

**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 10:00 a.m., on Wednesday, April 29, 2020.**

Due to health and safety concerns related to the COVID-19 coronavirus, and in keeping with the Governor's March 13, 2020 disaster declaration (extended by the Governor's order of April 12, 2020), this meeting will be conducted by teleconference in accordance with provisions in Sections 551.125 of the Texas Government Code that have not been suspended by order of the Governor under Chapter 418 of the Government Code.

The Public will have access to the proceedings through the following means:

**1. By webinar link on computer or smart phone**

Webinar Link: <https://attendee.gotowebinar.com/register/6919211686745547279>

*After registering, you will receive a confirmation email containing information about joining the webinar.*

**2. By using the GoToWebinar App on computer or smartphone (access will be available for public comments during the designated portion of the meeting)**

Please use the webinar ID: 480-850-459

*Persons wishing to make public comment generally or to comment on a specific item on the agenda are asked to join the webinar **between 9:15 and 10:00 am on the day of the meeting** and register to speak by typing and sending an instant message at the bottom of the "Questions" section on the web page when opened. Please identify yourself in the message and if you are speaking on a specific agenda item, please identify the specific item on which you wish to speak. General comments will be called for under Agenda Item No. 3 under Public Comments below. Comments on a specific agenda item will be called for when that item comes up.*

Please limit comments to **3 MINUTES** unless an interpreter is required.

**3. By telephone (for listening purposes only)**

Call In Number: 415-655-0060  
Audio Access Code: 563-677-681

**4. By appearing at GBRA Seguin Offices to make comments**

Persons may come to William E. West, Jr. Annex Building at 905 Nolan, Seguin, Texas at 10:00 am on April 29, 2020 to make comments. Board members will be participating remotely from other locations. Comments will be taken at the point designated in the agenda.

Subjects to be considered for discussion at such meeting include:

**CALL TO ORDER**

- Chair's consideration of posted notices.

## **CHAIRMAN ITEMS**

1. Consideration of and possible action on the procedures and conduct of the April 29, 2020 Board of Directors meeting.
2. Consideration of and possible approving an Order of the Board of Directors of the Guadalupe-Blanco River Authority ratifying action cancelling the March 18, 2020 and April 15, 2020 Board meeting.

## **PUBLIC COMMENTS**

3. Comments from the public. **NOTE:** This portion of the meeting is intended for comments from the public on NON-AGENDA ITEM RELATED TOPICS. Please note that THE BOARD MAY NOT DELIBERATE ON THE SUBSTANCE OF NON-AGENDA ITEMS.

**NOTE:** Persons wishing to make comment on SPECIFIC AGENDA ITEMS BELOW will be recognized to speak at the time the item is called.

*If you wish to make comments, please register with the GoToWebinar app as explained above.*

## **CONSENT ITEMS**

4. Consideration of and possible action approving the minutes of the February 18, 2020 Board meeting minutes.
5. Consideration of and possible action approving the monthly financial report for February and March 2020.
6. Consideration of and possible action approving the monthly operations report for February and March 2020.
7. Consideration of and possible action approving Directors' expense vouchers.

## **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: 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, public and private entities partnering with GBRA, water quality services, community affairs, environmental programs, stewardship, and update on GBRA Safety Work Plan.

