

**Alliance Regional Water Authority
Board of Directors**

REGULAR MEETING



ALLIANCE WATER

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572
Code: 757 448 344#

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.
Conference Call Number: 1-903-405-2572; Code: 757 448 344#

In accordance with Governor Abbott's Executive Order, declaration of the COVID-19 public health threat, and action to temporarily suspend certain provisions of the Texas Open Meetings Act, a quorum of Alliance Regional Water Authority's (the Authority's) Board of Directors will hold a meeting by telephonic conference call at 3:00 PM, Wednesday, April 28, 2021. The public may participate in this meeting by calling the following number and code:

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Members of the public wishing to make public comment during the meeting must register by emailing info@alliancewater.org prior to 3:00 p.m. on April 28, 2021. This meeting will be recorded and the audio recording will be available on the Authority's website after the meeting. A copy of the agenda packet will be available on the Authority's website at the time of the meeting. Additional information can be obtained by calling Graham Moore at (512) 294-3214.

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT PERIOD (Note: Each person wishing to speak must register with the Executive Director at info@alliancewater.org before 3:00 p.m.)

D. CONSENT AGENDA

The items included in the Consent Agenda portion of this meeting agenda can be considered and approved by the Board of Directors by one motion and vote. A Board member may request that an item included in the Consent Agenda be considered separately, in which event the Board of Directors will take action on the remaining Consent Agenda items and then consider the item removed from the Consent Agenda.

D.1 Consider approval of minutes of the Regular Meeting held March 31, 2021. ~ Graham Moore, P.E., Executive Director

D.2 Consider approval of the financial reports for February 2021. ~ Graham Moore, P.E., Executive Director

D.3 Consider approval of the Quarterly Investment Report for the period ending on March 31, 2021. ~ Graham Moore, P.E., Executive Director

E. PUBLIC HEARINGS / PRESENTATIONS - None

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F. ITEMS FOR DISCUSSION NOT REQUIRING ACTION

- F.1 Report on Technical Committee activities. ~ *Graham Moore, P.E., Executive Director*
- F.2 Update and possible direction to Staff regarding the status of the Authority's Phase 1A projects, and direction to staff and consultants. ~ *Jason Biemer, Project Coordinator*
- F.3 Update on status of groundwater management in project target area, and Gonzales County Underground Water Conservation District, Plum Creek Conservation District, Groundwater Management Area 13, Region L Planning Group, Guadalupe-Blanco River Authority, Hays County and CAPCOG activities. ~ *Graham Moore, P.E., Executive Director*

G. EXECUTIVE DIRECTOR AND LEGAL COUNSEL REPORTS - Update on future meeting dates, locations, status of Authority procurements, Executive Director activities, other operational activities and the status of legal issues, where no action is required. ~ *Graham Moore, P.E., Executive Director / Mike Gershon, Lloyd Gosselink Rochelle & Townsend, P.C.*

H. ITEMS FOR ACTION OR DISCUSSION/DIRECTION

- H.1 Update and discussion regarding the status of the Authority's Phase 1B program, and direction to staff and consultants. ~ *Ryan Sowa, P.E., Kimley-Horn & Associates*
- H.2 Consider adoption of Resolution 2021-04-28-001 approving an Engagement Agreement with the Law Offices of Patricia Erlinger Carls for groundwater permitting support. ~ *Graham Moore, P.E., Executive Director*
- H.3 Consider adoption of Resolution 2021-04-28-002 making appointments to the Administrative Committee ~ *Graham Moore, P.E., Executive Director*
- H.4 Discussion of legislative issues for the 87th Texas Legislature, and possible direction to Staff. ~ *Scott Miller / Jeff Hecker, Texas Solutions Group*

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I. BOARD MEMBER ITEMS OR FUTURE AGENDA ITEMS – Possible acknowledgement by Board Members of future area events and/or requests for item(s) to be placed on a future agenda where no action is required.

J. EXECUTIVE SESSION

J.1 *Executive Session pursuant to the Government Code, Section 551.071 (Consultation with Attorney) and/or Section 551.072 (Real Property Deliberations) regarding:*

- A. *Water supply partnership options*
- B. *Groundwater leases*
- C. *Acquisition of real property for water supply project purposes*

J.2 Action from Executive Session on the following matters:

- A. *Water supply partnership options*
- B. *Groundwater leases*
- C. *Acquisition of real property for water supply project purposes*
- D. *Consideration of Resolution 2021-04-28-003 approving a Purchase Agreement with Mission Way Property Management, LLC for a permanent pipeline easement on Parcel D024C.*
- E. *Consideration of Resolution 2021-04-28-004 finding Public Convenience and Necessity for and authorizing the acquisition of certain water pipeline easements and temporary construction easements and certain fee estates for the Alliance Regional Water Authority, Phase 1B Water Line Project in connection therewith, over, across, upon and under certain privately owned real estate properties; authorizing all appropriate actions by the Board of Directors, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and 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 ARWA 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; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law.*

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K. ADJOURNMENT

NOTE: *The Board of Directors may meet in Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Board of Directors may also publicly discuss any item listed on the agenda for Executive Session.*

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A. CALL TO ORDER

No Backup Information for this Item.

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B. ROLL CALL

NAME	TERM ENDS	PRESENT
Mayor Jane Hughson – Vice-Chair (San Marcos)	April 2023	
Mike Taylor (CRWA - General Manager, Crystal Clear SUD)	April 2023	
Tim Samford (Kyle – Treatment Operations Manager)	April 2021	
Blake Neffendorf – Treasurer (Buda – Water Resources Coordinator)	April 2023	
Councilmember Mark Gleason (San Marcos)	April 2022	
Humberto Ramos (CRWA – Water Resources Director)	April 2021	
James Earp – Secretary (Kyle – Assistant City Manager)	April 2021	
Tom Taggart (San Marcos – Executive Director of Public Services)	April 2021	
Chris Betz – Chair (CRWA - President, County Line SUD)	April 2022	
Derrick Turley (Kyle – Water Quality Technician)	April 2021	
Marie Kalka (San Marcos – Finance Director)	April 2022	
Pat Allen (CRWA - General Manager, Green Valley SUD)	April 2023	
Paul Kite (San Marcos – Asst. Director of Public Services)	April 2022	

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- C.** PUBLIC COMMENT PERIOD (Note: Each person wishing to speak must register with the Executive Director at info@alliancewater.org before 3:00 p.m.)
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D. CONSENT AGENDA

Items D.1 through D.3 are presented as part of the consent agenda.

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D.1 Consider approval of minutes of the Regular Meeting held March 31, 2021. ~
Graham Moore, P.E., Executive Director

Attachment(s)

- 2021 03 31 Board Meeting Minutes

Board Decision(s) Needed:

- Approval of minutes.



Alliance Regional Water Authority

BOARD MEETING

MINUTES

Monday, March 31, 2021

The following represents the actions taken by the Board of Directors of the Alliance Regional Water Authority (ARWA) in the order they occurred during the meeting. The Board of Directors convened in a meeting on Wednesday, March 31, 2021 via conference call in accordance with Governor Abbott's Executive Order declaring the COVID-19 public health threat and temporarily suspending certain provisions of the Texas Open Meetings Act.

- A. CALL TO ORDER.
The Alliance Water Board Meeting was called to order at 3:00p.m. by Mr. Betz.

- B. ROLL CALL.
 - **Present: Taylor, Samford, Neffendorf, Gleason, Ramos, Earp, Taggart, Betz, Kalka with Hughson joining in Item H.2 and Allen joining in Item I.**
 - **Absent: Turley and one vacant seat.**

- C. PUBLIC COMMENT PERIOD
 - **None.**

- D. CONSENT AGENDA
 - D.1 Consider approval of minutes of the Regular Meeting held March 10, 2021.
 - **Motion to approve the minutes of the Regular Meeting held on march 10, 2021 as presented was made by Mr. Taylor, seconded by Mr. Earp and approved on a 9-0 vote.**

 - D.2 Consider approval of the financial report for February 2021.
 - **Staff requested no action on this item at this meeting.**

E. PUBLIC HEARINGS / PRESENTATIONS

- **None.**

F. ITEMS FOR DISCUSSION NOT REQUIRING ACTION

- **None.**

G. EXECUTIVE DIRECTOR AND LEGAL COUNSEL REPORTS

- **No action.**

H. ITEMS FOR ACTION OR DISCUSSION/DIRECTION

H.1 Update and discussion regarding the status of the Authority's Phase 1B program, and direction to staff and consultants.

- **Mr. Moore provided an update on the bidding of the water treatment plant.**
- **No Action.**

H.2 Discussion and possible approval of the Board of Directors meeting schedule for the remainder of 2021.

- **Motion to adopt the Board of Directors meeting schedule for the remainder of 2021 as presented was made by Mr. Taggart, seconded by Mr. Gleason and approved on a 10-0 vote.**

I. BOARD MEMBER ITEMS OR FUTURE AGENDA ITEMS

- **None.**

J.1 *Executive Session pursuant to the Government Code, Section 551.071 (Consultation with Attorney) and/or Section 551.072 (Real Property Deliberations) regarding:*

A. Water supply partnership options

B. Groundwater leases

C. Acquisition of real property for water supply project purposes

- **Board did not recess into Executive Session.**

J.2 Action from Executive Session on the following matters:

A. Water supply partnership options

B. Groundwater leases

C. Acquisition of real property for water supply project purposes.

D. Consideration of Resolution 2021-03-31-001 finding Public Convenience and Necessity for and authorizing the acquisition of certain water pipeline easements and temporary construction easements and certain fee estates for the Alliance Regional Water Authority, Phase 1B Water Line Project in connection therewith, over, across, upon and under certain privately owned real estate properties; authorizing all appropriate actions by the Board of Directors, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and 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 ARWA 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; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law.

