

# **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, April 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 March 20, 2024 Board Meeting.
3. Consideration of and possible action approving the monthly financial report for March 2024.
4. Consideration of and possible action approving the monthly operations report for March 2024.
5. Consideration of and possible action approving Directors' expense vouchers for March 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 an Interlocal Cooperation Contract between Guadalupe-Blanco River Authority and Texas Parks and Wildlife Department related to the subaward of grant funds for the Guadalupe-Blanco River Authority to perform the project titled, "Expanded Scope for the Guadalupe River Habitat Conservation Plan."

8. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement for the performance of the financial audit for fiscal year 2024.

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

10. Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain fee estates, 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 certain fee estates, 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-12 – Schmidt Business, L.P., a Texas limited partnership, an undivided ninety percent (90%) interest; and Schmidt Cattle, L.P., a Texas limited partnership, an undivided ten percent (10%) interest, being a 1.082 acre (47,142 square foot) permanent easement, and 0.72 acre (31,363 square foot) temporary construction easement, out of the Byrd Lockhart Survey No. 8, Abstract No. 17, Caldwell County, Texas, being a portion that tract described as 176.82 acres conveyed to Schmidt Business, LTD. (undivided 90% interest) and Schmidt Cattle, L.P. (undivided 10%**

interest) by Warranty Deed dated September 5, 2019, as recorded in Document No. 2019-004512, Official Public Records, Caldwell County, Texas; said 1.082 acre (47,142 square foot) permanent easement and 0.72 acre (31,363 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "A" attached hereto;

**Parcel ER-16 – Richard E. Blauvelt**, being a 1.249 acre (54,408 square foot) permanent easement, and 0.84 acre (36,590 square foot) temporary construction easement, out of the Byrd Lockhart Survey No. 8, Abstract No. 17, Caldwell County, Texas, being a portion of that tract described as 68.001 acres conveyed to Richard E. Blauvelt by General Warranty Deed dated July 12, 2016, as recorded in Document No. 2016-003645, Official Public Records, Caldwell County, Texas, being further described in Volume 519, Page 768, Official Public Records of Real Property, Caldwell County, Texas; said 1.249 acres (54,408 square foot) permanent easement and 0.84 acre (36,590 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "B" attached hereto;

**Parcel NR-01A – Alan Wayne Balser and Pamela Guffey Balser**, being a 4.593 acre (200,086 square foot) fee estate, out of the Byrd Lockhart Survey No. 8, Abstract No. 17, Caldwell County, Texas, being a portion of that tract described as 228.120 acres conveyed to Alan Wayne Balser and Pamela Guffey Balser by Warranty Deed with Vendor's Lien dated October 16, 2017, as recorded in Document No. 2017-005439, Official Public Records, Caldwell County, Texas; said 4.593 acre (200,086 square foot) fee estate, being more particularly described by metes and bounds and survey as follows in Exhibit "C" attached hereto;

**Parcel NR-31 – Schmidt Cattle, L.P., a Texas limited partnership**, being a 2.143 acre (93,352 square foot) permanent easement, and 1.43 acre (62,291 square foot) temporary construction easement, out of the Elizabeth Brown Survey, Abstract No. 368, Caldwell County, Texas, being a portion of Lot 100, C.M. Rogers Subdivision, a Subdivision of record in Cabinet A., Slide 98, Plat Records, Caldwell County, Texas, said all of Lot 100 and a portion of Lot 105, in said C.M. Rogers Subdivision being described as 103.149 acres conveyed to Schmidt Cattle, L.P., by Special Warranty Deed dated July 16, 2009, as recorded in Volume 577, Page 638, Official Public Records of Real Property, Caldwell County, Texas; said 2.143 acre (93,352 square foot) permanent easement and 1.43 acre (62,291 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "D" attached hereto;

**Parcel NR-32 – Joel Garcia and Priscilla Lynn Garcia**, being a 1.890 acre (82,342 square foot) permanent easement, and 1.26 acre (54,886 square foot) temporary construction easement, out of the Elizabeth Brown Survey, Abstract No. 368, and the John Mott Survey, Abstract No. 191, Caldwell County, Texas, being a portion of that tract described as 20.48 acres conveyed to Joel Garcia and Priscilla Garcia by Warranty Deed with Vendors Lien dated August 4, 2017, as recorded in Document No. 2017-004094, Official Public Records, Caldwell County, Texas; said 1.890 acre (82.342 square foot) permanent easement, and 1.26 acre (54,886 square foot) temporary construction

easement more particularly described by metes and bounds and survey as follows in Exhibit "E" attached hereto; and

**Parcel NR-34 – Silver Mount Holdings, LLC, a Texas limited liability company,** being a 0.5963 acre (25,974 square foot) permanent easement, and 0.40 acre (17,424 square foot) temporary construction easement, out of the Thomas J. Hatton Survey, Abstract No. 121, Caldwell County, Texas, being a portion that tract described as 195.118 acres (Tract 1) conveyed to Silver Mount Holdings, LLC by Special Warranty Deed with Vendor's Lien dated October 26, 2021, as recorded in Document No. 2021-007932, Official Public Records, Caldwell County, Texas; said 0.5963 acre (25,974 square foot) permanent easement and 0.40 acre (17,424 square foot) temporary construction easement being more particularly described by metes and bounds and survey as follows in Exhibit "F" attached hereto.

11. 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 FM 725 Wastewater Pipeline Relocation Project.

12. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement with the Texas Transportation Commission related to the FM 725 Wastewater Pipeline Relocation Project.

13. Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract between the Guadalupe-Blanco River Authority and a Heating, Ventilation, and Air Conditioning (HVAC) vendor for the acquisition and installation of a new chiller system located at the 933 E. Court St. office.

## **DISCUSSION ITEMS**

14. Mid-Year presentation and update on GBRA's Fiscal Year 2024 Work Plan and Budget.

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

## **ITEMS FOR EXECUTIVE SESSION**

16. 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 – April 12, 2024