

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, December 15, 2021.**

CALL TO ORDER

- Chair's consideration of posted notices
- Pledge of Allegiance
- Welcome guests

CHAIRMAN ITEM:

1. Consideration of and possible action approving changing the dates of the March 16, 2022, Board of Directors meeting to March 23, 2022 and the December 21, 2022, Board of Directors meeting to December 14, 2022.

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 November 17, 2021 Board meeting.

4. Consideration of and possible action approving the monthly financial report for October and November 2021.

5. Consideration of and possible action approving the monthly operations report for November 2021.

6. Consideration of and possible action approving Directors' expense vouchers for October and November 2021.

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 the Fiscal Year 2021 annual financial audit and distribution of the Annual Comprehensive Financial Report.

9. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an interruptible water supply contract for up to 2,000 acre-feet for one year with Select Energy Services, LLC.

10. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute the San Antonio Bay System Monitoring Agreement between Texas A&M University-Corpus Christi and GBRA for the period January 1, 2022 through December 31, 2022.

11. Consideration of and possible action authorizing the General manager/CEO to negotiate and execute a multi-year maintenance contract with Aqua Metrology Systems, Limited.

12. Consideration of a possible action authorizing the General Manager/CEO to negotiate and execute a Memorandum of Understanding (MOU) with The Luling Foundation for the application of the Luling Water Treatment Plant (WTP) Sludge.

13. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain easement and fee estates for the GVHS – McQueeney Spillgate Replacement and Dam Armoring Capital Improvement 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 easement and fee estates 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 - Anthony O. Schaker, Jr. and wife Karen M. Schaker, being the east one-half of Lot 29, Laechlin-Riverside Addition, Guadalupe County, Texas, according to the plat thereof recorded in Volume 1, Page 129, Map and Plat Records of Guadalupe County, Texas, being 0.75 acres (32,848 sq. ft.) situated in the A.M. Esnaurizar Eleven League Grant, Abstract No. 20, and being a portion of the same property conveyed to Fred O. Schaker, Jr. by deed dated February 5, 2001, recorded in Volume 1590, Page 139, Official Public Records of Guadalupe County, Texas, attached as Exhibit "A"; Parcel 3A – Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustee of the Robert Eugene Kurtz GST Nonexempt Trust and Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustees of the Lynn Ann Floum GST Nonexempt Trust, being Lots 1 thru 14, RESUB of 21 & 22, recorded in Volume 380, Page 528, Deed Records, Guadalupe County, Texas, Lots 23, 24, 25, 26 and 3/4 of 27 and W 1/2 28 and 29, Laechelin-Riverside, in Guadalupe County, Texas, according to plat recorded in Volume 1, Page 128, Map and Plat Records, Guadalupe County, Texas, attached as Exhibit "B"; Parcel 4 – Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustee of the Robert Eugene Kurtz GST Nonexempt Trust and Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustees of the Lynn Ann Floum GST Nonexempt Trust, being 0.39 of an acre (16,827 sq. ft.) tract of land situated in the A.M. Esnaurizar Survey, Abstract 20, Guadalupe County, Texas, being a portion of Lots 17, 18, 19 and 20, Laechlin-Riverside Addition, plat recorded in Volume 1, Page 128-129, Plat Records, Guadalupe County, Texas, also being a portion of that tract of land conveyed to Joe L. Ermis and wife Marilyn F. Ermis, by deed recorded in Volume 702, Page 186, Official Records, Guadalupe County, Texas, attached as Exhibit "C"; and Parcel 10 – Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustee of the Robert Eugene Kurtz GST Nonexempt Trust and Robert Eugene Kurtz and Lynn Ann Floum, Co-Trustees of the Lynn Ann Floum GST Nonexempt Trust, being 2.358 acres (102,972 square feet) of permanent easement, more or less, in the A.M. Esnaurizar Survey, Abstract 20, Guadalupe County, Texas, and being out of and a part of a combined 177.554 acres described as Tract 8 in Correction Instrument recorded in Document No. 201999008737, correcting Special Warranty Deed to Kenneth Eugene Kurtz II, Trustee, of the Mary Lou Kurtz Marital Deduction Non-Exempt Trust, recorded in Document No. 2017005857, Official Public Records, Guadalupe County, Texas, and being more specifically out of a called 16.17 acre tract, a called 48.806 acre tract, and a called 107.247 acre tract described within the aforementioned deed, attached as Exhibit "D".

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Memorandum of Understanding (“MOU”) with the Meadow Lake Nolte Dam Association (“MLNDA”).

DISCUSSION ITEMS

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

ITEMS FOR EXECUTIVE SESSION

16. 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) *Thome v. GBRA* (25th District Court of Guadalupe County); (iv) San Antonio Water System’s application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (v) *GBRA v. Henke* (24th District Court of Calhoun County); (vi) *GBRA v. Barber* (County Court at Law, Guadalupe County), (vii) other pending applications for TCEQ water use or water quality permits on which GBRA is the permittee or co-permittee; (viii) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; (ix) 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 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; f. Deliberate the appointments, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers or employees; and to receive and obtain legal advice regarding same from legal

counsel. No action will be taken in executive session; action, if any, will be taken in open session.

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