- **Motion to adopt Resolution 2021-03-31-001 finding Public Convenience and Necessity and authorizing Eminent Domain Proceedings, if necessary, for acquisitions as presented was made by Mr. Taylor, seconded by Mr. Allen and approved on a 11-0 vote.**

K. ADJOURNMENT

- **Meeting was adjourned at 3:10 p.m. based on the motion by Mr. Taylor, seconded by Mr. Taggart on a 11-0 vote.**

APPROVED: _____, 2021

ATTEST:

Chair, Board of Directors

Secretary, Board of Directors

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D.2 Consider approval of the financial report for February 2021. ~ *Graham Moore, P.E., Executive Director*

Attachment(s)

- February 2021 Financial Report

Board Decision(s) Needed:

- Approval of the financial report for February 2021.



Alliance Regional Water Authority

**Financial Statements
(Compilation)**

**For the One Month Ended and Year-to-Date
February 28, 2021**

Alliance Regional Water Authority

Balance Sheet

As of February 28, 2021

03/23/21

Accrual Basis

	<u>Feb 28, 21</u>
ASSETS	
Current Assets	
Checking/Savings	
1004 · Broadway Bank	
1005 · Broadway Checking (8040)	-441,554.38
1010 · Broadway Savings (4415)	2,802,998.59
Total 1004 · Broadway Bank	2,361,444.21
1015 · TexStar (3310)	8,067,305.93
1050 · Broadway Bank (Reserved)	
1051 · CRWA Debt Service (2785)	1,340,243.58
1052 · Kyle Debt Service (2787)	1,048,572.52
1055 · San Marcos Debt Service (6390)	692,166.23
1056 · Buda Debt Service (6391)	130,581.96
Total 1050 · Broadway Bank (Reserved)	3,211,564.29
1100 · Escrow Accounts	
1105 · BOKF, Escrow, CRWA Series 2015A	335,031.35
1106 · BOKF, Escrow, Kyle Series 2015B	221,922.92
1107 · BOKF, Escrow, CRWA Series 2017A	301,523.03
1108 · BOKF, Escrow, Kyle Series 2017B	271,262.82
1109 · BOKF, Escrow, SM Series 2017C	383,567.78
1110 · BOKF, Escrow, Buda Series 2017D	43,172.53
1111 · BOKF, Escrow, CRWA Series 2019A	24,645,424.48
1112 · BOKF, Escrow, Kyle Series 2019B	22,475,470.47
1113 · BOKF, Escrow, SM Series 2019C	28,645,161.72
1114 · BOKF, Escrow, Buda Series 2019D	3,980,175.76
1115 · BOKF, Escrow, CRWA Series 2020A	29,065,939.82
1116 · BOKF, Escrow, CRWA 2020A-LM67	8,345,310.31
1117 · BOKF, Escrow, Kyle Series 2020B	26,505,345.92
1118 · BOKF, Escrow, Kyle 2020B-LM68	7,605,211.47
1119 · BOKF, Escrow, SM Series 2020C	33,775,485.76
1120 · BOKF, Escrow, SM 2020C-LM69	9,685,269.30
1121 · BOKF, Escrow, BUDA Series 2020D	4,686,428.56
1122 · BOKF, Escrow, Buda 2020D-LM70	1,365,037.97
Total 1100 · Escrow Accounts	202,336,741.97
Total Checking/Savings	215,977,056.40
Total Current Assets	215,977,056.40
Fixed Assets	
1405 · Engineering & Construction Cost	2,402,294.20
1420 · Projects in Progress (Cash)	
1420-01 · Legal Support	61,957.97
1420-02 · Hydrogeologic Support	171,629.50
1420-03 · PCCD Permitting	105,095.16
1420-04 · Kyle Water Model	25,000.00
1420-11 · Legal Support, GBRA	45,251.01
Total 1420 · Projects in Progress (Cash)	408,933.64

Alliance Regional Water Authority

Balance Sheet

As of February 28, 2021

03/23/21

Accrual Basis

	Feb 28, 21
1430 · Projects in Progress Eng (Cash)	
1430-02 · Engineering - Plumbing Plan	17,663.79
1430-03 · Engineering Fees-ROW	11,594.69
1430-05 · Engineering - Rate Study	47,535.00
1430-06 · DPR Study	59,880.00
1430-07 · Alignment Study	261,120.80
1430-08 · Prelim Engineering-Well Field	65,586.00
1430-09 · GCUWCD Monitoring Wells	192,607.50
1430-10 · 2017 SWIFT Funding Apps	23,107.96
1430-11 · Blanco Basin WW	41,880.00
1430-12 · Phase 1B Programming	107,761.14
1430-13 · ARWA-GBRA MOU Study	15,000.00
1430-14 · Phase 1A GIS	53,264.37
Total 1430 · Projects in Progress Eng (Cash)	897,001.25
1440 · Projects in Prog Eng. (Finance)	
1440-01 · Engineering-Phase 1A Pipeline	539,976.34
1440-02 · Engineering-Phase 1A Pump Stat	746,767.59
1440-03 · Engineering-ROW Acquisition	405,603.39
1440-04 · Phase 1A Const Observation	719,824.16
1440-05 · Phase 1A-Construction Trailer	52,383.82
1440-06 · Phase 1A Segment A Construction	1,734,150.32
1440-07 · Phase 1A BPS Construction	4,888,392.60
1440-08 · Phase 1A Segment B Construction	3,568,734.46
1440-15 · Land Acquisition Phase 1B	6,655,722.88
1440-16 · Phase 1B-Owners Rep	7,384,753.28
1440-17 · Phase 1B Environmental	2,402,766.07
1440-18 · Phase 1B Segment A Design	2,528,462.92
1440-19 · Phase 1B Segment B Design	2,197,589.24
1440-20 · Phase 1B Segment C Design	1,844,855.78
1440-21 · Phase 1B Segment D Design	1,802,770.58
1440-22 · Phase 1B Segment E Design	1,132,615.04
1440-23 · Phase 1B Land Attorney	719,701.33
1440-24 · Phase 1B Hydrogeology	219,315.15
1440-25 · Phase 1B WTP Design	3,850,609.73
1440-26 · Raw Water Infr.	1,399,968.14
1440-27 · Phase 1B Program Survey	2,734,615.50
1440-28 · Phase 1B BPS Design	2,301,470.68
1440-29 · GVEC Construction-in-Aid	1,740,143.30
1440-30 · Phase 1B Inline Tanks	50,583.43
1440-31 · Construction Mgmt & Inspection	233,199.59
1440-32 · Phase 1B Construction ARWA Only	283,575.00
Total 1440 · Projects in Prog Eng. (Finance)	52,138,550.32
1447 · Land & Easements	943,215.70
1448 · Capitalized Interest	
1448-51 · Cap Interest, CRWA Series 2015A	152,369.03
1448-52 · Cap Interest, Kyle Series 2015B	222,143.28
1448-53 · Cap Interest, CRWA Series 2017A	127,269.80
1448-54 · Cap Interest, Kyle Series 2017B	116,100.88
1448-55 · Cap Interest, SM Series 2017C	65,904.35
1448-56 · Cap Interest, Buda Series 2017D	9,576.21
Total 1448 · Capitalized Interest	693,363.55
1505 · Landowner Bonus Payments	1,043,191.83
1510 · GrWater Lease Acquisition Costs	1,004,905.76
1599 · Accumulated Amortization	-2,048,097.59
Total Fixed Assets	57,483,358.66

