

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 19, 2023.**

CALL TO ORDER

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

CHAIRMAN ITEMS

1. Welcome new and re-appointed Directors and administer Oath of Office to John P. Cyrier, James P. Cohoon, Robert E. Blaschke, and Emanuel Valdez, Jr.
2. Consideration of and possible action regarding Board of Directors' Committee Assignments.

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 March 22, 2023 Board meeting.
5. Consideration of and possible action approving the monthly financial report for March 2023.

6. Consideration of and possible action approving the monthly operations report for March 2023.

7. Consideration of and possible action approving Directors' expense vouchers for March 2023.

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 and accepting the Drought Contingency Plans associated with Western Canyon Public Water Supply for Cordillera Ranch, Johnson Ranch, and Comal Trace.

10. Consideration of and possible action approving a resolution authorizing the redemption of Guadalupe-Blanco River Authority General Improvement Revenue Bonds, Series 2015, maturing on and after August 15, 2026 and approving other related matters.

11. Consideration of and possible action approving the use of up to \$379,654 of financial reserves for debt service obligations in FY 24 and FY 25 for the General Improvement Revenue Bonds, Series 2015, which are being called for early defeasance.

12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute amendment number one to the Contract for Financing and Operation of Lake Dunlap Dam and Hydroelectric Facilities

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute amendment number one to the Contract for Financing and Operation of Lake McQueeney Dam and Hydroelectric Facilities and amendment number one to the Contract for Financing and Operation of Lake Placid Dam and Hydroelectric Facilities.

14. Consideration of and possible action to approve a change order with Zachry Construction in the amount of \$60,160.19 for the Lake Dunlap Spillgate Replacement and Dam Armoring Project (Change Order #24).

15. Consideration of and possible action to approve a change order with Zachry Construction for the Lake Dunlap Spillgate Replacement and Dam Armoring Project in the amount of \$802,514.38 for additional work associated with the demolition of the emergency pump station in the Dunlap Canal (Change Order #29

16. Consideration of and possible action repealing one or more ordinances of the Guadalupe-Blanco River Authority relating to boating, swimming, fishing, and other water-related activities on the GBRA Hydroelectric Lakes to-wit: Lake Dunlap, Lake McQueeney, Lake Placid, Lake Nolte (Meadow Lake), Lake Gonzales (H-4), and Lake Wood (H-5) located in Comal, Guadalupe, and Gonzales Counties, Texas.

17. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain wastewater pipeline easements and temporary construction easements for GBRA to provide wastewater service to the East Hays County MUD-Ky-Tex Prairie Lakes 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; 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 properties to be identified to wit:

Parcel 2 - AH Satterwhite, LLC, being approximately 1.003 acre or 43,699 square feet mostly 22 feet wide of permanent wastewater easement and approximately 1.400 acre or 60,984 square feet 30 foot wide temporary construction easement being out of the Z. Hinton Survey No. 4, Abstract 219, Alexander McKowne Survey, Abstract 329 and William P. Corben Survey No. 7, Abstract 81, all in Hays County, Texas; being a portion of a called 84.80 acre tract as conveyed to AH Satterwhite, LLC by General Warranty Deed recorded in Document Number 20056884 of the Deed Records of Hays County, Texas, attached as Exhibit "A."

DISCUSSION ITEMS

18. Discussion and update on the Guadalupe-Blanco River Trust (Trust) Block Conservation Grant.

19. Mid-Year presentation and update on GBRA's Fiscal Year 2023 Work Plan and Budget.

20. Discussion and update on the 88th Texas Legislative Session.
21. Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin.

ITEMS FOR EXECUTIVE SESSION

22. 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