

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, April 20, 2022.**

CALL TO ORDER

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

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 March 23, 2022 Board meeting.
3. Consideration of and possible action approving the monthly financial report for March 2022.
4. Consideration of and possible action approving the monthly operations report for March 2022.
5. Consideration of and possible action approving Directors' expense vouchers for March 2022.
6. Consideration of and possible action approving the disposal of equipment in accordance with GBRA Board Policy 411-Capital Assets.

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. Action authorizing the General Manager/CEO or designee to approve a multi-year Customer Service Agreement with UniFirst.

9. Action authorizing the General Manager/CEO to approve a multi-year maintenance contract with Aqua Metrology Systems, Limited.

10. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an extension of Contract No. 19-06 with the Texas State Soil and Water Conservation Board for the Surface Water Quality Monitoring to Support the Implementation of the Plum Watershed Protection Plan.

11. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an extension of Contract No. 19-07 with the Texas State Soil and Water Conservation Board for the Surface Water Quality Monitoring to Support the Implementation of the Geronimo and Alligator Creeks Watershed Protection Plan.

12. Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2022 Work Plan and Budget to adopt a wholesale wastewater treatment rate for the Sunfield wastewater system.

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an engagement agreement for the performance of a management audit.

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an engagement agreement for the performance of the financial audit for fiscal year 2022.

15. Consideration of and possible action adopting a Resolution requesting financial assistance from the Texas Water Development Board for an expansion of the Carrizo Groundwater Supply Project; authorizing the filing of an application for financial assistance; and making certain findings in connection therein.

16. Consideration of and possible action approving the initial use of financial reserves for easement acquisitions and other costs related to GBRA's water delivery pipeline for Phase I of the Texas Department of Transportation's State Highway 46 roadway widening project.

17. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Contract with Optimum Consultancy Services, for the design and implementation of a work automation and project management solution for the Engineering Department.

18. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Raw Water Contract between Guadalupe-Blanco River Authority and the City of Seguin.

19. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain treated water pipeline easements and temporary construction easements for the Western Canyon Hwy. 46 Water Pipeline Relocation 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 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 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 - 281 Partners, Ltd., a Texas limited partnership, being approximately 0.1385 acre (6,035 square feet) tract of land situated in the Theodore Miller Survey, Abstract No. 384 in Comal County, City of Bulverde, Texas, said 0.1385 acre tract being a portion of a 14.51 acre tract of land (by deed) deeded to 281 Partners, Ltd. by deed recorded in Document No. 201806040311 of the Official Public Records of Comal County, Texas (O.P.R.C.C.T.), attached as Exhibit "A"; and

Parcel 9 - M2G Highway 46, Ltd., being a 0.1697 acre (7,393 square feet) tract of land situated in the Jacobs Moos Survey, Abstract No. 745 and the Theodore Miller Survey, Abstract No. 384 in the City of Bulverde, Comal County, Texas, said 0.1697 acre tract being a portion of Lot 1 of The Crossing at Ridgeview, a subdivision recorded in Document No. 200806036871 of the Map and Plat Records of Comal County, Texas (M.P.R.C.C.T.), said Lot 1 being comprised of tracts conveyed to B & M Highway 46 LTD (now M2G Highway 46 LTD by name change) recorded in Document Nos. 200606053512, 200606053513,

200606053514 and 200606063515 of the Official Public Records of Comal County, Texas (O.P.R.C.C.T.), attached as Exhibit "B".

20. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute Gonzales Carrizo Water Supply Project Treated Water Supply Agreements with Maxwell Special Utility District, Goforth Special Utility District, County Line Special Utility District and Camino Real Utility Company, LLC.

21. Consideration of and possible action to amend GBRA Board Policy 102.204, Delegations to the General Manager/CEO, to grant authority to the General Manager/CEO to approve change orders to construction, equipment, materials and machinery contracts that involve the decrease or increase of \$50,000.00 or less.

22. Consideration of and possible action to approve a change order in the amount of \$126,351.00 to excavate additional subgrade below the elevation indicated in contract documents of the GBRA contract with Zachry Construction titled Lake Dunlap Dam Spillgate Replacement and Dam Armoring Project.

DISCUSSION ITEMS

23. Mid-Year presentation and update on GBRA's Fiscal Year 2022 Work Plan and Budget.

24. Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin.

ITEMS FOR EXECUTIVE SESSION

25. 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 (The Supreme Court of Texas); (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) Cibolo Creek Municipal Authority'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) 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; and (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 appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers or employees; and to receive and obtain legal advice regarding same from legal counsel.
- General Manager/CEO, public officers, or employees

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