## **ACTION ITEMS**

9. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a service agreement with the most qualified firm pertaining to communication and public relations services.
10. Consideration of and possible action approving a Resolution of the Board of Directors of the Guadalupe-Blanco River Authority authorizing the General Manager or his designee to be the representative(s) of GBRA for the purpose of furnishing information and executing documents as may be required in connection with the preparation and submission of applications to the U.S. Department of the Interior, Bureau of Reclamation in regards to the WaterSMART Grants: Small-Scale Water Efficiency Projects for Fiscal Year 2020.
11. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to purchase a 150 acre-feet per year water right under Permit 3600C from Ms. Vona Mae Harter Ussery and approving the use of financial reserves for the purchase.
12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract with Lake Dunlap Water Control and Improvement District for financing and operation of Lake Dunlap Dam and Hydroelectric Facilities.
13. 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 Stein Falls Collection Capital Improvement 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: Parcel 1 – KB Home Lone Star, Inc., a Texas Corporation, being approximately 0.1630 acre or 7,100 square feet more or less of permanent easement and 0.0997 acre or 4,343 square feet more or less of temporary construction easement situated in the Sarah Dewitt Survey No. 48, Abstract No. 103, in Guadalupe County, Texas, and being a portion of that certain 61.62 acres conveyed by KB Home Lone Star, Inc., by Deed recorded in Document No. 2015025849, Official Public Records of Guadalupe County, Texas, attached as Exhibit “A”; Parcel 2/8 – NB Corridor Investments, LLC, a Texas limited liability company, being approximately 2.107 acre or 91,781 square feet more or less of permanent easement and 1.509 acre or 65,732 square feet more or less of temporary construction easement situated in the Sarah Dewitt Survey No. 48, Abstract No. 103, and the J.S. Johnson Survey, Abstract No. 190, in Guadalupe County, Texas, being a portion of that certain 135.918 acres conveyed by Deed recorded in Document No. 201999019522, Official Public Records of Guadalupe County, Texas, attached as Exhibit “B”; Parcel 3 – Board of Trustees of the New Braunfels Independent School District, an independent school district and political subdivision of the State of Texas, being approximately 0.0968 acre or 4,217 square feet more or less of permanent easement and 1.465 acre or 63,815 square feet more or less of temporary construction easement situated in the Sarah Dewitt Survey No. 48, Abstract No. 103, in Guadalupe County, Texas, and being a portion of that 108.27 acres conveyed by Deed recorded in Volume 2832, Page 984, Official Public Records of Guadalupe County, Texas; and being conveyed to Board of Trustees of the New Braunfels Independent School District, Lot 1, NBISD Legend Pond Subdivision as recorded in Volume 8, Page 6, of the Map and Plat Records of Guadalupe County, Texas, attached as Exhibit “C”; Parcel 7 – Nancy Grier and Walter Grier a/k/a W.A. Grier, being approximately 2.113 acre or 92,042 square feet more or less of permanent easement and 1.465 acre or 63,815 square feet more or less of temporary construction easement and being in the J.S. Johnson Survey, Abstract No. 190, and being a portion of those tracts conveyed by Deed recorded in Volume 966, Page 244, Official Public Records of Guadalupe County, Texas, attached as Exhibit “D”; Parcel 10/11 – Jeannette Fay Altenhof Barber, being approximately 4.227 acre or 184,128 square feet more or less of permanent easement, 2.485 acre or 108,247 square feet more or less of temporary construction easement #1, and 0.3162 acre or 13,774 square feet more or less of temporary construction easement #2, situated in the J.S. Johnson, Abstract No. 190, in Guadalupe County, Texas, being a portion of that certain 148.41 acre tract, recorded in Estate Distribution and Partition Deed, Document No. 2017010935 of the Official Public Records of Guadalupe County, Texas, and also being described in Deed of Gift recorded in Volume 492, Page 888, Official Public Records of Guadalupe County, Texas, attached as Exhibit “E”; Parcel 14 – The Unknown Heirs at Law of Lulu Mae Schwab, also known as Lulu Mae Altenhof Schwab, deceased, being approximately 2.144 acre or 93,393 square feet more or less of permanent easement and 1.526 acre or 66,473 square feet more or less of temporary construction easement and being situated in the J.S. Johnson Survey, Abstract No. 190, and being a portion of a called 55.27 acre tract conveyed from Howard and Lulu Mae Altenhof to Lulu Mae Altenhof Schwab, recorded in Volume 1282, Page 693, Official Public Records of Guadalupe County, Texas, attached as Exhibit “F”; Parcel 21 – Marilyn McConkey, being approximately 1.832 acre or 79,802 square feet more or less of permanent easement, and 1.310 acre or 57,064 square feet more or less of temporary construction easement, situated in the Greenberry Pate Survey, Abstract No. 260, in Guadalupe County, Texas, and being a portion of that certain 53.410 acres conveyed by Deed recorded in Document No. 201999007446, Official Public Records of Guadalupe County, Texas, attached as Exhibit “G”; Parcel 22 – 625 Altwein LN , a Series under Brite Organic Blessings, LLC, a Texas Limited Liability Company, being approximately 1.286 acre or 56,018 square feet more or less of permanent easement, and 0.8857 acre or 38,582 square feet more or less of temporary construction easement,

