

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 New Braunfels, Comal County, Texas, hereby gives notice of a meeting of its **BOARD OF DIRECTORS** to be held at the **Guadalupe-Blanco River Authority, Annex Building, 905 Nolan, Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, July 17, 2024.**

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 RESPONSE MAY BE MADE OR ACTION 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 June 20, 2024 Board Meeting.
3. Consideration of and possible action approving the monthly financial report for June 2024.
4. Consideration of and possible action approving the monthly operations report for June 2024.
5. Consideration of and possible action approving Directors' expense vouchers for June 2024.

GENERAL MANAGER/CEO ITEMS

6. 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: Safety Update, GBRA water and sewer utility operations, hydroelectric

operations, GBRA facilities management including plants and dams, 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, public and private entities partnering with GBRA, water quality services, community affairs, environmental programs, and stewardship.

ACTION ITEMS

7. Consideration of and possible action approving an amendment to GBRA's Board Policy 303 - Procurement.
8. Consideration of and possible action approving an amendment to GBRA's Board Policy 411 – Capital Assets.
9. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain fee estates, electric easements, access easements, water pipeline easements and temporary construction easements for the GBRA Carrizo Groundwater Supply Expansion Project (TX-130 Project) in connection therewith, over, across, upon and under certain privately-owned real properties; authorizing all appropriate action by the General Manager/CEO, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed certain fee estates, permanent easements, and temporary construction easements that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of GBRA to acquire such property interests; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the Resolution to be severable one from the other in the event any section of the Resolution is determined to be invalid; said properties to be identified to wit:

Parcel NR-01AE – Alan Wayne Balser and Pamela Guffey Balser, being:

Tract 1: a 2.373 acre (103,367 square foot) access easement out of the Byrd Lockhart Survey No. 8, Abstract No. 17, and the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion of the remainder of that tract described as 228.120 acres conveyed to Alan Wayne Balser and Pamela Guffey Balser by Warranty Deed with Vendor's Lien dated October 16, 2017, as recorded in Document No. 2017-005439, Official Public Records, Caldwell County, Texas; said 2.373 acres (103.367 square foot) access easement being more particularly described by metes and bounds and survey as follows in Exhibit "A"-1 attached hereto;

Tract 2: a 2.376 acre (103,485 square foot) electric easement out of the Byrd Lockhart Survey No. 8, Abstract No. 17, and the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion of the remainder of that tract described as 228.120 acres conveyed to Alan Wayne Balser and Pamela Guffey Balser by Warranty

Deed with Vendor's Lien dated October 16, 2017, as recorded in Document No. 2017-005439, Official Public Records, Caldwell County, Texas; said 2.376 acre (103,485 square foot) electric easement being more particularly described by metes and bounds and survey as follows in Exhibit "A"-2 attached hereto;

Tract 3: a 2.420 acre (105,411 square foot) waterline easement out of the Byrd Lockhart Survey No. 8, Abstract No. 17, and the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion of the remainder of that tract described as 228.120 acres conveyed to Alan Wayne Balser and Pamela Guffey Balser by Warranty Deed with Vendor's Lien dated October 16, 2017, as recorded in Document No. 2017-005439, Official Public Records, Caldwell County, Texas, also being a portion of that tract described as 17.296 acres conveyed to Alan Balser and Pam Balser by Warranty Deed with Vendor's Lien dated December 1, 2018, as recorded in Document No. 2018-006381, Official Public Records, Caldwell County, Texas; said 2.420 acre (105,411 square foot) waterline easement being more particularly described by metes and bounds and survey as follows in Exhibit "A"-3 attached hereto;

Parcel NR-03 – Charles D. Spillmann, being a 0.2221 acre (9,674 square foot) permanent easement, and a 0.13 acre (5,663 square foot) temporary construction easement out of the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion of the remainder of that tract described as 100.0 acres, save & except 1.25 acres, conveyed to Charles D. Spillmann and Jane Spillmann by Special Warranty Deed dated April 21, 1981, as recorded in Volume 425, Page 477, Deed Records, Caldwell County, Texas; said 0.2221 acre (9,674 square foot) permanent easement, and 0.13 acre (5,663 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "B" attached hereto;

