

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, October 21, 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 and extensions, 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/7611383947064551696>

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: Webinar ID: 376-744-355

*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: (562) 247-8422
Audio Access Code: 888-244-188

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 October 21, 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: (a) the procedures and conduct of the October 21, 2020 Board of Directors meeting; and (b) the procedures, conduct, and date of the November 2020 Board of Directors meeting.

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 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

3. Consideration of and possible action approving the minutes of the September 16, 2020 Board meeting.

4. Consideration of and possible action approving the monthly financial report for August 2020.

5. Consideration of and possible action approving the monthly operations report for September 2020.
6. Consideration of and possible action approving Directors' expense vouchers.

GENERAL MANAGER/CEO ITEMS

7. 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

8. Consideration of and possible action approving a Resolution authorizing the Issuance of \$34,900,000 in Aggregate Principal Amount of Guadalupe-Blanco River Authority Contract Revenue Bonds, Series 2020 (Low-Interest Financing) (Carrizo Groundwater Supply Project); authorizing the sale thereof to the Texas Water Development Board (TWDB) through its State Water Implementation Fund for Texas (SWIFT) Program; approving and authorizing the execution of a Paying Agent/Registrar Agreement and an Escrow Agreement related to such bonds; Authorizing the Authority to obtain \$7,595,000 of additional funds for the project pursuant to a previously approved Master Agreement between the Authority and the TWDB relating to the TWDB (a) providing up to \$107,755,000 of financial assistance through the TWDB's Board Participation Loan Program under the SWIFT Program, and (b) receiving an Ownership Interest in GBRA's interest in the Carrizo Groundwater Supply Project for a period of time; approving an amendment to the Master Agreement; approving and authorizing all other instruments and procedures related thereto; and providing for an immediate effective date.

9. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain buffer zone easements for the Crestview Wastewater Treatment Facility 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 buffer zone 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 including necessary acts for any applicable lienholders for such properties; 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 property to be identified to wit: Parcel 1- being approximately 0.57 acre for in the Ysidro Benavides Survey, Abstract No. 38 of Calhoun County, Texas and being a part of the same property description as 5.64 acres in Correction Warranty Deed with Vendor's Lien dated May 14, 1997 from Kenneth Moehnke and Mary Jane Moehnke to Aucencio Chavez recorded in Volume 183, Page 61 of the Official Records of Calhoun County, Texas, attached as Exhibit A; Parcel 2 - being approximately 0.05 acre situated in the Ysidro Benavides Survey, Abstract No. 38 of Calhoun County, Texas and being a part of Lot 32 in Block B of Crestview Subdivision relative to the plat recorded in Volume Z, Page 366 of the Calhoun County Plat Records and also a part of the same property described in Special Warranty Deed dated August 18, 1989 from Eula Sari Chavez to Aucencio S. Chavez recorded in Volume 35, Page 973 of the Official Records of Calhoun County, Texas, attached as Exhibit B; and Parcel 3-being approximately 0.004 acre situated in the Ysidro Benavides Survey, Abstract No. 38 of Calhoun County, Texas and being a part of Lot 31 in Block B of Crestview Subdivision relative to the plat recorded in Volume Z, Page 366 of the Calhoun County Plat Records, attached as Exhibit C.

10. Consideration of and possible action approving a Resolution of the Board of Directors of the Guadalupe-Blanco River Authority authorizing the General Manager/CEO 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 an application to the Texas Parks and Wildlife Department in regards to the Community Outdoor Outreach Program (CO-OP) funding opportunity for Fiscal Year 2021.

11. Consideration of and possible action approving a Resolution to amend Guadalupe-Blanco River Authority Board Policy 102.203 relating to the commencement of litigation by the General Manager/Chief Executive Officer on behalf of the Authority

DISCUSSION ITEMS

12. Discussion regarding the planning for and implementation of the MidBasin Surface Water Project.

13. Discussion regarding the Guadalupe Valley Hydroelectric System design and construction activities.

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 the listed sections of Chapter 551, Texas Government Code, to discuss the following matters:

a. advice from legal counsel about litigation, 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. This includes without limitation, the following matters: *NBL-300 Group v GBRA* (25th District Court of Guadalupe County); *Skonnord v. GBRA* (25th District Court of Guadalupe County); *Williams v. GBRA* (25th District Court of Guadalupe County); application to the Texas Commission on Environmental Quality (TCEQ) by GBRA for

GBRA's Mid-Basin surface water permit (pending before TCEQ Commissioners); applications to the TCEQ for a bed and banks permit filed by San Antonio Water Systems; other contested applications to the TCEQ by GBRA for water rights or amendments to water rights; other applications filed by or protested by GBRA pending before the TCEQ , including without limitation, water use permit applications filed by Select Energy Corporation in the Guadalupe and San Antonio River Basins and a water use permit application filed by River Mountain Ranch in the upper Guadalupe Basin; 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, litigation options, 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; issues relating to access to GBRA's Calhoun Canal on property held by Audra and/or Artie Henke; and (v) issues relating to GBRA easement rights for its Treated Water Pipeline arising from construction plans for the Sunset Oaks Subdivision in Hays County and offers by Lennar Homes to dedicate GBRA easement lands to Hays County 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) 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