Alliance Regional Water Authority

Balance Sheet

As of February 28, 2021

03/23/21

Accrual Basis

	Feb 28, 21
Other Assets	
1900 · Deferred Outflow	23,797.09
Total Other Assets	23,797.09
TOTAL ASSETS	273,484,212.15
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
2006 · Chase Bank VISA Card	2,065.51
Total Credit Cards	2,065.51
Other Current Liabilities	
2100 · Payroll Liabilities	25.20
2102 · 401(a) Liability	3,011.20
2103 · Net Pension Liability	4,718.00
2104 · Pension Deferred Inflows	82.00
2106 · Accrued Vacation	29,343.80
2300 · Accrued Costs	330,643.18
2350 · Accrued Interest Payable	
2351 · Accrued Int Payable, CRWA 2015A	2,540.71
2352 · Accrued Int Payable, Kyle 2015B	3,586.98
2353 · Accrued Int Payable, CRWA 2017A	9,731.73
2354 · Accrued Int Payable, Kyle 2017B	8,874.81
2355 · Accrued Int Payable, SM 2017C	7,230.08
2356 · Accrued Int Payable, Buda 2017D	1,028.25
2357 · Accrued Int Payable, CRWA 2019A	22,811.60
2358 · Accrued Int Payable, Kyle 2019B	20,813.81
2359 · Accrued Int Payable, SM 2019C	17,179.38
2360 · Accrued Int Payable, Buda 2019D	2,436.71
2361 · Accrued Int Payable, CRWA 2020A	151,729.56
2362 · Accrued Int Payable, Kyle 2020B	138,362.04
2363 · Accrued Int Payable, SM 2020C	96,752.10
2364 · Accrued Int Payable, Buda 2020D	13,701.96
Total 2350 · Accrued Interest Payable	496,779.72
Total Other Current Liabilities	864,603.10
Total Current Liabilities	866,668.61
Long Term Liabilities	
2501 · Bond Payable, CRWA Series 2015A	3,220,000.00
2502 · Bond Payable, Kyle Series 2015B	3,170,000.00
2503 · Bond Payable, CRWA Series 2017A	9,340,000.00
2504 · Bond Payable, Kyle Series 2017B	8,515,000.00
2505 · Bond Payable, SM Series 2017C	10,365,000.00
2506 · Bond Payable, Buda Series 2017D	1,475,000.00
2507 · Bond Payable, CRWA Series 2019A	26,530,000.00
2508 · Bond Payable, Kyle Series 2019B	24,200,000.00
2509 · Bond Payable, SM Series 2019C	30,800,000.00
2510 · Bond Payable, Buda Series 2019D	4,370,000.00
2511 · Bond Payable, CRWA Series 2020A	37,865,000.00
2512 · Bond Payable, Kyle Series 2020B	34,530,000.00
2513 · Bond Payable, SM Series 2020C	43,955,000.00
2514 · Bond Payable, Buda Series 2020D	6,225,000.00
Total Long Term Liabilities	244,560,000.00
Total Liabilities	245,426,668.61

11:18 AM

03/23/21

Accrual Basis

Alliance Regional Water Authority
Balance Sheet
As of February 28, 2021

	<u>Feb 28, 21</u>
Equity	
2925 · Net Investment in Capital Asset	8,200,007.29
2950 · Retained Earnings	16,918,495.21
Net Income	2,939,041.04
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Total Equity	28,057,543.54
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TOTAL LIABILITIES & EQUITY	273,484,212.15
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Alliance Regional Water Authority Profit Loss

For the One Month and Five Months Ended February 28, 2021

	<u>February 2021</u>	<u>October 2020 February 2021</u>
Ordinary Income/Expense		
Income		
4010 · Project Contribution		
4011 · City of San Marcos	0.00	937,312.00
4012 · City of Kyle	712,257.47	1,424,514.94
4013 · City of Buda	0.00	134,295.60
4014 · Canyon Regional Water Authority	794,101.43	1,588,202.86
4015 · GBRA	785,570.19	2,574,894.09
Total 4010 · Project Contribution	<u>2,291,929.09</u>	<u>6,659,219.49</u>
4200 · Shared Water		
4210 · Shared Water, City of Buda	0.00	107,508.00
Total 4200 · Shared Water	<u>0.00</u>	<u>107,508.00</u>
4250 · Non Potable Water Sales	3,169.31	15,996.89
4300 · Broadway Interest Income		
4311 · City of San Marcos	51.91	320.03
4312 · City of Kyle	37.48	260.26
4313 · City of Buda	3.54	34.71
4314 · Canyon Regional Water Authority	50.54	296.04
Total 4300 · Broadway Interest Income	<u>143.47</u>	<u>911.04</u>
4350 · Escrow Accounts Income		
4351 · BOKF, CRWA Series 2015A	5.11	26.84
4352 · BOKF, Kyle Series 2015B	3.39	17.78
4353 · BOKF, CRWA Series 2017A	4.60	179.91
4354 · BOKF, Kyle Series 2017B	4.14	163.79
4355 · BOKF, SM Series 2017C	5.85	211.58
4356 · BOKF, Buda Series 2017D	0.66	28.42
4357 · BOKF, CRWA Series 2019A	376.03	2,100.69
4358 · BOKF, Kyle Series 2019B	342.92	1,915.75
4359 · BOKF, SM Series 2019C	437.06	2,441.49
4360 · BOKF, Buda Series 2019D	60.73	339.57
4361 · BOKF, CRWA Series 2020A	443.45	1,080.82
4362 · BOKF, CRWA Series 2020A-LM67	127.32	310.31
4363 · BOKF, Kyle Series 2020B	476.50	1,098.93
4364 · BOKF, Kyle Series 2020B-LM68	43.91	169.46
4365 · BOKF, SM Series 2020C	607.14	1,400.26
4366 · BOKF, SM Series 2020C-LM69	55.92	215.80
4367 · BOKF, Buda Series 2020D	84.44	194.60
4368 · BOKF, Buda Series 2020D-LM70	7.88	30.43
Total 4350 · Escrow Accounts Income	<u>3,087.05</u>	<u>11,926.43</u>
4370 · TexStar Interest Income		
4371 · City of San Marcos	90.89	351.46
4372 · City of Kyle	71.40	276.10
4373 · City of Buda	12.88	49.78
4374 · Canyon Regional Water Authority	78.29	302.75
Total 4370 · TexStar Interest Income	<u>253.46</u>	<u>980.09</u>
Total Income	<u>2,298,582.38</u>	<u>6,796,541.94</u>

Alliance Regional Water Authority Profit Loss

For the One Month and Five Months Ended February 28, 2021

	<u>February 2021</u>	<u>October 2020 February 2021</u>
Expenses		
6000 · Groundwater Reservation Costs	75,679.56	458,026.76
6010 · Shared Water Costs		
6015 · Shared Water, City of Kyle	23,759.14	95,351.47
6020 · Shared Water, City of San Marcos	13,965.00	55,860.00
Total 6010 · Shared Water Costs	<u>37,724.14</u>	<u>151,211.47</u>
6200 · Plant Operations & Maintenance	9,648.00	9,648.00
7125 · Auditing fees	0.00	0.00
7210 · Bank Fees	262.29	1,415.35
7220 · Escrow and Paying Agent Fees	1,750.00	3,150.00
7240 · Bond Issue Costs		
7240-11 · Bond Issue Costs - CRWA 2020A	0.00	454,791.00
7240-12 · Bond Issue Costs - Kyle 2020B	0.00	420,361.00
7240-13 · Bond Issue Costs - SM 2020C	0.00	495,511.00
7240-14 · Bond Issue Costs - Buda 2020D	0.00	173,408.50
Total 7240 · Bond Issue Costs	<u>0.00</u>	<u>1,544,071.50</u>
7250 · Interest Expense		
7250-51 · Interest Expense - CRWA 2015A	5,081.40	25,407.08
7250-52 · Interest Expense - Kyle 2015B	7,173.95	35,869.79
7250-53 · Interest Expense - CRWA 2017A	19,463.45	97,317.29
7250-54 · Interest Expense - Kyle 2017B	17,749.65	88,748.13
7250-55 · Interest Expense - SM 2017C	14,460.20	72,300.84
7250-56 · Interest Expense - Buda 2017D	2,056.50	10,282.50
7250-57 · Interest Expense - CRWA 2019A	45,623.25	228,116.05
7250-58 · Interest Expense - Kyle 2019B	41,627.65	208,138.13
7250-59 · Interest Expense - SM 2019C	34,358.70	171,793.74
7250-60 · Interest Expense - Buda 2019D	4,873.40	24,367.08
7250-61 · Interest Expense - CRWA 2020A	50,576.52	151,729.56
7250-62 · Interest Expense - Kyle 2020B	46,120.68	138,362.04
7250-63 · Interest Expense - SM 2020C	32,250.70	96,752.10
7250-64 · Interest Expense - Buda 2020D	4,567.32	13,701.96
Total 7250 · Interest Expense	<u>325,983.37</u>	<u>1,362,886.29</u>
7325 · Dues	200.00	7,655.00
7350 · Insurance - Liability, E&O	0.00	2,422.98
7400 · Legal Fees	3,514.00	22,420.50
7410 · Newspaper Public Notices	0.00	600.00
7425 · Contract Services-Lobbyist	6,000.00	30,000.00
7430 · Agency Mgmt Public Relations	0.00	10,368.25
7440 · Region L Contributions	302.08	484.53
7450 · Permit & Fees	0.00	74,454.43
7500 · Supplies	529.60	7,429.14
7600 · Telephone, Telecommunications	0.00	441.59
7700 · Travel, Conferences & Meetings	225.00	646.28

Alliance Regional Water Authority Profit Loss

For the One Month and Five Months Ended February 28, 2021

	<u>February 2021</u>	<u>October 2020 February 2021</u>
7800 · Employee Expenses		
7810 · Salaries and wages	24,298.30	133,096.65
7820 · Auto Allowance	969.24	5,330.82
7821 · Phone Allowance	207.70	1,142.35
7830 · Payroll taxes	1,921.22	8,298.98
7840 · Employee Insurance	2,507.04	12,216.60
7850 · Retirement	1,737.42	9,569.68
7860 · Licenses & Permits	0.00	513.75
Total 7800 · Employee Expenses	<u>31,640.92</u>	<u>169,655.08</u>
Total Expenses	<u>493,458.96</u>	<u>3,857,500.90</u>
Net Ordinary Income	<u>1,805,123.42</u>	<u>2,939,041.04</u>
Net Income	<u><u>1,805,123.42</u></u>	<u><u>2,939,041.04</u></u>

