

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 New Braunfels, Comal 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, January 17, 2024.**

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 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

2. Consideration of and possible action approving the minutes of the December 13, 2023 Board Meeting.
3. Consideration of and possible action approving the monthly financial report December 2023.
4. Consideration of and possible action approving the monthly operations report for December 2023.
5. Consideration of and possible action approving Directors' expense vouchers for December 2023.

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: Safety Update, GBRA water and sewer utility operations,

hydroelectric operations, GBRA facilities management including plants and dams,, 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 an amendment to the "Agreement for Professional Services for Development of the Guadalupe River Basin Habitat Conservation Plan" between Blanton and Associates, Inc. and Guadalupe-Blanco River Authority.
8. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain treated pipeline easements and temporary construction easements for the Western Canyon Hwy. 46 Treated 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 3 – The Tessie Green Arnold Living Trust, The Amma Belle Green Testamentary Trust, Michael Leslie Maurer, Individually and as Independent Executor of the Estate of Tessye B. Maurer, Katy Ann Louthen, Individually and as Independent Executor of the Estate of Paul Joseph Maurer, James "Jimmy" O'Neil, and Garrison Maurer,

TRACT I:

Being a 0.0909-acre (3,958 square feet) tract of land situated in the H. & O.B. RR. Co. Survey, Abstract No. 726, in Comal County, Texas, said 0.0909 acre tract being a portion of the remainder of a 1,495 acre tract of land (by Deed) deeded to W.E. Green by Deed recorded in Volume 73, Page 245 of the Deed Records of

Comal County, Texas (D.R.C.C.T.), now, by Probate, Tessie Green Arnold Living Trust, (Undivided ½ interest), Amma Belle Green Testamentary Trust FBO Tessye Belle Maurer, Roseann Maurer, and Michael Leslie Maurer, and Katy Ann Louthen, Independent Executrix of the Estate of Paul Joe Maurer, Jr., Deceased, (Undivided ½ interest), being more particularly described by metes and bounds in Exhibit "A" attached hereto;

TRACT II:

Being a 1.024-acre (44,602 square feet) tract of land situated in the H. & O.B. RR. Co. Survey, Abstract No. 726, in Comal County, Texas, said 1.024 acre tract of land being a portion of the remainder of a 1,495 acre tract of land (by Deed) deeded to W.E. Green by Deed recorded in Volume 73, Page 245 of the Deed Records of Comal County, Texas (D.R.C.C.T.), now, by Probate, Tessie Green Arnold Living Trust, (Undivided ½ interest), Amma Belle Green Testamentary Trust FBO Tessye Belle Maurer, Roseann Maurer, and Michael Leslie Maurer, and Katy Ann Louthen, Independent Executrix of the Estate of Paul Joe Maurer, Jr., Deceased, (Undivided ½ interest), said 1.024 acre tract of land being more particularly described by metes and bounds in Exhibit "A" attached hereto;

TRACT III:

Being a 0.3838-acre (16,720 square feet) tract of land situated in the H. & O.B. RR. Co. Survey, Abstract No. 726, in Comal County, Texas, said 0.3838 acre tract of land being a portion of the remainder of a 1,495 acre tract of land (by Deed) deeded to W.E. Green by Deed recorded in Volume 73, Page 245 of the Deed Records of Comal County, Texas (D.R.C.C.T.), now, by Probate, Tessie Green Arnold Living Trust, (Undivided ½ interest), Amma Belle Green Testamentary Trust FBO Tessye Belle Maurer, Roseann Maurer, and Michael Leslie Maurer, and Katy Ann Louthen, Independent Executrix of the Estate of Paul Joe Maurer, Jr., Deceased, (Undivided ½ interest), said 0.3838 acre tract of land being more particularly described by metes and bounds in Exhibit "A" attached hereto;

TRACT IV:

Being a 3.911-acre (170,374 square feet) tract of land situated in the H. & O.B. RR. Co. Survey, Abstract No. 726, The Carl Weidner Survey, Abstract No. 854, and the John Hering Survey, Abstract No. 231, in Comal County, Texas, said 3.911 acre tract of land being a portion of the remainder of a 1,495 acre tract of land (by Deed) deeded to W.E. Green by Deed recorded in Volume 73, Page 245 of the Deed Records of Comal County, Texas (D.R.C.C.T.), now, by Probate, Tessie Green Arnold Living Trust, (Undivided ½ interest), Amma Belle Green Testamentary Trust FBO Tessye Belle Maurer, Roseann Maurer, and Michael Leslie Maurer, and Katy Ann Louthen, Independent Executrix of the Estate of Paul Joe Maurer, Jr., Deceased, (Undivided ½ interest), said 3.911 acre tract of land being more particularly described by metes and bounds in Exhibit "A" attached hereto; and

Parcel 10 – The Tessie Green Arnold Living Trust, The Amma Belle Green Testamentary Trust, Michael Leslie Maurer, Individually and as Independent Executor of the Estate of Tessye B. Maurer, Katy Ann Louthen, Individually

and as Independent Executor of the Estate of Paul Joseph Maurer, James “Jimmy” O’Neil, and Garrison Maurer,

Being a 1.605 acre (69,894 square feet) tract of land situated in the Carl Weidner Survey, Abstract No. 854 and the Theodor Koester Survey, Abstract No. 340, in Comal County, Texas, said 1.605 acre tract of land being a portion of a remainder of a 1,495 acre tract of land (by Deed) Deed to W.E. Green by Deed recorded in Volume 73, Page 245 of the Deed Records of Comal County, Texas (D.R.C.C.T.), (Now by Probate, Tessie Green Arnold Living Trust, (Undivided ½ interest), Amma Belle Green Testamentary Trust FBO Tessye Belle Maurer, Roseann Maurer, and Michael Leslie Maurer, and Katy Ann Louthen, Independent Executrix of the Estate of Paul Joe Maurer, Jr., Deceased, (Undivided ½ interest), said 1.605 acre tract of land being more particularly described by metes and bounds in Exhibit “B” attached hereto.

9. Consideration of and possible action authorizing the General Manager/CEO to submit a grant application to the Texas Water Development Board (TWDB) seeking funding for Guadalupe-Blanco River Authority, as the regional sponsor, to administer the development of the 2028 Regional Flood Plan for Region 11; and, if awarded, to negotiate and execute a contract with TWDB to hire a technical consultant to develop the 2028 Regional Flood Plan for Region 11.
10. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract with a technical consultant on behalf of the Region 11 Guadalupe Regional Flood Planning Group.
11. Consideration of and possible action approving updates to the GBRA Strategic Plan for 2023 – 2028.
12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an Interlocal Agreement between Guadalupe-Blanco River Authority and Alliance Regional Water Authority related to design costs for an expansion of the shared water treatment plant for the Carrizo Groundwater Supply Program

DISCUSSION ITEMS

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 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) GBRA's Mid-Basin Water User Permit Application in Gonzales County (98th District Court of Travis County); (ii) San Antonio Water System's application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (iii) Cibolo Creek Municipal Authority's application to TCEQ for a bed and banks permit on the San Antonio River (TCEQ); (iv) other pending applications for TCEQ water use or water quality permits on which GBRA is the permittee or co-permittee; (v) pending applications for TCEQ water use or water quality permits in the Guadalupe or adjacent river basins; and (vi) 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.



Darrell Nichols, General Manager/CEO, GBRA
2225 E Commons, New Braunfels, Texas 78130 – January 11, 2024