

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 14, 2022.**

CALL TO ORDER

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

CHAIRMAN ITEM

1. Recognizing Andra Wisian for her outstanding leadership during her service as a Director of the Guadalupe-Blanco River Authority Board of Directors.
2. Consideration of and possible action approving changing the dates of the March 15, 2023 Board of Directors meeting to March 22, 2023 and the December 20, 2023 Board of Directors meeting to December 13, 2023.

PUBLIC COMMENTS

3. 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 MAY BE MADE OR ACTION 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

4. Consideration of and possible action approving the minutes of the November 16, 2022 Board meeting.
5. Consideration of and possible action approving the monthly financial report for November 2022.

6. Consideration of and possible action approving the monthly operations report for November 2022.

7. Consideration of and possible action approving Directors' expense vouchers for November 2022.

GENERAL MANAGER/CEO ITEMS

8. 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

9. Consideration of and possible action approving the Fiscal Year 2022 annual financial audit and distribution of the Annual Comprehensive Financial Report.

10. Consideration of and possible action approving the use of up to \$1,996,867 of financial reserves for the completion of the Goff Bayou radial gates replacement project.

11. Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute an interagency cooperation contract with the Texas Water Development Board for research grant: Guadalupe Delta Ecological Assessment of Freshwater Inflows Phase III.

12. Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a contract with an environmental consulting firm to perform ecological research on the Guadalupe Delta.

13. Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder based on a Competitive Sealed Proposal process, which provides the best value for the Guadalupe-Blanco River Authority, for selection of a general contractor for the Lake McQueeney and Lake Placid Spillgate Replacement and Armoring project

14. Consideration of and possible action to approve a change order with Zachry Construction Corporation in the amount of \$184,174.20 for work on the Lake Dunlap Spillgate Replacement and Dam Armoring Project (Change Order #23).

15. Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Standard Utility Agreement with the Texas Transportation Commission for reimbursement of costs related to Western Canyon Pipeline SH46 Treated Water Transmission Pipeline Project – Phase II.

16. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority to determine the general prevailing wage rate for the construction of a public work project, paid for in whole or in part from public funds, within the geographical limits of GBRA by using the prevailing wage rate as determined by the United States Department of Labor in accordance with the Davis-Bacon Act and its subsequent amendments.

17. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority, declaring a public necessity for the acquisition of court orders to obtain entry onto certain properties for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisals in connection with the expansion of the raw water pipeline system for the Hays and Caldwell counties onto said properties to be identified to wit:

Caldwell County Appraisal District ID No. 13651, Nina Schmidt Sells, Trustee of the Nina Schmidt Sells Property Trust dated December 8, 2008, Caldwell County, Texas, and identified on map attached as Exhibit “A”;

Caldwell County Appraisal District ID No. 55188, Nina Schmidt Sells, Trustee of the Nina Schmidt Sells Property Trust dated December 8, 2008, Caldwell County, Texas, and identified on map attached as Exhibit “A”; and

Caldwell County Appraisal District ID No. 15025, Diana J. Menn a/k/a Diana Menn Atchison, Caldwell County, Texas, and identified on map attached as Exhibit “A”.

DISCUSSION ITEMS

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

ITEMS FOR EXECUTIVE SESSION

19. The Board may meet in Executive Session as authorized by Chapter 551, Texas Government Code, to discuss one or more of 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 (25th Judicial District Court); (ii) GBRA’s Mid-Basin Water User Permit Application in Gonzales County (98th District Court of Travis County); (iii) San Antonio Water System’s application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (iv) Cibolo Creek Municipal Authority’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) other pending applications for TCEQ water use or water quality permits on which GBRA

is the permittee or co-permittee; (vii) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; and (viii) 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's district; (ii) exchange, sale, or transfer of real property interests within or adjacent to the boundaries of GBRA's district; 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

No action will be taken in executive 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