11:19 AM

03/23/21

Accrual Basis

Alliance Regional Water Authority Account QuickReport As of February 18, 2021

Type	Date	Num	Name	Split	Amount	Balance
2006 · Chase Bank VISA Card						2,578.02
Credit Card Charge	01/25/2021		Adobo Acropro	7500 · Supplies	16.99	2,595.01
Credit Card Charge	01/26/2021		Squarespace Inc	7500 · Supplies	28.15	2,623.16
Credit Card Charge	01/26/2021		Home Depot	7500 · Supplies	54.67	2,677.83
Credit Card Charge	01/27/2021		TEEX	7860 · Licenses & Permits	25.00	2,702.83
Credit Card Charge	01/28/2021		USPS	7500 · Supplies	110.00	2,812.83
Credit Card Charge	01/28/2021		USPS	7500 · Supplies	22.65	2,835.48
Credit Card Charge	01/28/2021		UPS Store	7500 · Supplies	18.00	2,853.48
Credit Card Charge	01/28/2021		Office Depot	7500 · Supplies	181.35	3,034.83
Credit Card Charge	02/01/2021		Stamps Com	7500 · Supplies	18.17	3,053.00
Credit Card Charge	02/03/2021		Texas Water Conservation ...	7700 · Travel, Conferences & ...	225.00	3,278.00
Credit Card Charge	02/10/2021		Rackspace	7500 · Supplies	197.00	3,475.00
Credit Card Charge	02/12/2021		Williams Scotsman	1440-05 · Phase 1A-Construc...	598.45	4,073.45
Credit Card Charge	02/12/2021		United Site Service	1440-05 · Phase 1A-Construc...	255.65	4,329.10
Credit Card Charge	02/17/2021		Home Depot	7500 · Supplies	136.33	4,465.43
Credit Card Charge	02/17/2021		Shell Oil	7500 · Supplies	49.40	4,514.83
Credit Card Charge	02/17/2021		Rackspace	7500 · Supplies	113.28	4,628.11
Credit Card Charge	02/18/2021		Efile/Forms Tax	7500 · Supplies	15.42	4,643.53
Check	02/18/2021	ACH	Chase	1005 · Broadway Checking (8...	-2,578.02	2,065.51
Total 2006 · Chase Bank VISA Card					-512.51	2,065.51
TOTAL					-512.51	2,065.51

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

D.3 Consider approval of the Quarterly Investment Report for the period ending on March 31, 2021. ~ *Graham Moore, P.E., Executive Director*

Attachment(s)

- March 31, 2021 Quarterly Investment Report

Board Decision(s) Needed:

- Approval of the Quarterly Investment Report for the period ending March 31, 2021.

Alliance Regional Water Authority



Quarterly Investment Report Ending as of March 31, 2021

Submitted by:

A handwritten signature in blue ink, appearing to read 'G. Moore', is positioned above a horizontal line.

Graham Moore – Alliance Regional Water Authority Investment Officer

The following reports are submitted in accordance with the Public Funds Investment Act (Chapter 2256) and the Authority's Investment Policy. The report includes an analysis of the cash accounts and investments, an analysis versus the benchmark and rates of returns for the pooled accounts.

**Alliance Regional Water Authority
Quarterly Investment Report
December 31, 2020 – March 31, 2021**

Portfolio Allocation Analysis

Portfolio as of December 31, 2020

Beginning Book Value \$221,504,621.28
Beginning Market Value \$221,504,621.28
Unrealized Gain / Loss – 0 –

Portfolio as of March 31, 2021

Ending Book Value \$217,139,358.31
Ending Market Value \$217,139,358.31
Accrued Interest \$10,830.53
Change in Unrealized Gain/Loss – 0 –

Schedule of Cash Accounts and Investments		
	As of September 30, 2020	As of December 31, 2020
Funds in Investment Pools		
TexSTAR Balance	\$66,605.54	\$6,567,449.48
Deposits to TexSTAR in Period	\$0.00	\$10,000,000.00
Accrued Interest	\$280.15	\$843.94
Percentage of Total Portfolio	0.0%	3.02%
Funds in Checking Accounts		
Broadway Balance	\$75,000.00	\$75,000.00
Deposits to Checking in Period	\$20,062,376.46	\$4,452,716.23
Percentage of Total Portfolio	0.0%	0.0%
Funds in Reserve Accounts		
Reserves Balance	\$875,482.47	\$3,741,848.74
Deposits to Reserves in Period	\$0.00	\$4,022,770.03
Percentage of Total Portfolio	0.2%	1.1%
Funds in Savings Accounts		
Broadway Balance	\$18,157,359.51	\$1,114,807.79
Deposits to Savings in Period	\$2,500,000.00	\$5,500,000.00
Accrued Interest	\$365.43	\$299.11
Percentage of Total Portfolio	8.2%	0.5%
Funds in Escrow Accounts		

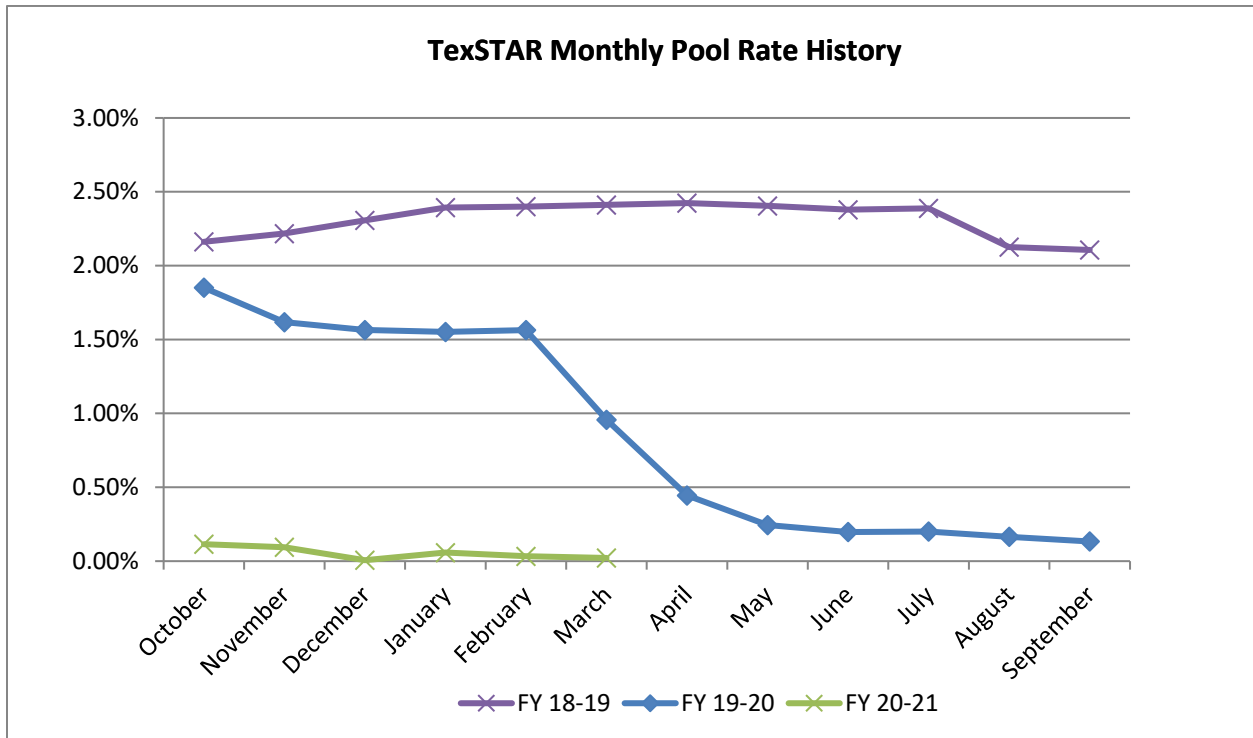
BoKF - 2015A (CRWA)	\$335,020.74	\$335,035.94
BoKF - 2015B (Kyle)	\$221,915.89	\$221,925.96
BoKF - 2017A (CRWA)	\$301,484.10	\$301,527.16
BoKF - 2017B (Kyle)	\$271,227.43	\$271,266.54
BoKF - 2017C (San Marcos)	\$383,521.52	\$383,573.04
BoKF - 2017D (Buda)	\$43,166.45	\$43,173.12
BoKF - 2019A (CRWA)	\$24,644,624.22	\$24,645,762.18
BoKF - 2019B (Kyle)	\$22,474,740.65	\$22,475,778.43
BoKF - 2019C (San Marcos)	\$28,644,231.60	\$28,645,554.22
BoKF - 2019D (Buda)	\$3,980,046.45	\$3,980,230.29
BoKF - 2020A (CRWA)	\$37,410,064.92	\$37,411,762.72
BoKF - 2020B (Kyle)	\$34,109,476.76	\$37,411,762.72
BoKF - 2020C (San Marcos)	\$43,459,378.22	\$43,461,350.54
BoKF - 2020D (Buda)	\$6,051,274.81	\$6,051,549.44
Deposits to Escrow in Period	\$121,029,528.50	\$0.00
Accrued Interest	\$5,358.22	\$9,352.49
Percentage of Total Portfolio	91.3%	94.7%
Total Investments & Cash Accounts	\$221,504,621.28	\$217,139,358.31