situated in the William Bracken Survey, Abstract No. 52 and the Greenberry Pate Survey, Abstract 260, in Guadalupe County, Texas, being a portion of that certain 105.3 acres conveyed by Deed recorded in Document No. 2017029155, Official Public Records of Guadalupe County, Texas, attached as Exhibit "H"; Parcel 28/30 – Ramon Davila, Jr., being approximately 0.6061 acre or 26,402 square feet more or less of permanent easement, and 0.4625 acre or 20,147 square feet more or less of temporary construction easement for Easement #1, out of a portion of Lot 2, Butterfly Acres, Guadalupe County, Texas, according to the map or plat recorded in Volume 5, Page 240A, Map and Plat Records, Guadalupe County, Texas, and a 0.1903 acre or 8,289 square feet more or less of permanent easement, and 0.1615 acre or 7,035 square feet more or less of temporary construction easement for Easement #2 out of a portion of Lots 2 and 3, Butterfly Acres, Guadalupe County, Texas, according to map or plat thereof recorded in Volume 5, Page 240A, Map and Plat Records, Guadalupe County, Texas, attached as Exhibit "I"; Parcel 29 – Southern Central Holdings, LLC, being approximately 0.5059 acre or 22,037 square feet more or less for lift station being out of called 50.536 acre tract, recorded in Volume 2678, Page 165 of the Official Public Records of Guadalupe County, Texas, and said 0.2792 acre or 12,162 square feet more or less of permanent easement, and 0.0566 acre or 2,465 square feet more or less of temporary construction easement situated in the Greenberry Pate Survey Abstract No. 260, in Guadalupe County, Texas, being a portion of that certain 50.536 acres conveyed by Deed recorded in Volume 2678, Page 165, Official Public Records of Guadalupe County, Texas, Save and Except Therefrom all that 11.452 acres conveyed by Deed recorded in Volume 3119, Page 778, Official Public Records of Guadalupe County, Texas, attached as Exhibit "J"; Parcel 34 – Marilyn Altwein aka Marilyn Schleicher Altwein, being approximately 1.191 acre or 51,880 square feet more or less of permanent easement, and 0.2370 acre or 10,324 square feet more or less of temporary construction easement for Easement #1; and being approximately 0.0354 acre or 1,542 square feet more or less of permanent easement, and 0.0071 acre or 309 square feet more or less of temporary construction easement for Easement #2, situated in the G. Pate Survey, Abstract No. 260, in Guadalupe County, Texas, and being a portion of that called "Tract No. 1", 151.65 acres in the Deed recorded in Volume 430, Page 361, Deed Records of Guadalupe County, Texas, attached as Exhibit "K"; Parcel 34A – Susan Altwein Thibodeaux a/k/a Susan I. Thibodeaux, being approximately 0.2964 acre or 12,911 square feet more or less of permanent easement, and 0.0604 acre or 2,631 square feet more or less of temporary construction easement, situated in the G. Pate Survey, Abstract No. 260, in Guadalupe County, Texas, and being a portion of that 1.813 acres conveyed by Deed recorded in Volume 1271, Page 243, Official Public Records of Guadalupe County, Texas, attached as Exhibit "L"; Parcel 57 – Benito Marungo, Jr., being approximately 0.7128 acre or 31,050 square feet more or less of permanent easement, and 0.1426 acre or 6,212 square feet more or less of temporary construction easement, situated in the J.S. Johnson Survey, Abstract No. 190, in Guadalupe County, Texas, and being a portion of that called 4.25 acres conveyed by Deed recorded in Volume 2449, Page 937, Deed Records of Guadalupe County, Texas, attached as Exhibit "M"; and Parcel 69 – Mark T. Longoria and Deloris L. Kraft Longoria, being approximately 0.1480 acres or 6,447 square feet more or less of permanent easement in the City of New Braunfels, Texas, J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, being out of a called 5.789 acre tract, Lot 3, Lake Dunlap Pass, a subdivision in Guadalupe County, Texas, according to the map or plat thereof recorded in Volume 6, Page 574, Map and Plat Records of Guadalupe County, Texas; and being the same tract as conveyed from Charles Robert Daubert Jr. to Mark T. Longoria and Deloris K. Longoria, executed on June 30, 2003, as recorded in Volume 1865, Page 558 of the Official Public Records of Guadalupe County, Texas, attached as Exhibit "N".

