

# **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, Annex Building, 905 Nolan, Seguin, Guadalupe County, Texas, at 10:00 a.m., on Wednesday, July 21, 2021.**

## **CALL TO ORDER**

- Chair's consideration of posted notices.

## **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 RESPONSE 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 June 16, 2021 Board meeting and Workshop session.
3. Consideration of and possible action approving the monthly financial report for June 2021.
4. Consideration of and possible action approving the monthly operations report for June 2021.
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, public and private entities partnering with GBRA, water quality services, community affairs, environmental programs, stewardship, and update on GBRA Safety Work Plan.

## **ACTION ITEMS**

7. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and Buzzworks Development LLC.

8. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and Lennar Homes of Texas Land and Construction, Ltd for the Hilltop Meadows development.

9. Consideration of and possible action approving a Resolution by the Guadalupe Blanco River Authority to adopt a policy governing the terms under which a food truck, mobile food vendor or other commercial use activity may operate on GBRA owned or leased parkland and recreational areas.

10. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a wholesale wastewater treatment agreement with DR Horton and East Hays County Municipal Utility District No. 1 and East Hays County Municipal Utility District No. 2.

11. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder, based on a Competitive Sealed Proposal process, for construction of a new office building in New Braunfels, Texas.

12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Consulting Services Agreement to provide owner's representative services for a new GBRA office building in New Braunfels, Texas.

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement with RVK Architects, Inc. to provide architect services for a new GBRA office building in New Braunfels, Texas.

14. Consideration of and possible action adopting a Resolution Expressing Official Intent to reimburse costs incurred to construct and equip office facilities in the city of New Braunfels.

15. Consideration of and possible action approving a resolution authorizing the issuance of up to \$35,000,000 in principal amount of Guadalupe-Blanco River Authority General Improvement Revenue Bonds, Series 2021 to finance improvements for the Dietz Wastewater System and Stein Falls Wastewater System; authorizing the sale thereof pursuant to a negotiated underwriting; delegating authority to the General Manager/CEO and the Executive Manager of Finance/CFO to select underwriters and to approve all final terms of the Series 2021 Bonds; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; authorizing the preparation and distribution of an official statement; and containing other provisions related thereto.

16. Consideration of and possible action authorizing Guadalupe-Blanco River Authority staff to open bank and investment accounts for management of bond proceeds and debt service obligations for the Stein Falls and Dietz wastewater construction projects.

17. Consideration of and possible action approving the use of financial reserves to purchase a sewer jetter/vacuum truck and authorizing the General Manager/CEO to negotiate and execute a purchase agreement.

18. Consideration of and possible action approving a Resolution by the Guadalupe Blanco River Authority to adopt a Relocation Policy for displaced persons, as defined in Texas Property Code Chapter 21, in connection with GBRA capital improvement projects.

19. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority, declaring a public necessity for the acquisition of court orders requiring the current owners of the properties identified herein to grant GBRA, its representatives, agents and contractors certain temporary restraining orders to obtain entry onto the certain properties for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisals in connection with the McQueeney Emergency Spillway Acquisition said properties to be identified to wit:

Parcel 1, Guadalupe County Appraisal District ID No. 29521, listed under Anthony O. and Karen M. Schaker, Hot Shot Lane, Guadalupe County, Texas, and identified on map attached as Exhibit "A";

Parcel 8, Guadalupe County Appraisal District ID No. 55239, listed under Frank S. Kern, Hot Shot Lane, Guadalupe County, Texas, and identified on map attached as Exhibit "A".

## **DISCUSSION ITEMS**

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

## **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 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.

b. This includes without limitation, the following matters: (i) *Williams v. GBRA* (Fourth Court of Appeals, San Antonio); (ii) GBRA's Mid-Basin Water User Permit Application in Gonzales County (98<sup>th</sup> District Court of Travis County); (iii) *Thalle Constr. Co., Inc. v. GBRA and Zachry Construction Corp.* (456<sup>th</sup> District Court of Guadalupe County); (iv) *Thome v. GBRA* (25<sup>th</sup> District Court of Guadalupe County); (v) San Antonio Water System's application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (vi) *GBRA v. Henke* (24<sup>th</sup> District Court of Calhoun County); (vii) *GBRA v. Edwin and Shannah Donhauser* (Cause No. 21-1030-CV-E), (viii) *GBRA v. Bonnie L. Hazelett* (County Court at Law, Caldwell County), (ix) *GBRA v. Roberts* (County Court at Law, Caldwell County), (x) *GBRA v. Barber* (County Court at Law, Guadalupe County), (xi) other pending applications for TCEQ water use or water quality permits on which GBRA is the permittee or co-permittee; (xii) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; (xiii) pending or threatened litigation to which GBRA is a party or potential party. Section 551.071, Texas Government Code;

c. 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; (ii) exchange, sale, or transfer of real property interests within or adjacent to the boundaries of GBRA; and (iii) sale, acquisition, and/or transfer of GBRA water treatment and distribution assets in Calhoun County: Section 551.071 and 551.072, Texas Government Code;

d. 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) issues relating to GBRA easement rights, enforcement of same and other property rights; and (v) issues relating to agricultural water sales. Section 551.071, and 551.072, Texas Government Code.

e. deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the following public officers or employees, as authorized by Texas Government Code Section 551.074; and to receive and obtain legal advice regarding same from legal counsel, as authorized by Texas Government Code Section 551.071 (consultation with attorney). No action will be taken in executive session; action, if any, will be taken in open session.

- General Manager/CEO

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**