Benchmark Analysis	
Benchmark (US Treasury – Daily Bill Rates: 4 weeks)	0.044%
TexSTAR Average Monthly Rate	0.038%
Average Weighted Maturity	43.7 Days

Schedule of TexSTAR Monthly Rate History

October 1, 2017 – March 31, 2021

Month	<u>Average Monthly Rate (FY 17-18)</u>	<u>Average Monthly Rate (FY 18-19)</u>	<u>Average Monthly Rate (FY 19-20)</u>	<u>Average Monthly Rate (FY 20-21)</u>	<u>Average Rate Variance</u>
October	1.05%	2.16%	1.85%	0.12%	-1.74%
November	1.07%	2.22%	1.62%	0.09%	-1.52%
December	1.18%	2.31%	1.56%	0.01%	-1.56%
January	1.29%	2.39%	1.55%	0.06%	-1.49%
February	1.35%	2.40%	1.56%	0.03%	-1.53%
March	1.50%	2.41%	0.96%	0.02%	-0.94%
April	1.63%	2.42%	0.44%		
May	1.73%	2.40%	0.24%		
June	1.83%	2.38%	0.20%		
July	1.90%	2.39%	0.20%		
August	1.92%	2.13%	0.16%		
September	2.00%	2.11%	0.13%		



REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.
Conference Call Number: 1-903-405-2572; Code: 757 448 344#

F.1 Report on Technical Committee activities. ~ *Graham Moore, P.E., Executive Director*

Background/Information

The following items were discussed by the Committee at its 4/14 meeting:

- Received an update on the Phase 1A projects (Item F2).
- Received an update on the Phase 1B program (Item H.1).
- Received an update on Commissioning of the Phase 1B Program.
- Received an update on the 87th Texas Legislative Session (Item H.4).
- Received an update on area water meetings (Item F.3).

Board Decision(s) Needed:

- None.

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

F.2 Update and discussion regarding the status of the Authority's Phase 1A projects, and direction to staff and consultants. ~ *Jason Biemer, Project Coordinator*

Background/Information

Below are brief updates on the Phase 1A projects.

Segment B Pipeline:

- Project accepted – final close-out documents submitted to the TWDB for approval. Retainage will be released upon approval..

Pump Station:

- Project accepted – final close-out documents submitted to the TWDB for approval. Retainage will be released upon approval.
- Coordinating with Buda on introduction of water into their system.

Board Decision(s) Needed:

- None.

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- F.3** Update on status of groundwater management in project target area, and Gonzales County Underground Water Conservation District, Plum Creek Conservation District, Groundwater Management Area 13, Region L Planning Group, Guadalupe-Blanco River Authority, Hays County and Capital Area Planning Group activities.
-

Gonzales County Underground Water Conservation District (GCUWCD)

The GCUWCD met on April 13th. The GCUWCD briefly discussed the excess funds left over from the Monitoring Well Agreement, they are going to review the agreement in more detail and discuss next steps further at their May meeting.

Plum Creek Conservation District (PCCD)

The PCCD met on April 20th, no items affecting Alliance Water were discussed.

Groundwater Management Area 13

GMA-13 met on Friday, April 23rd. The GMA officially proposed the Desired Future Conditions for all relevant aquifers, including the Carrizo Aquifer. This triggers the public notification process. The DFCs are expected to be formally adopted and submitted to the TWDB in the summer of 2021.

Region L Planning Group

The next Region L meeting is scheduled for May 6th.

Guadalupe-Blanco River Authority; Hays County Activities; CAPCOG Activities

No update.

Board Decision(s) Needed:

- None.

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- G. EXECUTIVE DIRECTOR AND LEGAL COUNSEL REPORTS** - Update on future meeting dates, locations, status of Authority procurements, Executive Director activities, other operational activities and the status of legal issues, where no action is required. ~ *Graham Moore, P.E., Executive Director / Mike Gershon, Lloyd Gosselink Rochelle & Townsend, P.C.*

EXECUTIVE DIRECTOR

May Board Meeting

- The new Board will officially be seated at the May Board meeting. Accordingly officer elections will occur at the meeting.

Log and Calendar of Events

- Attached is the log of activities for March along with the 3-month look ahead calendar for the Executive Director.

**Executive Director
Log of Activities**

March						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<i>1-Mar</i>	<i>2-Mar</i>	<i>3-Mar</i>	<i>4-Mar</i>	<i>5-Mar</i>	<i>6-Mar</i>
	Land acquisition weekly mtgs	Phase 1B Monthly Coordination Mtg	Land acquisition discussion	Weekly ROW meeting	TWCA - Annual Mtg	
	San Marcos - Board orientation	TCEQ letter coordination	Board Agenda	Lunch with LNV / Ardurra	WTP/RWI Monthly mtg	
	GBRA invoice	Leg bill reviews		Admin Cmte meeting	Board packet	
<i>7-Mar</i>	<i>8-Mar</i>	<i>9-Mar</i>	<i>10-Mar</i>	<i>11-Mar</i>	<i>12-Mar</i>	<i>13-Mar</i>
	Land acquisition weekly mtgs	PTO	HB2863 discussion with EAA	Standard details discussion	Checks / filing	
	CRWA Board Meeting		Board Meeting	Weekly ROW call	Land acquisition coordination	
	MOU coordination		Waterstone coordination	CCSUD Water Sharing Discussion	Materials Testing review	
<i>14-Mar</i>	<i>15-Mar</i>	<i>16-Mar</i>	<i>17-Mar</i>	<i>18-Mar</i>	<i>19-Mar</i>	<i>20-Mar</i>
	Land acquisition weekly mtgs	Plum Creek Conservation District mtg	Segment C Access Review	Mtg w/ Jacobs	Project Advisory Cmte mtg	
	County Line SUD Board Mtg	February statement info	Land acquisition coordination	Public Relations Check-In	San Marcos - WQ coordination	
	Re-route reviews	CCSUD coordination	Water sharing coordination	Website coordination	WTP bidding	
<i>21-Mar</i>	<i>22-Mar</i>	<i>23-Mar</i>	<i>24-Mar</i>	<i>25-Mar</i>	<i>26-Mar</i>	<i>27-Mar</i>
	Weekly ROW meeting	Land acquisition coordination	Mtg w/ LAN re: ROW	Material Testing RFQ Scoring	GBRA CSP Discussion	
	Land acquisition weekly mtgs	Materials Testing review	Seg E - Lake Dunlap Crossing	Seg E - Re-routes	San Marcos River - WQ Discussion	
	WTP bidding coordination	Re-route reviews	Const. Mgmt planning		1A Water Quality Testing	
		Mtg w/ Buda intern re: ASR				
<i>28-Mar</i>	<i>29-Mar</i>	<i>30-Mar</i>	<i>31-Mar</i>			
	1A Startup Planning	Mtg w LAN re: ROW	CRWA Board of Managers mtg			
	Weekly ROW meeting	Region L nomination	Board Mtg			
	Title discussion	Bill list updates	PUC Letter coordination			
	WTP bidding coordination					

April 2021

April 2021							May 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 28	29	30	31	Apr 1 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams) 2:30pm FW: ARWA1BSC Weekly Meeting (Microsoft Teams)	2 Good Friday Holiday	3
4	5 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	6 9:00am Alliance Water - Monthly Check-in 1:30pm ARWA1B WTP - Pre-Proposal 2:00pm ARWA Raw Water Infrastructure	7 9:00am TMLIRP Visit - Chase Patton 10:30am Buda BPS Operations - Pressure 1:30pm CRWA Request 4:00pm ARWA1B -	8 8:00am ARWA1B - Weekly ROW Call 10:00am WTP - Bidders Site Visit (362 Wolf 4:10pm Plasma Donation (We Are	9 10:00am Call with EAA 1:00pm GBC Meeting (GoToMeeting) - Ryan Kelso	10
11	12 1:30pm ARWA Phase 1B Weekly Progress 3:00pm Draft Review - Meaders, Phil 6:00pm CRWA Board Meeting (CRWA	13 8:00am Natural Resources Hearing 2:00pm ARWA1B - D024C Discussion 3:45pm COVID 5:30pm GCUWCD Board	14 2:00pm Alliance Water Groundbreaking Discussion 3:00pm Technical Committee Meeting (Virtual) - Graham	15 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams Meeting) - Sowa, Ryan	16 9:00am Project Advisory Committee Meeting (Virtual Meeting) - 12:00pm ARWA Meeting (https://us02web.zoom.us/j/891215435322)	17
18	19 9:30am Segment C 90% Design Review (2281 Jack C Hays Trail 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) -	20 9:00am ARWA1BSC 90% Design Workshop 1:00pm PCCD Meeting (Lockhart, Texas, 3:30pm ARWA1B - Title Discussion (Microsoft	21 9:00am ARWA Teleconference April 21, 2021 (Zoom 3:00pm CM&I Work Order Discussion (Virtual) - Graham	22 10:00am Staff Workgroup Meeting 11:00am ARWA1B - Weekly ROW Call 6:45pm Pre Athletics Conference Call	23 9:30am GMA-13 Meeting (Virtual) 1:00pm ARWA1BWTP - CSP Review Preparation (Microsoft Teams	24
25	26 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	27 9:30am Kyle - Review ARWA Route (City Hall) - Graham Moore 1:30pm ARWA Employee Cyber Security Training -	28 10:00am CRWA Board of Managers Meeting (CRWA Offices) 3:00pm ARWA Board Meeting (Virtual) - Graham Moore	29 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams Meeting) - Sowa, Ryan	30 10:00am TWCA Manager's Meeting (https://us02web.zoom.us/j/89594888798) - Sarah Kirkle	May 1

