

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, September 15, 2021.**

CALL TO ORDER

- Chair's consideration of posted notices.

CHAIRMAN ITEM

1. Consideration of and possible action accepting Board of Directors' Committee Assignments.

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 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

3. Consideration of and possible action approving the minutes of the August 18, 2021 Board meeting.
4. Consideration of and possible action approving the monthly operations report for August 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 Joint Funding Agreement between the United States Geological Survey and GBRA for the period October 2021 through September 2022 for stream gauge monitoring.

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 Continental Homes of Texas LP for the Winding Creek Ranch development.

9. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and KB Homes for the South Point development.

10. Consideration of and possible action authorizing the General Manager/CEO to execute an Easement Release for Plastics Management LLC, aka Republic Plastics.

11. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Letter Amendment (Letter Amendment Number 4) to the 1978 Agreement between the Guadalupe-Blanco River Authority and the Guadalupe Valley Electric Cooperative, Inc. for power sales.

DISCUSSION ITEMS

12. Discussion regarding recent United States Fish and Wildlife Service decision to propose three Guadalupe River freshwater mussels for listing as Endangered under the Endangered Species Act.

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

ITEMS FOR EXECUTIVE SESSION

14. The Board may meet in Executive Session as authorized by Chapter 551, Texas Government Code, to discuss the following matters:
 - a. Any items listed on this agenda;
 - b. 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;
 - c. 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 (98th District Court of Travis County); (iii) *Thalle Constr. Co., Inc. v. GBRA and Zachry Construction Corp.* (456th District Court of Guadalupe County); (iv) *Thome v. GBRA* (25th 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* (24th District Court of Calhoun County); (vii) *GBRA v. Bonnie L. Hazelett* (County Court at Law, Caldwell County), (viii) *GBRA v. Roberts* (County Court at Law, Caldwell County), (ix) *GBRA v. Barber* (County Court at Law, Guadalupe County), (x) other pending applications for TCEQ water use or water quality permits on which GBRA is the permittee or co-permittee; (xi) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; (xii) pending or threatened litigation to which GBRA is a party or potential party;
 - d. 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;
 - e. Briefing and advise 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;
 - f. Deliberate security assessments or deployments relating to information resources technology; network security information as described by Texas Government Code Section 2059.055(b); or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

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.

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