

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 **GBRA River Annex, 905 Nolan, Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, May 16, 2012.**

Subjects to be considered for discussion at such meeting include:

CALL TO ORDER

- ❖ Chair's consideration of posted notices.
- ❖ Pledge of Allegiance.
- ❖ Welcome guests.
- ❖ Comments from public.
- ❖ Presentation of 2012 annual GBRA Scholarships.

CHAIR ITEMS

1. Consideration of and possible action authorizing the expenditure of funds for Directors and staff to attend the Texas Water Conservation Association 2012 Mid-Year Conference June 13-15, 2012, at Horseshoe Bay Resort Marriott in Horseshoe Bay, Texas.

2. Consideration of and possible action changing the location of the June 20, 2012 Board Meeting to be held in Gonzales, Texas.

CONSENT ITEMS

3. Consideration of and possible action approving the April 18, 2012, Board meeting minutes.

4. Consideration of and possible action approving the monthly financial report for April 2012.

5. Consideration of and possible action approving the monthly operations report for April 2012.

6. Consideration of and possible action approving Directors' expense vouchers.

GENERAL MANAGER ITEMS

7. Discussion of the Executive Reports addressing matters relating to safety, utility operations, water resource operations, engineering, coordination with the U.S. Army Corps of Engineers regarding Canyon Reservoir operations, Nueces Recharge Study, the seasonal deviation study for Canyon Reservoir and Cibolo Watershed Study, construction management including the Luling Water Treatment Plant Expansion and ASR Facilities, River Bend pump station replacement matters including easement acquisition, Mid-Basin Project, Clean Rivers Program activities, Plum Creek Projects, Geronimo Creek Watershed Protection Plan, Environmental Flows Project, River Network Project, water quality general, San Antonio Bay Foundation, Economic and Community Development activities, events and projects, Business Development including water and wastewater services activities, Rural Utilities - Dunlap wastewater service area activities, Mid-Basin Water Supply, Project activities, Resource Protection activities including lake management and water safety, implementation of water conservation measures, water strategies, Gorge Preservation Society matters, Gonzales area flood warning matters, information technology, human resources, budget activities, accounting and finance.

ACTION ITEMS

8. Consideration of and possible action authorizing GBRA to utilize alternative contracting methods as statutorily approved in the Texas Government Code, Chapter 2267 and further authorizing the General Manager to establish all necessary policies and procedures related to such alternative contracting methods.

9. Consideration of and possible action authorizing the General Manager to file an application(s) for financial assistance with the Texas Water Development Board to finance construction of GBRA's Mid-Basin Project.

10. Consideration of and possible action authorizing the General Manager to negotiate and enter into a contract with the lowest qualified bidder for the Lockhart Raw Water Pump Station electrical improvements.

11. Consideration of and possible action approving a Resolution of the Guadalupe-Blanco River Authority ("GBRA") declaring a public use and public necessity for the acquisition of certain real property rights for the construction, operation, and maintenance of a wastewater collection and transportation facility with all related improvements, facilities, and appurtenances, and any necessary additions, including construction modifications, improvements and replacement of a wastewater pump station and/or lift station, including a wet-well, pipes, electrical service, access and related facilities and appurtenances ("Lift Station Facilities"), also known as the River Bend Lift Station Improvements, in, over, under, through, across, being and belonging to certain real property located in Guadalupe County, Texas, for the public use of the construction, operation, and maintenance of the Lift Station Facilities, and authorizing all appropriate action by the General Manager and staff, retained attorneys, appraisers, and engineering and technical consultants and staff, in the institution and prosecution of condemnation proceedings to acquire any such necessary real property rights that cannot be acquired through negotiation, including a fee estate for a wastewater pump station site, a permanent utility easement, a temporary construction easement, together with all related rights of ingress and egress and the subordination, waiver and/or release of any and all restrictive covenants of record that may restrict or prohibit GBRA from using the fee estate, permanent utility easement, and temporary construction easement for the construction, operation, and maintenance of the Lift Station Facilities; 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 including the making of archaeological, environmental, geotechnical and linear surveys necessary and incidental to such acquisitions whether by purchase or eminent domain proceedings; declaring the sections of the Resolution to be severable one from the other in the event any section of this Resolution is determined to be invalid. The fee estate, permanent utility easement, and temporary construction easement are more fully described as follows: A Fee Estate for a Wastewater Pump Station Site, being a 0.246 acre GBRA Wastewater Pump Station Site out of the Sarah Dewitt Survey, Abstract Number 48, Guadalupe County, Texas, and being a portion of a tract of land called 1.208 acres, described in Volume 583, Page 715, Official Records, Guadalupe County, Texas, said 0.246 acre GBRA Wastewater Pump Station Site being more particularly described by metes and bounds and shown in Exhibit "A" attached hereto and incorporated herein for all

