

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 St., Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, December 18, 2024**

CALL TO ORDER

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

CHAIRMAN ITEMS

1. Consideration of possible action approving selection of Officers of the Board of Directors for calendar year 2025.

PUBLIC COMMENTS

2.. 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

3. Consideration of and possible action approving the minutes of the October 16, 2024 Board Meeting.
4. Consideration of and possible action approving the monthly financial report for November 2024.
5. Consideration of and possible action approving the monthly operations report for November 2024.
6. Consideration of and possible action approving Directors' expense vouchers for November 2024.

7. Consideration of and possible action approving the minutes of the October 16, 2024 Habitat Conservation Plan Workshop.

GENERAL MANAGER/CEO ITEMS

8. 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

9. Consideration of and possible action approving the Fiscal Year 2024 Annual Comprehensive Financial Report and audit report.

10. Consideration of and possible action to authorize the General Manager/CEO to negotiate and execute individual Memoranda of Agreement between the Guadalupe-Blanco River Authority and second-party participants in the development and eventual execution of the Certificate of Inclusion Program under GBRA's Habitat Conservation Plan. These agreements will outline the details of coverage and mitigation under the Endangered Species Act, as well as, the terms and conditions of participation between GBRA the second-party entities, which includes recreation-oriented businesses, municipalities, utilities, industries and county governments.

11. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain treated water pipeline easements and temporary construction easements for the GBRA Boerne and Fair Oaks Ranch Alternate Delivery 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 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 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 2 – Lyle Edward Zoeller, being a 0.607 acres (26,441 square foot) permanent easement, and a 0.428 acres (18,644 square foot) temporary construction easement, out of a 60.010 acres of land, more or less, conveyed to Lyle Edward Zoeller and recorded in Volume 1717, Pages 1120-1144, Official Records, Kendall County, Texas, out of the David Bradbury Survey No. 214, 2 Abstract No. 33, Kendall County, Texas and being part of a 131.013 acre tract of land conveyed to Harold Zoeller, et ux, recorded in Volume 113, Page 834, Kendall County Deed Records; said 0.607 acres (26,441 square foot) permanent easement, and 0.428 acres (18,644 square foot) temporary construction easement, being more particularly described by metes and bounds and survey as follows in Exhibit “A” attached hereto.

12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between the Guadalupe-Blanco River Authority and RS McQueeney, LLC for the McQueeney Oaks Development.

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to rehabilitate and repave portions of Coletto Creek Park Roads.

DISCUSSION ITEMS

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

ITEMS FOR EXECUTIVE SESSION

15. 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) legal and regulatory issues relating to GBRA's water, wastewater, and hydroelectric generation operations; (v) issues relating to GBRA easement rights, enforcement of same, and other property rights; and (vi) 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



Darrell Nichols, General Manager/CEO, GBRA
2225 E. Common, New Braunfels, Texas 78130 – December 12, 2024