May 2021

May 2021							June 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Apr 25	26	27	28	29	30	May 1
2	3 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	4 9:00am Alliance Water - Monthly Check-in 2:00pm WTP & RWI Bid Opening (Microsoft	5	6 9:30am Region L Meeting (Virtual) 11:00am ARWA1B - Weekly ROW Call	7 10:00am GBC Meeting (GoToMeeting) - Ryan Kelso	8
9	10 1:30pm ARWA Phase 1B Weekly Progress 6:00pm CRWA Board Meeting (CRWA	11 3:30pm Alliance Water Check-in 5:30pm GCUWCD Board Meeting (GCUWCD	12 3:00pm Technical Committee Meeting (TBD)	13 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams Meeting) - Sowa,	14	15
16	17 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	18 1:00pm PCCD Meeting (Lockhart, Texas, United States)	19	20 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams Meeting) - Sowa,	21 9:00am Project Advisory Committee Meeting (Virtual Meeting) - Graham Moore	22
23	24 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	25 3:30pm Alliance Water Check-in (https://zoom.us/j/92544459235?pwd=cC9	26 10:00am CRWA Board of Managers Meeting 3:00pm ARWA Board Meeting (TBD) -	27 11:00am ARWA1B - Weekly ROW Call (Microsoft Teams Meeting) - Sowa,	28	29
30	31 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	Jun 1	2	3	4	5

June 2021

June 2021							July 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 30	31	Jun 1 9:00am Alliance Water - Monthly Check-in (Microsoft Teams) 2:00pm WTP & RWI Bid Opening (Microsoft Teams Meeting) -	2	3	4	5
6	7 IRWA Presentation 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	8 3:30pm Alliance Water Check-in (https://zoom.us/j/92544459235?pwd=cC9YVZ4eU1IbTBHL3RpTjRoRlZuQT09) 5:30pm GCUWCD Board Meeting (GCUWCD)	9 3:00pm Technical Committee Meeting (TBD)	10	11	12
13	14 10:00am ACEA - Virtual Presentation (Norris) 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola 6:00pm CRWA Board Meeting (CRWA)	15 1:00pm PCCD Meeting (Lockhart, Texas, United States)	16 Moore Family Vacay (Lago Vista, Texas, United States) - katiebellmoore@gmail.com PTO		18 9:00am Project Advisory Committee Meeting (Virtual Meeting) - Graham Moore	19
20	21 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	22 3:30pm Alliance Water Check-in (https://zoom.us/j/92544459235?pwd=cC9YVZ4eU1IbTBHL3RpTjRoRlZuQT09) -	23 10:00am CRWA Board of Managers Meeting (CRWA Offices) 3:00pm ARWA Board Meeting (TBD) - Graham Moore	24	25	26
27	28 1:30pm ARWA Phase 1B Weekly Progress Meetings (WEBEX) - Shore, Nichola	29	30	Jul 1	2	3

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- H.1** Update and discussion regarding the status of the Authority's Phase 1B program, and direction to staff and consultants. ~ *Ryan Sowa, P.E., Kimley-Horn & Associates*
-

Background/Information

Ryan Sowa with Kimley-Horn will update the Committee on their recent activities associated with the Phase 1B program.

Attachment(s)

- Phase 1B Program Update – April 28, 2021
- Kimley-Horn Monthly Summary of Activities for March 2021

Board Decision(s) Needed:

- None.



Phase 1B Program Update

Board of Directors Meeting
April 28, 2021



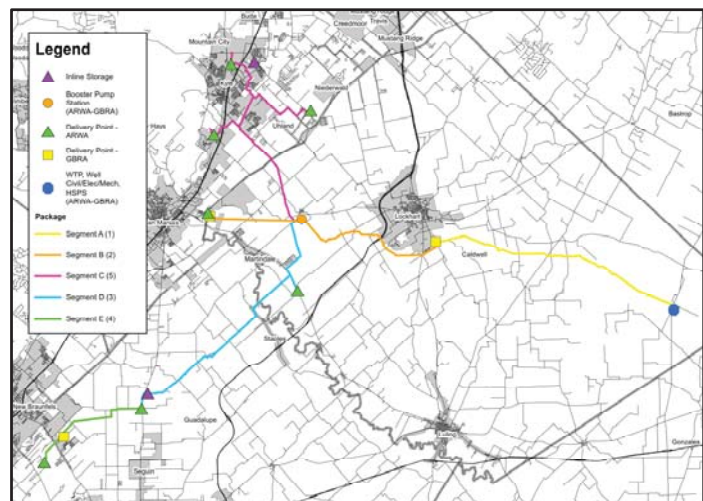
PRESENTED BY **Kimley»Horn**
Expect More. Experience Better.

Ongoing Progress

► Design Milestone Review

- Design Submittals
 - Pipeline Segment C (90%) – April
 - Pipeline Segment E (90%) – April

- TWDB Reviews
 - Segment A
 - Booster Pump Station



Ongoing Progress

► Water Treatment Plant / Raw Water Infrastructure

- Procurement Phase Underway
 - March 23 – project advertisement began
 - Four addenda issued to date
 - May 4 – proposals due

- Proposed Schedule to NTP
 - May 18 – proposal evaluations completed
 - May 21 – PAC recommendation
 - May 26 – Board approval
 - June 17 – contract documents to TWDB
 - July 15 – NTP to contractor



Pipeline Easement Acquisition Status

Pipeline Segment	Number of Parcels	STATUS						
		(A) Appraisal/Offer in Development	(B) Negotiation (Initial Offer)	(C) Negotiation (Final Offer)	(D) = (A+B+C) Appraisal / Negotiation	(E) Condemnation in Process	(F) = (D+E) Possession Still Needed	(G) Purchase Agreement Signed / Possession Obtained
A	39	0	0	0	0	13	13	26
B	52	0	1	1	2	36	38	14
D	56	1	5	11	17	25	42	14
C	79	33	21	10	64	10	74	5
E	37	12	4	5	21	13	34	3
Well Field	20	17	3	0	20	0	20	0
Total	283						221	62



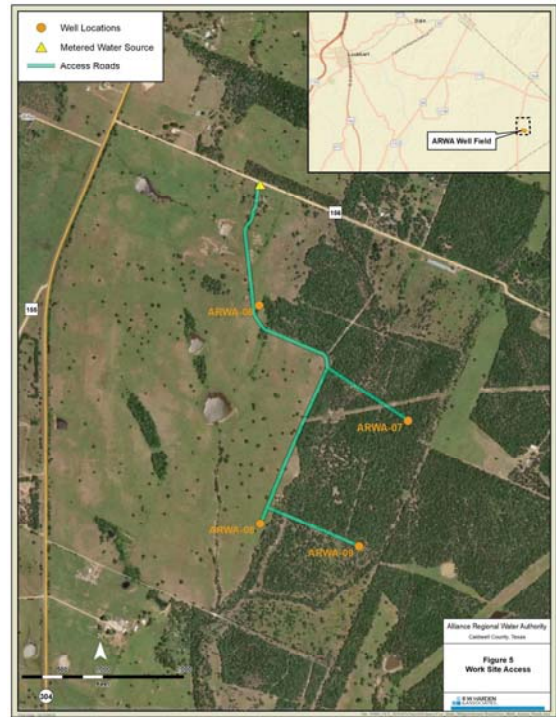
Well Drilling Construction Progress

▶ Actual Progress (last 30 days)

- Sites No. 8 and 9
 - Finalizing Wells
- Site No. 6 and 7
 - Well Efficiency Issues

▶ Anticipated Progress (next 30 days)

- Site No. 6
 - Continued Development, Testing, and Sampling
- Site No. 7
 - Well Efficiency Met
 - Testing and Sampling



Budget Update

COST UPDATES BASED ON MARCH MILESTONE SUBMITTALS

		ORIGINAL (FEB. 2019)	REVISED	
	Construction Package	ARWA Total Projected Cost	ARWA Total Projected Cost	DIFFERENCE
Submittal (%) Combined Program Infrastructure				
100	Water Treatment Plant	\$ 25,200,000	\$ 28,900,000	\$ 3,700,000
100	Booster Pump Station & GBRA Meter Stations	\$ 12,100,000	\$ 12,200,000	\$ 100,000
30	Inline EST (South)	\$ 3,600,000	\$ 3,600,000	\$ 0
100	Pipeline Segment A	\$ 27,200,000	\$ 26,000,000	(\$ 1,200,000)
100	Pipeline Segment B	\$ 27,100,000	\$ 32,400,000	\$ 5,300,000
100	Pipeline Segment D	\$ 36,300,000	\$ 37,700,000	\$ 1,400,000
60	Pipeline Segment E	\$ 9,500,000	\$ 9,200,000	(\$ 300,000)
	Subtotal	\$141,000,000	\$150,000,000	\$ 9,000,000
ARWA-Only Infrastructure				
Const.	Well Drilling	\$ 3,800,000	\$ 3,100,000	(\$ 700,000)
100	Raw Water Infrastructure	\$ 7,000,000	\$ 10,200,000	\$ 3,200,000
100	ARWA Booster Pump Station & Delivery Points	\$ 7,700,000	\$ 5,500,000	(\$ 2,200,000)
30	Inline EST (North)	\$ 5,400,000	\$ 6,600,000	\$ 1,200,000
60	Pipeline Segment C	\$ 64,500,000	\$ 62,500,000	(\$ 2,000,000)
60	Pipeline Segment E (ARWA-Only)	\$ 6,700,000	\$ 10,100,000	\$ 3,400,000
No Design	Administration and Operations Building	\$ 4,300,000	\$ 4,200,000	(\$ 100,000)
	Subtotal	\$ 99,400,000	\$102,200,000	\$ 2,800,000
	Total	\$240,400,000	\$252,200,000	\$11,800,000

MARCH 2021 UPDATE

CHANGE FROM
FEBRUARY UPDATE =

\$400,000 TOTAL



Questions?

