

# 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, February 21, 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 January 17, 2024 Board Meeting.
3. Consideration of and possible action approving the monthly financial report for January 2024.
4. Consideration of and possible action approving the monthly operations report for January 2024.
5. Consideration of and possible action approving Directors' expense vouchers for January 2024.

## 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 a Wholesale Wastewater Service Agreement between Guadalupe-Blanco River Authority and WB WT West End Estates, LLC for the Grier Tract.

8. Declaration by the Board of Directors that such property is surplus and not needed by GBRA and consideration of and possible action authorizing the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records.

9. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain water pipeline easements and temporary construction easements for the GBRA Carrizo Groundwater Supply Expansion Project (TX-130 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 permanent easements and temporary construction easements 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 ER-03 – Nina S. Sells**, being a 0.6077 of one acre (26,472 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 9.297 acres conveyed to Nina S. Sells by General Warranty Deed Dated April 7, 2022, as Recorded in Document No. 2022-002702, Official Public Records, Caldwell County, Texas; said 0.6077 of one acre (26,472 square foot) easement

being more particularly described by metes and bounds in Exhibit "A" attached hereto; and

**Parcel ER-05 – Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013**, being a 0.1184 of one acre (5,159 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, Under Declaration of Trust dated May 28, 2013 by Special Warranty Deed dated December 31, 2021, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, said 0.1184 of one acre (5,159 square foot) easement being more particularly described in metes and bounds in Exhibit "B" attached hereto; and

**Parcel ER-06 – David O. Marquez and Denise T. Marquez, husband and wife**, being a 0.1366 of one acre (5,592 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 6.920 acres conveyed to David O. Marquez and Denise T. Marquez by Warranty Deed with Vendor's Lien dated May 30, 2014, as recorded in Document No. 142168, Official Public Records of Real Property, Caldwell County, Texas; said 0.1366 of one acre (5,592 square foot) easement being more particularly described by metes and bounds in Exhibit "C" attached hereto.

10. 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 right of entry onto a certain property for the purpose of making boundary, topographic, environmental, archeological and geotechnical surveys, and appraisals in connection with the expansion of Western Canyon water pipeline system to an additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas onto said property to be identified to wit:

Kendall County Appraisal District ID No. 11782, Boerne Ranch Estates, LLS, Kendall County, Texas, and identified on map attached as Exhibit "A".

11. Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt an RV Park Usage Charge for the Stein Falls Wastewater System.

12. Consideration of and possible action approving a Resolution of the Board of Directors of Guadalupe-Blanco River Authority adopting Board Policy – 403 Investment Policy and the investment strategy contained therein.

13. Consideration of and possible action approving the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit Organizations.

14. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to repair Western Canyon raw water pumping system components.

15. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement with Hays County related to the Hillside Terrace Pipeline Relocation Project.

16. Consideration of and possible action authorizing the 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 Hillside Terrace Pipeline Relocation Project.

## **DISCUSSION ITEMS**

17. Discussion regarding consideration of award of an agreement between the Guadalupe-Blanco River Authority and a management consulting firm to provide services to conduct an annual evaluation of the performance of the General Manager/CEO.
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) 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.

## ADJOURN



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Darrell Nichols, General Manager/CEO, GBRA  
2225 E. Common, New Braunfels, Texas 78130 – February 15, 2024