsel to represent the City. Councilman John H. Flores, III seconded the motion. Motion carried unanimously 5-0.*

Adjournment

*Councilman John H. Flores, Jr. motioned for adjournment. Councilman Stephen E. Balke seconded the motion. Meeting adjourned at 12:40 p.m. Motion carried 5-0.*

  
Susan M. Conley, City Secretary

  
J. Allen Carnes, Mayor