

# **NOTICE OF MEETING GUADALUPE-BLANCO RIVER AUTHORITY BOARD OF DIRECTORS**

In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, the Guadalupe-Blanco River Authority (GBRA), whose principal office is in the City of Seguin, Guadalupe County, Texas, hereby gives notice of a meeting of its **BOARD OF DIRECTORS** to be held at the **Guadalupe-Blanco River Authority William E. West, Jr., Annex Building, 905 Nolan, Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, October 23, 2019.**

Subjects to be considered for discussion at such meeting include:

## **CALL TO ORDER**

Chair's consideration of posted notices. Pledge of Allegiance. Welcome guests.

## **PUBLIC COMMENTS**

1. Comments from the public. **NOTE:** This portion of the meeting is intended for comments from the public on non-agenda item related topics. Please limit comments to **3 MINUTES**. To address the Board please sign and completely fill out the Attendance Sheet maintained at the entrance to the building where meeting is being held. **NO RESPONSES OR ACTION MAY BE TAKEN BY THE BOARD DURING PUBLIC COMMENTS.** To address the Board related to an item posted on the agenda for action or discussion, please indicate the Item number you wish to comment on using the Attendance Sheet. The Board will call individuals to make comments at the appropriate time.

## **CONSENT ITEMS**

2. Consideration of and possible action approving the minutes of the September 25, 2019 Board meeting.
3. Consideration of and possible action approving the monthly financial report for August 2019.
4. Consideration of and possible action approving the monthly operations report for September 2019.
5. Consideration of and possible action approving Directors' expense vouchers.

## **GENERAL MANAGER/CEO ITEMS**

6. Report and update on the Guadalupe Valley Hydroelectric System; report and update on actions taken by the General Manager/CEO relating to the management and operation of the GBRA Hydroelectric Lakes, including actions taken to mitigate risks posed by hydro spillgates.
7. The General Manager/CEO and staff may report on, and the Board may discuss, executive reports and/or issues relating to GBRA activities including without limitation, the following: GBRA water and sewer utility operations, hydroelectric operations, GBRA facilities management including plants and dams, safety, water resources planning and operation, construction management, economic and community development, project development, accounting and finance, records management, grants and financial

assistance, human resources, information technology, communications, social media, education programs, resource protection, weather and climate, river flows and other scientific issues, non-profit entities partnering with GBRA, water quality services, community affairs, environmental programs, and stewardship.

## **ACTION ITEMS**

8. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and Richard Beach Family Limited Partnership related to the Voges Tract.
9. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to rehabilitate and add chemical resistant coating to the containment system at Western Canyon Water Treatment Plant.
10. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement to purchase a truck with associated sewer jetter system installed.
11. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement to purchase a sewer main line inspection system.
12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute the grant contract: Clean Water Act Section 319(h) Grant: Surface Water Quality Monitoring to Support the Implementation of the Geronimo and Alligator Creeks Watershed Protection Plan with the Texas State Soil and Water Conservation Board.
13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute the grant contract Clean Water Act Section 319(h) Grant: Surface Water Quality Monitoring to Support the Implementation of the Plum Creek Watershed Protection Plan with the Texas State Soil and Water Conservation Board.
14. Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2020 Work Plan and Budget to establish new base water rates for the Calhoun County Rural Water system to become effective January 1, 2020 and increase the Water Resources Division legal fees account by \$300,000.
15. Consideration of and possible action approving a Resolution authorizing the Issuance of \$9,740,000 in Aggregate Principal Amount of Guadalupe-Blanco River Authority Contract Revenue Bonds, Series 2019A (Low-Interest Financing) (Carrizo Groundwater Supply Project); authorizing the sale thereof to the Texas Water Development Board (TWDB) through its State Water Implementation Fund for Texas (SWIFT) Program; approving and authorizing the execution of a Paying Agent/Registrar Agreement and an Escrow Agreement related to such bonds; authorizing the Authority to obtain \$30,260,000 of additional funds for the project pursuant to a previously approved Master Agreement between the Authority and the TWDB relating to the TWDB (a) providing up to \$116,650,000 of additional financial assistance through the TWDB's Board Participation Loan Program under the SWIFT Program, and (b) receiving an Ownership Interest in GBRA's interest in the Carrizo Groundwater Supply Project for a period of time; approving an amendment to the Master Agreement; approving and authorizing all other instruments and procedures related thereto; and providing for an immediate effective date.
16. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement to purchase a patrol boat.

17. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract for water meter replacement for the Calhoun County Rural Water System.
18. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract with the most qualified vendor for a Computerized Maintenance Management Software system to support GBRA's Asset Management Program.
19. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an Agreement for Limited QSE Services for Distributed Generation (ERCOT Region) with the Guadalupe Valley Electric Cooperative, Inc. and Shell Energy North America (US), L.P.
20. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Letter Amendment (Letter Amendment Number 3) to the 1978 Agreement between the Guadalupe-Blanco River Authority and the Guadalupe Valley Electric Cooperative, Inc. for power sales.
21. Consideration of and possible action approving changes to the ordinances of the Guadalupe-Blanco River Authority relating to boating, swimming, fishing, and other water-related activities on the GBRA Hydroelectric Lakes to-wit: Lake Dunlap, Lake McQueeney, Lake Placid, Lake Nolte (Meadow), Lake Gonzales (H-4), and Lake Wood (H-5) located in Comal, Guadalupe, and Gonzales Counties, Texas.
22. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Memorandum of Understanding with Preserve Lake Dunlap Association to work toward the restoration of Lake Dunlap Dam and to take steps forward toward the long-term sustainability of Lake Dunlap.
23. Consideration of and possible action ratifying the agreement and subsequent amendment(s) between Archer Western Construction, LLC and the Guadalupe-Blanco River Authority executed on or about July 11, 2019, for the emergency construction of a new pump station in the Dunlap Canal to continue service in the Regional Raw Water Delivery System following the failure of a spillgate at Dunlap Dam.

## **DISCUSSION ITEMS**

24. Presentation on the Geographic Information Systems (GIS) Linear Asset Data Development Contract for the GBRA Asset Management Program.
25. Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin.

## **ITEMS FOR EXECUTIVE SESSION**

26. The Board may meet in Executive Session as authorized by the listed sections of Chapter 551, Texas Government Code, to discuss the following matters:
  - a. advice from legal counsel about litigation, proposed settlements, and, if applicable, the impact of pending or contemplated litigation on GBRA projects and proposed projects. This includes without limitation, the following matters: *LULAC v. Edwards Aquifer Authority* (United States Court of Appeals for the Fifth Circuit); *NBL-300 Group v GBRA* (25<sup>th</sup> District Court of Guadalupe County); *Skonnord v. GBRA* (25<sup>th</sup> District Court of Guadalupe County); *Williams v. GBRA* (25<sup>th</sup> District Court of Guadalupe County); proposed interventions and/or requests to modify court orders in the Skonnord and Williams cases, including without limitation, those relating to Son's Island; Application to the Texas Commission on Environmental Quality by GBRA for GBRA's Mid-Basin surface

water permit (State Office of Administrative Hearings); Applications to the Texas Commission on Environmental Quality for a bed and banks permit filed by San Antonio Water Systems; Other contested applications to the Texas Commission on Environmental Quality by GBRA for water rights or amendments to water rights; pending litigation and/or threatened litigation relating to right of way acquisition and any other litigation; Section 551.071, Texas Government Code;

b. briefing and advice from legal counsel relating to ongoing negotiations, legal rights, potential liabilities and other matters covered by legal counsel's duty of confidentiality, including without limitation, legal issues relating to agreements under negotiation, issues relating to or arising out of pending or threatened litigation, legal and regulatory issues relating to GBRA's groundwater and/or surface water rights and permits throughout the Guadalupe River Basin and actions taken by the General Manager/CEO relating to the management and operation of the GBRA Hydroelectric Lakes, including actions taken to mitigate risks posed by hydro spillgates; Section 551.071, Texas Government Code;

c. deliberation on matters relating to the purchase, exchange, lease, or value of real property interests and advice from legal counsel on those matters, including without limitation issues relating to (i) the lease or ownership of groundwater and surface water rights in the Guadalupe River Basin and/or within the boundaries of GBRA; (ii) right-of-way acquisitions for GBRA-related projects within the boundaries of GBRA; and (iii) exchange, sale, or transfer of real property interests within the boundaries of GBRA, including without limitation, property connected to the GBRA Hydroelectric Lakes; Sections 551.071 and 551.072, Texas Government Code;

d. appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer (including a senior executive manager) or employee or hear a complaint or charge against an officer or employee; Section 551.074, Texas Government Code.

The Board may take final action on any of the above mentioned matters while convened in open session pursuant to Chapter 551 of the Texas Government Code.

**ADJOURN**