ALLIANCE REGIONAL WATER AUTHORITY
 ATTN: GRAHAM MOORE
 1040 HIGHWAY 123
 SAN MARCOS, TX 78666

Please send payments to:
 KIMLEY-HORN AND ASSOCIATES, INC.
 P.O. BOX 951640
 DALLAS, TX 75395-1640

Invoice No: 068706604-0321
 Invoice Date: Mar 31, 2021
 Invoice Amount: \$ 131,429.63
 Project No: 068706604
 Project Name: ARWA PROGRAM YEAR 4
 Project Manager: SOWA, RYAN

Work Order No. 4
 Duration: March 2021 - Feb. 2022

Invoice Duration: March 1, 2021 to March 31, 2021

Federal Tax Id: 56-0885615

COST PLUS MAX

KHA Ref # 068706604.3-18623728

Description	Contract Value	Amount Billed to Date	Previous Amount Billed	Current Amount Due
PROGRAM MANAGEMENT PLAN UPDATES	32,262.00	243.10	0.00	243.10
STAKEHOLDER COORDINATION	279,683.00	15,108.60	0.00	15,108.60
BUDGETING	110,861.00	277.50	0.00	277.50
SCHEDULE	81,192.00	1,650.00	0.00	1,650.00
REPORTING	47,110.00	2,382.50	0.00	2,382.50
DATA MANAGEMENT	91,576.00	3,922.50	0.00	3,922.50
ENVIRONMENTAL MANAGEMENT	84,390.00	1,375.00	0.00	1,375.00
LAND ACQUISITION MANAGEMENT	509,587.00	48,037.13	0.00	48,037.13
TWDB MANAGEMENT	83,558.00	275.00	0.00	275.00
DESIGN STANDARDS	84,403.00	18,840.00	0.00	18,840.00
ENGINEERING DESIGN MANAGEMENT	361,276.00	32,987.50	0.00	32,987.50
QUALITY ASSURANCE	17,966.00	1,032.50	0.00	1,032.50
ELECTRICAL POWER PLANNING	51,073.00	0.00	0.00	0.00
PERMIT COORDINATION/TRACKING	50,094.00	735.00	0.00	735.00
PROCUREMENT AND CONSTRUCTION PHASE SERVICES	408,057.00	0.00	0.00	0.00
PROJECT ADMINISTRATION	52,870.00	4,563.30	0.00	4,563.30
OTHER SERVICES	78,995.00	0.00	0.00	0.00
ENVIRONMENTAL CONSTRUCTION PHASE SERVICES	260,480.00		0.00	0.00
Subtotal	2,685,433.00	131,429.63	0.00	131,429.63
Total COST PLUS MAX				131,429.63

Total Invoice: \$ 131,429.63

If you have questions regarding this invoice, please call Cecile Wells at (281) 612-9031.

April 23, 2021

Project Monthly Summary

March 2021 Tasks Performed:

- Task 2 – Stakeholder Coordination
 - Coordination and/or meetings with entities including: Caldwell County, Guadalupe County, Bluebonnet Electric Coop, TxDOT, TCEQ, and TWDB.
 - Continued weekly task coordination with Alliance Water.
 - Prepared and presented Board Meeting Update.
 - Prepared and presented Project Advisory Committee Meeting Update.
 - Prepared for and held Monthly Status Meeting with Alliance Water.

- Task 3 – Budgeting
 - Prepared and presented the monthly Budget Update for the Board meeting.
 - Continued updates to Budget Workbook to include monthly tracking of actual costs for ARWA review.

- Task 4 – Schedule
 - Prepared and presented the quarterly Schedule Update for the Board meeting.
 - Revised Project Deliverable Schedule based on the feedback received from ARWA and Design Consultants.
 - Coordinated with Program team to integrate each project schedule into overall Program schedule. Developed the monthly Program schedule summary.

- Task 6 – Data Management
 - Ongoing maintenance of Microsoft SharePoint Online program.
 - Continued updating of web-based GIS for easement acquisition process and alignment changes.

- Task 7 – Environmental Management
 - Reviewed of the Segment B Hazmat Phase II report and Technical Documents prepared by the Environmental Consultant.
 - Continued coordination of the Segment D Hazmat Phase II report being prepared by the Environmental Consultant.
 - Continued coordination with Program Environmental Consultant concerning the comment responses to the United States Army Corps of Engineers.
 - Coordinated with the Program Environmental Consultant regarding Inline Elevated Storage Tank site field work.
 - Continued coordination with the Program Environmental Consultant regarding additional hazmat studies for Segments C and E.

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Performed coordination between Program Environmental Consultant and Land Acquisition Consultant to clarify environmental field work to be done on properties as part of right-of-entry process.
- Monthly progress meeting and ongoing coordination with Program Environmental Consultant.
- Continued coordination between Program Environmental Consultant and Design Engineers.
- Reviewed Program Environmental invoices, schedule, and risk log.

- Task 8 – Land Acquisition Management
 - Coordinated the appraisal process for Segments C, D, E, and W parcels.
 - Coordinated with Program Survey Consultant, Program Environmental Consultant, and Land Acquisition team to address questions that arise as part of the field work coordination process.
 - Performed weekly QC of parcel files in SharePoint, provided comments to Land Acquisition team.
 - Weekly coordination meeting with land agents to discuss status of rights-of-entry and to provide Program clarification on any questions/requests that have come from landowners.
 - Reviewed Program Land Acquisition team, Program Appraiser, and Program Survey invoices.
 - Continued field work coordination to notify landowners of upcoming field work by consultants.

- Task 9 – Texas Water Development Board Management
 - Continued coordination with TWDB Staff to track all EFRs, environmental reports, and bid documents currently under review.

- Task 10 – Design Standards
 - Finalized and distributed the Front End Documents given the feedback received from ARWA and the CMI team.
 - Finalized and distributed the Pipeline Construction Standards given the feedback received from ARWA and the CMI team.

- Task 11 – Engineering Design Management
 - Pipelines:
 - Segment A
 - Continued coordination with Design Consultant for final design.
 - Segment B
 - Continued coordination with Design Consultant for final design.
 - Segment C
 - Began review of the Segment C 90% design submittal prepared by the Design Consultant.

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Continued coordination with Design Consultant for final design.
 - Continued coordination with Design Consultant regarding ongoing field work and pipeline alignment considerations as part of right-of-entry process and EFR development.
 - Segment D
 - Continued coordination with Design Consultant for final design.
 - Segment E
 - Continued coordination with Design Consultant for final design.
 - Wellfield:
 - Continued coordination regarding the construction for Wells 6-9.
 - Raw Water Infrastructure:
 - Continued coordination with Design Consultant for final design and advertisement development.
 - Water Treatment Plant:
 - Continued coordination with Design Consultant concerning Hydraulics/Surge development.
 - Continued coordination with Design Consultant for final design and advertisement development.
 - Booster Pump Station:
 - Coordinated with Design Consultant for final design.
 - Inline Elevated Storage Tanks:
 - Finalized coordination with Design Consultant for scoping of final design phase services.
 - Continued coordination with Design Consultant for 60% design development.
 - Other:
 - Monthly progress meetings with all Design Consultants (pipelines, water treatment plant, raw water infrastructure, wellfield, booster pump station).
 - Review invoices, schedules, and risk logs for consultants.
- Task 13 – Electrical Power Planning
 - Continued coordination with ARWA and GVEC to develop agreement language for service to the well field.
 - Continued coordination with GVEC regarding electric service to the WTP and wellfield.
 - Task 14 – Permit Coordination/Tracking
 - Continued Permit coordination with Pipeline Consultants.
 - Continued coordination with Caldwell, Guadalupe, and Hays County TxDOT offices concerning roadway crossings.

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Continued coordination with Hays County concerning the Site Development Permit.
- General Coordination with TxDOT.
- Continued General Coordination with TxDOT.
- Continued General Coordination with GVEC and BBEC.
- On-going Permit Tracking Log Updates.
- Task 16 – Other Services
 - Finalized the Procurement Process, including a comparison of the Competitive Sealed Proposal and Pre-Qualified processes for ARWA’s review and feedback.
 - Continued addressing ARWA’s comments to finalize the additional solar analysis and memo.
 - Commissioning Planning
 - Continued evaluation of the Phase 1B infrastructure commissioning and prepared a commissioning presentation update for ARWA’s review.

