

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, May 15, 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 April 17, 2019, Board meeting.
3. Consideration of and possible action approving the monthly financial report for April 2019.
4. Consideration of and possible action approving the monthly operations report for April 2019.
5. Consideration of and possible action approving Directors' expense vouchers.

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: 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

7. Consideration of and possible action ratifying a Wastewater Treatment and Disposal Agreement between Guadalupe-Blanco River Authority and Boerne Independent School District dated March 18, 2019.

8. Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2019 Work Plan and Budget to establish a budget for the Boerne Independent School District Wastewater Treatment Plant.

9. Consideration of and possible action approving a connection fee of \$6,200 for the Dunlap Wastewater Reclamation System effective October 1, 2019.

10. Consideration of and possible action authorizing the General Manager/CEO to engage the audit firm of Baker Tilly for the Fiscal Year 2019 financial audit.

11. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain wastewater pipeline easements and temporary construction easements and certain fee estates for the Dietz Wastewater Project or System 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 fee estates and easements and temporary construction easements and related rights of ingress and egress 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: Tract NG04 LS & Sons Concrete, Inc., being approximately 0.84 acres or 36,590.40 square feet more or less of permanent easement and 0.77 acres of temporary easement and being a portion of Lot 1, Ric and Sonia Martinez Subdivision, an addition to Guadalupe County, Texas, according to the map or plat thereof recorded in Volume 8, Page 127, Map and Plat Records, Guadalupe County, Texas, also being the same as tract of land owned by LS & Sons Concrete, Inc., as shown in deed recorded in Volume 4141, Page 823, Official Public Records, Guadalupe County, Texas. CAD: 151616, and attached as Exhibit "A"; Tract NG09 Charles Aque, being approximately 0.82 acres of permanent easement or 35,719.20 square feet more or less of permanent easement and 0.48 acres of temporary easement and being a tract of land containing 58.4 acres out of the S.M. Esnaurizar Eleven League Grant Survey, Abstract No. 20, also being the same as tract of land owned by Charles Aque, as shown in deed recorded in Volume 2391, Page 512, Official Public Records, Guadalupe County, Texas, save and except that .486 acre tract to Guadalupe-Blanco River Authority, recorded in Volume 1642, Page 298, Official Public Records, Guadalupe County, Texas. CAD: 56237; 56238; 56240, and attached as Exhibit "B"; and Tract NG011 Maureen Elaine

Dierks a/k/a Maureen Elaine Dierks Isbell and Eldor Herbert Dierks, as their interests may appear, being approximately 0.82 acres or 35,719.20 square feet more or less of permanent easement and 0.49 acres of temporary easement and being a tract of land containing a called 81.50 acres out of the A.M. Esnaurizar Survey, Abstract No. 20, and being the remainder of that previously called 134.06 acres in Deed recorded in Volume 205, Page 436 of the Deed Records, now owned by Maureen Elizabeth Dierks and Eldor Herbert Dierks, as shown in deeds recorded in Volume 2358, Page 648 and Volume 2358, Page 655, Deed Records, save and except those parcels conveyed by Deeds recorded In Volume 91, Page 602, Volume 385, Page 351, Volume 387, Page 160, Volume 416, Page 51, Volume 416, Page 306, Volume 417, Page 547, Volume 420, Page 365, Volume 420, Page 483, Volume 420, Page 484, Volume 442, Page 289, as corrected by Volume 1728, Page 211, and Volume 2027, Page 313 of the Deed Records, Guadalupe County, Texas. CAD: 55120, and attached as Exhibit "C".

12. Consideration of and possible action authorizing the General Manager/CEO to provide a GBRA sponsorship, of up to \$30,000, for the reopening of the walkway across Canyon Dam.

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an amendment to the 1975 Water Sales and Supply Contract with Vistra Energy Corporation (successor-in-interest to Central Power and Light Company and Coletto Creek Power, LLC) related to Coletto Creek Reservoir, to include provisions relating to termination and other matters relating to Coletto Creek Reservoir.

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute two Raw Water Supply Agreements between Guadalupe-Blanco River Authority and New Braunfels Utilities.

15. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute (1) an Agreement for the transfer of ownership of the Peninsula package wastewater treatment plant from Upper Trinity Regional Water District to GBRA and (2) one or more agreements for relocation, rehabilitation, installation and startup of the facility.

16. Consideration of and possible action authorizing the General Manager/CEO to solicit and procure a consultant to analyze and assist in the development and implementation of operational and mitigation strategies for GBRA facilities and operations impacted by Zebra Mussels.

DISCUSSION ITEMS

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

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. advice from legal counsel about pending or contemplated litigation, proposed settlements, and 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 on remand to District Court from the 4th Court of Appeals, San Antonio; 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; Section 551.071, Texas Government Code;

b. briefing and advice from legal counsel relating to ongoing negotiations, potential liabilities and other matters covered by legal counsel's duty of confidentiality, including without limitation, legal and regulatory issues relating to GBRA's Carrizo Groundwater Supply Project, Caldwell and Gonzales Counties, briefing and advice from legal counsel relating to GBRA surface and groundwater rights and permits throughout the Guadalupe River Basin; 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, including without limitation, surface water rights in Goliad and Calhoun Counties; (ii) right-of-way acquisitions for GBRA-related projects within the boundaries of GBRA; and (iii) exchange, sale, or transfer of possible surplus real property interests in Comal County; 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