purposes; SAVE AND EXCEPT that certain 0.024 acre tract of land described in that certain Warranty Deed, dated November 22, 1971, from Lone Star Development Corporation, a Texas Business Corporation, to Guadalupe-Blanco River Authority, recorded in Volume 448, Page 339, of the Real Property Records of Guadalupe County, Texas; A Permanent Utility Easement, being a 0.061 acre GBRA Utility Easement out of the Sarah Dewitt Survey, Abstract Number 48, Guadalupe County, Texas, and being a portion of a tract of land called 1.208 acres, described in Volume 583, Page 715, Official Records, Guadalupe County, Texas, said 0.061 acre GBRA Electrical Easement being more particularly described by metes and bounds and shown in Exhibit "B" attached hereto and incorporated herein for all purposes; and A Temporary Construction Easement, being a 0.219 acre GBRA Temporary Construction Easement out of the Sarah Dewitt Survey, Abstract Number 48, Guadalupe County, Texas, and being a portion of a tract of land called 1.208 acres, described in Volume 583, Page 715, Official Records, Guadalupe County, Texas, said 0.219 acre GBRA Temporary Construction Easement being more particularly described by metes and bounds and shown in Exhibit "C" attached hereto and incorporated herein for all purposes.

12. Consideration of and possible action authorizing the General Manager to negotiate and execute a Purchase and Sale Agreement between the Guadalupe-Blanco River Authority and SJW Corporation.

DISCUSSION ITEMS

13. Discussion regarding alternatives for achieving water safety and a balance for surface water recreation, fishery habitat and other uses for Lake Dunlap as discussed by the GBRA Lake Dunlap Temporary Committee on lake usage.

14. Discussion regarding the activities and transactions of the Edwards Aquifer Authority, South Central Texas Water Advisory Committee, and the Guadalupe Basin Coalition.

15. Discussion regarding the activities and transactions of the Guadalupe-Blanco River Trust, the San Antonio Bay Foundation, and the Gorge Preservation Society.

16. Discussion regarding Base Flow Report, Water Quality Index, and condition of the Guadalupe Basin.

17. Discussion regarding local, State and national water planning and water resource issues.

ITEMS FOR EXECUTIVE SESSION

18. 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. seek advice from legal counsel about pending or contemplated litigation including, without limitation, the following matters: Whooping Crane litigation filed in the United States District Court for the Southern District of Texas, Corpus Christi Division, Civil Action No. C-10-75; Cause No. 11-1971, EBL. Inc., Defined Benefit Pension Plan and Trust, Edmund M. Longcope, Trustee v. GBRA, in the 428th Judicial District Court of Hays County, Texas; matters relating to the regulation of withdrawals of water from the Edwards Aquifer for protection of historic uses, endangered species, and springflow to the Comal, San Marcos, and Guadalupe Rivers and possible settlement thereof, including proposals for the supply of water from alternative sources; matters related to the supply of water from Canyon Reservoir and other water sources available to the Guadalupe-Blanco River Authority, including groundwater; matters relating to existing and/or proposed water rights and/or amendments of water rights and agreements relating to water rights; matters relating to an agreement between GBRA and DJL Ventures and Comal County WCID No. 6 (Singing Hills) regarding wastewater services; matters related to tree stumps removed from Lake Dunlap; matters relating to charges for water and wastewater services including wastewater service fees with the Oasis Subdivision by GBRA; matters relating to real property within GBRA's statutory district; matters relating to the solicitation, receipt, opening, and/or evaluation of bids, including without limitation bids for the construction of any facilities and/or the performance of any work or service, and relating to the actions taken or supposed to be taken by GBRA on such bids; and possible settlement of all such matters; Section 551.071, Texas Government Code;
- b. consult with legal counsel on matters within Section 551.071(2), Texas Government Code;
- c. discuss or deliberate the purchase, exchange, lease, or value of real property including surface and groundwater rights, Section 551.072, Texas Government Code;
- d. discuss or deliberate regarding commercial or financial information, Section 551.087, Texas Government Code;
- e. deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to 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 before mentioned matters while convened in open session pursuant to Chapter 551 of the Texas Government Code.

ADJOURN