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a settlement agreement with CFG Industries, LLC relating to contract to make repairs on the Guadalupe Valley Hydroelectric System.

15. Consideration of and possible action approving and ratifying an amendment to the GBRA Fiscal Year 2020 Work Plan and Budget to increase the Water Resources division legal fees account by \$2,000,000; and adopt water and wastewater rates and a water connection fee for the Comal Trace, Cordillera Ranch, and Johnson Ranch water distribution and wastewater systems.

16. Consideration of and possible action adopting a Resolution requesting financial assistance from the Texas Water Development Board relating to the Stein Falls Wastewater Treatment Plant; authorizing the filing of an application for financial assistance; and making certain findings in connection therewith.

17. Consideration of and possible action adopting a Resolution requesting additional financial assistance from the Texas Water Development Board for the Carrizo Groundwater Supply Project;

authorizing the filing of an application for financial assistance; and making certain findings in connection therewith.

18. Consideration of and possible action approving the Investment Practices and Performance Review report for the Retirement Plan for Employees of the Guadalupe-Blanco River Authority (Defined Benefit Pension Plan) as required by Texas Government Code §802.109.

19. Consideration of and possible action approving a Resolution authorizing the issuance of Guadalupe-Blanco River Authority General Improvement Revenue Refunding Bonds, Series 2020, to refund and redeem the Series 2011 Bonds within the parameters outlined in the resolution; authorizing the General Manager/CEO and the Executive Manager of Finance/CFO to approve all final terms of the Series 2020 Bonds; authorizing the execution of a paying agent/registrar agreement, an escrow agreement, and a purchase contract; approving an official statement; calling certain bonds for redemption; and authorizing all other instruments and procedures related thereto.

## **DISCUSSION ITEMS**

20. Mid-Year presentation and up-date on GBRA's Fiscal Year 2020 Work Plan and Budget.

## **ITEMS FOR EXECUTIVE SESSION**

21. 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 litigation, representation, proposed settlements, and, if applicable, 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 Supreme Court); *NBL-300 Group v GBRA* (25<sup>th</sup> District Court of Guadalupe County); *Skonnord v. GBRA* (25<sup>th</sup> District Court of Guadalupe County); *Williams v. GBRA* (25<sup>th</sup> District Court of Guadalupe County); 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; pending litigation and/or threatened litigation relating to right of way acquisition and any other litigation; Section 551.071, Texas Government Code;

b. briefing and advice from legal counsel relating to ongoing negotiations, legal rights, potential liabilities and other matters covered by legal counsel's duty of confidentiality, including without limitation, (i) legal issues relating to agreements under negotiation, issues relating to or arising out of pending or threatened litigation, (ii) legal and regulatory issues relating to GBRA's groundwater and/or surface water rights and permits throughout the Guadalupe River Basin, (iii) actions taken by the General Manager/CEO relating to the management and operation of the GBRA Hydroelectric Lakes, including actions taken to mitigate risks posed by hydro spillgates, and (iv) issues relating to agreements to repair and/or maintain Hydroelectric Lake Dams; Section 551.071, Texas Government Code, (v) legal issues related to Hydro Lake litigation contracts proposed for approval, ratification or authorization;

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) right-of-way acquisitions for GBRA-related projects within the boundaries of GBRA; and (ii) exchange, sale, or transfer of real property interests within the boundaries of GBRA; 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**