Parcel NR-04 – Spillmann Farms LLC, a Texas limited liability company, being a 3.244 acre (141,305 square foot) permanent easement, and a 2.20 acre (95,832 square foot) temporary construction easement, out of the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion of Lot 2, Block 1, Spillmann Subdivision, a Subdivision of Record in Cabinet C, Slide 108, Plat Records, Caldwell County, Texas, said Lot 2 Conveyed to Spillmann Farms LLC by Special Warranty Deed dated April 1, 2023, as recorded in Document 2023-002274, Official Public Records, Caldwell County, Texas; said 3.244 acre (141,305 square foot) permanent easement, and 2.20 acre (95,832 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "C" attached hereto; and

Parcel NR-13 – Judy Rowe Koehl, Individually and as Trustee of the Testamentary Trusts as created in the Will for the Estate of Michael F. Koehl, deceased under Probate Cause No. 9518PR, County Court, Walker County, Texas, being a 0.6211 acre (27,054 square foot) permanent easement, and a 0.41 acre (17,860 square foot) temporary construction easement, out of the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion that tract described as 20.69 acres conveyed to Judy Rowe Koehl by Special Warranty Deed dated July 15, 2019, as recorded in Document No. 2019-003661, Official Public Records, Caldwell County, Texas; said

0.6211 acre (27,054 square foot) permanent easement, and a 0.41 acre (17,860 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "D" attached hereto.

10. Consideration of and possible action finding that the real property identified in Exhibits A and B located in Comal County owned by GBRA are surplus and are not needed and authorizing the General Manager/CEO to execute any and all transfer documents related thereto.

11. Consideration of and possible action to approve a change order with Sundt Construction for the Lake McQueeney and Lake Placid Spillgate Replacement and Dam Armoring Project in the amount of \$1,258,999.22 for the purchase and installation of new gantry cranes for both project sites and stop logs for the Lake McQueeney dam. (Change Order #12).

12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement with the Guadalupe-Blanco River Trust (GBRT) to be consistent with GBRA Board Policy. (Darrell Nichols, Joe Cole)

DISCUSSION ITEMS

13. Discussion regarding Base Flow Report, Water Quality Index, long-term weather pattern, and condition of the Guadalupe Basin.

ITEMS FOR EXECUTIVE SESSION

14. The Board may meet in Executive Session as authorized by Chapter 551, Texas Government Code, to discuss one or more of the following matters:

a. Any items listed on this agenda;

b. Advice from legal counsel about pending or threatened litigation, including litigation options, representation, settlements, settlement-related agreements and memoranda of understanding and, if applicable, the impact of pending or contemplated litigation on GBRA projects and proposed projects;

c. The following matters: (i) GBRA's Mid-Basin Water User Permit Application in Gonzales County (98th District Court of Travis County); (ii) San Antonio Water System's application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (iii) Cibolo Creek Municipal Authority's application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (iv) other pending applications for TCEQ water use or water quality permits on which GBRA is the permittee or co-permittee; (v) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; and (vi) pending or threatened litigation to which GBRA is a party or potential party;

d. Advice from legal counsel about pending litigation or threatened litigation relating to right of way acquisition; 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) right-of-way acquisitions for GBRA-related projects within or adjacent to the boundaries of GBRA's district; (ii) exchange, sale, or transfer of real property interests within or adjacent to the boundaries of GBRA's district; and (iii) sale, acquisition, and/or transfer of GBRA water treatment and distribution assets in Calhoun County;

e. Briefing and advice from legal counsel relating to matters covered by legal counsel's duty of confidentiality, including without limitation: (i) issues relating to agreements under negotiation; (ii) issues relating to potential litigation and representation in that litigation, including without limitation, issues or disputes arising from existing contracts to which GBRA is a party and bid protests, (iii) legal and regulatory issues relating to GBRA's groundwater and/or surface water rights and permits throughout the Guadalupe River Basin; (iv) issues relating to GBRA easement rights, enforcement of same, and other property rights; and (v) issues relating to agricultural water sales;

f. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers or employees; and to receive and obtain legal advice regarding same from legal counsel.

- General Manager/CEO, public officers, or employees

No action will be taken in executive session. 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

A handwritten signature in black ink that reads "Darrell Nichols". The signature is written in a cursive, flowing style.

Darrell Nichols, General Manager/CEO, GBRA
2225 E. Common Street New Braunfels, Texas 78130 - July 12, 2024