

# **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 Street, Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, August 21, 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 July 17, 2024 Board Meeting.
3. Consideration of and possible action approving the minutes of the July 25, 2024 Board Workshop Meeting.
4. Consideration of and possible action approving the minutes of the August 9, 2024 Board Workshop Meeting.
5. Consideration of and possible action approving the monthly financial report for July 2024.
6. Consideration of and possible action approving the monthly operations report for July 2024.

7. Consideration of and possible action approving Directors' expense vouchers for July 2024.
8. Consideration of and possible action authorizing the General Manager/CEO to sell capital assets in accordance with GBRA Board Policy 411 - Capital Assets

## **GENERAL MANAGER/CEO ITEMS**

9. 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**

10. Consideration of and possible action adopting a Resolution Authorizing the Termination of Paying Agent/Registrars for Various Outstanding Debt Obligations of the Guadalupe-Blanco River Authority and the Appointment of a Successor Paying Agent/Registrar for Such Debt Obligations.
11. Consideration of and possible action adopting a Resolution Approving and Authorizing the Execution of a Financing Agreement with the Texas Water Development Board (TWDB) Relating to Financial Assistance Being Provided by the TWDB for the Carrizo Groundwater Supply Expansion Project.
12. Consideration of and possible action authorizing Finance staff members to close bank and investment accounts.
13. Consideration of and possible action approving the Fiscal Year 2025 Work Plan and Budget including rates, compensation tables, and asset management program, for the following divisions and giving authority to the General Manager/CEO to expend funds pursuant to the budget as well as execute contracts consistent with those expenditures within limitations allowed under policy:
  - a. Guadalupe Valley Hydroelectric Division
  - b. Shadow Creek Wastewater Reclamation System
  - c. Canyon Park Estates Wastewater Reclamation System
  - d. Stein Falls Wastewater Reclamation System
  - e. Sunfield Wastewater Treatment Plant
  - f. Water Sales System
  - g. Calhoun Canal System
  - h. San Marcos Water Treatment Plant System
  - i. Buda Wastewater Treatment Plant System
  - j. Carrizo Groundwater System

- k. Carrizo Water Treatment Plant
- l. Western Canyon Treated Water System
- m. 4S Ranch Wastewater Reclamation System
- n. Cordillera Water Distribution System
- o. Cordillera Wastewater Treatment Plant
- p. Comal Trace Water Delivery System
- q. Johnson Ranch Water Distribution System
- r. Johnson Ranch Wastewater Treatment System
- s. Bulverde Singing Hills Wastewater Treatment System
- t. Park Village Wastewater Reclamation System
- u. Boerne Independent School District Wastewater System
- v. Coleta Creek Reservoir System
- w. Coleta Creek Recreation System
- x. Luling Water Treatment Plant Division
- y. Canyon Hydroelectric Division
- z. Lockhart Wastewater Reclamation System
- aa. Lockhart Water Treatment Plant System
- bb. Dietz Wastewater System
- cc. General Division

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute contracts for mowing and shredding services for plant sites and easements located in Guadalupe and Hays counties.

15. 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, 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-09B – August Guettler, Jr., Marvin Guettler, Weldon Guettler, Jennell Guettler, Donna Dohnal, Sharon Ferrell, Glenda Peters, Darleene Champagne, Nancy Sue Fox, Robert Wayne Guettler, Melissa Gayle Herrera, Candice Michelle Salazar, Kendra Anne Gibson, Kelsey Marie Gibson and Rebecca Anne Burris, being a 0.9208 acre (40,112 square foot) easement, and a 0.61 acre (26,572 square foot)**

temporary construction easement, out of the Cornelius Crenshaw Survey, Abstract No. 68, Caldwell County, Texas, being a portion that tract described as 115.437 acres (Exhibit "A") conveyed to the Estate of H.A. Guettler (First Party) by Partition Deed dated August 17, 2023, as recorded in Document No. 2023-005612, Official Public Records, Caldwell County, Texas; said 0.9208 acre (40,112 square foot) easement, and a 0.61 acre (26,572 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "A" attached hereto; and

**Parcel NR-35 – Alison Joyce Moore and Jimmy S. Moore, Jr.**, being a 0.7251 acre (31,584 square foot) permanent easement, and a 0.48 acre (20,909 square foot) temporary construction easement, out of the William Morrison Survey, Abstract No. 187, Caldwell County, Texas, being a portion that tract described as 13.507 acres conveyed to Alison Joyce Moore and Jimmy S. Moore, Jr., by Warranty Deed with Vendor's Lien dated June 28, 2019, as recorded in Document No 2019-003313, Official Public Records, Caldwell County, Texas; said 0.7251 acre (31, 584 square foot) easement, and a 0.48 acre (20,909 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "B" attached hereto;

16. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute the First Amendment to the 2018 Water Treatment and Delivery Agreement and 2024 Interlocal Agreement between Alliance Regional Water Authority and Guadalupe-Blanco River Authority related to an expansion of the shared water treatment plan for the Carrizo Groundwater Supply Project.

17. Consideration of and possible action authorizing the General Manager to negotiate and execute a Joint Funding Agreement between the United States Geological Survey and GBRA for the period of October 2024 through September 2025 for stream gauge and water quality monitoring.

## **DISCUSSION ITEMS**

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

## **ITEMS FOR EXECUTIVE SESSION**

19. 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**



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Darrell Nichols, General Manager/CEO, GBRA  
2225 E. Common Street, New Braunfels, Texas 78130 - August 15, 2024