April 2021 Projection:

- Task 2 – Stakeholder Coordination
 - Coordination and/or meetings with entities including: Caldwell County, Guadalupe County, GVEC, Bluebonnet Electric Coop, TxDOT, TCEQ, and TWDB.
 - Continue weekly task coordination with Alliance Water.
 - Prepare and present the Technical Committee Update.
 - Prepare and present Project Advisory Committee Meeting Update.
 - Prepare and present Board Meeting Update.
 - Prepare for and hold Monthly Status Meeting with Alliance Water.
- Task 3 – Budgeting
 - Continue updates to Budget Workbook to include monthly tracking of actual costs for ARWA review.
 - Continue development of projected Operation and Maintenance costs and address feedback received from ARWA.
- Task 4 – Schedule
 - Revise the Project Deliverable Schedule based on the feedback received from ARWA and Design Consultants.
 - Coordinate with Program team to integrate each project schedule into overall Program schedule.
- Task 6 – Data Management
 - Ongoing maintenance of Microsoft SharePoint Online program.

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Continued updating of web-based GIS for easement acquisition process and alignment changes.
- Task 7 – Environmental Management
 - Finalize review of the Segment B Hazmat Phase II and Technical Documents report prepared by the Environmental Consultant.
 - Review of the Segment D Hazmat Phase II and Technical Documents report prepared by the Environmental Consultant.
 - Continue coordination with Program Environmental Consultant concerning the comment responses to the United States Army Corps of Engineers.
 - Coordinate with the Program Environmental Consultant regarding Inline Elevated Storage Tank site field work.
 - Continued coordination with the Program Environmental Consultant regarding additional hazmat studies for Segment C and E.
 - Perform coordination between Program Environmental Consultant and Land Acquisition Consultant to clarify environmental field work to be done on properties as part of right-of-entry process.
 - Monthly progress meeting and ongoing coordination with Program Environmental Consultant.
 - Continue coordination between Program Environmental Consultant and Design Engineers.
 - Review Program Environmental invoices, schedule, and risk log.
- Task 8 – Land Acquisition Management
 - Coordinate the appraisal process for Segment C, D, E, and W parcels.
 - Coordinate with Program Survey Consultant, Program Environmental Consultant, and Land Acquisition team to address questions that arise as part of the field work coordination process.
 - Perform weekly QC of parcel files in SharePoint, provide comments to Land Acquisition team.
 - Weekly coordination meeting with land agents to discuss status of rights-of-entry and to provide Program clarification on any questions/requests that have come from landowners.
 - Review Program Land Acquisition team, Program Appraiser, and Program Survey invoices.
 - Continue field work coordination to notify landowners of upcoming field work by consultants.
- Task 9 – Texas Water Development Board Management
 - Continue coordination with TWDB Staff to track all EFRs, environmental reports, and bid documents currently under review.
- Task 10 – Design Standards
 - Revise and distribute the Front End Documents based on comments received during WTP/RWI Advertising.

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Revise and distribute the Pipeline Construction Standards based on comments received during WTP/RWI Advertising.
- Revise and distribute the Cathodic Protection Program Standards based on comments received during WTP/RWI Advertising.
- Task 11 – Engineering Design Management
 - Pipelines:
 - Segment A
 - Continue coordination with Design Consultant for final design.
 - Segment B
 - Continue coordination with Design Consultant regarding for final design.
 - Segment C
 - Finalize review the Segment C 90% design submittal prepared by the Design Consultant.
 - Attended the Segment C 90% Design Workshop.
 - Continue coordination with Design Consultant for final design.
 - Continue coordination with Design Consultant regarding ongoing field work and pipeline alignment considerations as part of right-of-entry process and EFR development.
 - Segment D
 - Continue coordination with Design Consultant for final design.
 - Segment E
 - Review the Segment E 90% design submittal prepared by the Design Consultant.
 - Continue coordination with Design Consultant for final design.
 - Wellfield:
 - Continue coordination regarding the construction of Wells 6-9.
 - Raw Water Infrastructure:
 - Continued coordination with Design Consultant for final design and advertisement development.
 - Water Treatment Plant:
 - Continue coordination with Design Consultant concerning Hydraulics/Surge development.
 - Continued coordination with Design Consultant for final design and advertisement development.
 - Booster Pump Station:
 - Coordination with Design Consultant for final design.
 - Inline Elevated Storage Tanks:
 - Coordination with Design Consultant for 60% design development.
 - Other:

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

- Monthly progress meetings with all Design Consultants (pipelines, water treatment plant, raw water infrastructure, wellfield).
 - Review invoices, schedules, and risk logs for consultants

- Task 13 – Electrical Power Planning
 - Continue coordination with ARWA and GVEC to develop agreement language for service to the well field.
 - Continue coordination with GVEC regarding electric service to the WTP and wellfield.

- Task 14 – Permit Coordination/Tracking
 - Continue Permit coordination with Pipeline consultants
 - Coordinate with Hays County concerning the Site Development Permit.
 - General Coordination with TxDOT.
 - Coordinate with Caldwell, Guadalupe, and Hays County TxDOT offices concerning roadway crossings.
 - General Coordination with GVEC and BBEC.
 - On-going Permit Tracking Log Updates.

- Task 15 – Procurement and Construction Phase Services
 - On-going coordination with WTP and RWI Design Consultants during the procurement phase.
 - Prepare for and attending WTP/RWI Pre-Proposal Meeting and Site Visit.
 - Collect and distribute questions received from the WTP/RWI Advertisement.
 - Administratively prepare and review Addenda.

- Task 16 – Other Services
 - Finalize additional solar analysis and memo to address ARWA’s comments.
 - Commissioning Planning
 - Finalize the evaluation of the Phase 1B infrastructure commissioning for ARWA’s review.
 - Finalize and submit the City of San Marcos Watershed Protection Plan for the Booster Pump Station Plat.

Scope Elements Added/Removed:

None at this time.

Outstanding Issues/Concerns:

None at this time.

HUB Participation:

59.9 % allotted by Contract (based on contract total fee)

28.2% to date of Billing

Design Consultant Certifications: N/A

Alliance Water – Phase 1B Infrastructure – Owner’s Representative

Sub Consultant	Sub Consultant Certifications	Task Description	Contract Value (\$)	Percent Complete to Date (%)	Amount Billed to Date (\$)	Amount Paid to Date (\$)
Foster CM Croup, Inc.	DBE; AABE; MBE; SBE	Budgeting, Schedule, and Data Management	\$170,814.00	0.0%	\$-	\$-
CP&Y, Inc.	ABE; MBE	Program Standards, Compliance, and Project Management	\$926,211.00	0.0%	\$-	\$-
Grubb Engineering, Inc.	ESBE; SBE; WBE	Electrical Power Planning	\$44,200.00	0.0%	\$-	\$-
Spitzer and Associates, Inc.	SBE; WBE	Land Acquisition Management	\$446,290.00	8.3%	\$37,064.66	\$37,064.66
V&A Consulting Engineers, Inc.	SBE; HABE; MBE	Cathodic Protection Standards	\$22,015.00	0.0%	\$-	\$-
		Subtotal	\$1,609,530.00	2.3%	\$37,064.66	\$37,064.66

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- H.2** Consider adoption of Resolution 2021-04-28-001 approving an Engagement Agreement with the Law Offices of Patricia Erlinger Carls for groundwater permitting support. ~ *Graham Moore, P.E., Executive Director*
-

Background/Information

The Authority originally entered an agreement with Patricia Erlinger Carls (Trish Carls) in 2009 for legal assistance with groundwater permitting. When Lloyd Gosselink was hired in 2020 to be the Authority's new general counsel, direction was provided to continue working with Ms. Carls on groundwater permitting issues as necessary.

The Authority's production permit with the Plum Creek Conservation District has a schedule by which the two wells in the District are to be drilled. As a result of changes to the Authority's overall program, the Authority wishes to revise the schedule for completing the wells, as allowed in the production permit. Engaging with Ms. Carls for assistance on this effort will help ensure continuity with previous permitting efforts.

Attached is the proposed Engagement Agreement with Ms. Carls. The terms, conditions and hourly rates are the same as in previous agreements. The Authority budgeted \$25,000 for possible groundwater permitting assistance, the attached agreement notes this amount as a fee cap. The agreement would run through the end of the current year.

Staff is requesting Board approval of the Engagement Agreement with Patricia Erlinger Carls with a fee not-to-exceed \$25,000.

Attachment(s)

- Resolution 2021-04-28-001
- Engagement Agreement with Patricia Erlinger Carls.

Board Decision(s) Needed:

- Adoption of Resolution 2021-04-28-001 approving an Engagement Agreement with Patricia Erlinger Carls for groundwater permitting support for the remainder of 2021.



ALLIANCE WATER

RESOLUTION NO. 20210428-001

A RESOLUTION OF THE ALLIANCE REGIONAL WATER AUTHORITY BOARD OF DIRECTORS APPROVING AN ENGAGEMENT AGREEMENT BETWEEN THE AUTHORITY AND PATRICIA ERLINGER CARLS FOR LEGAL SERVICES FOR GROUNDWATER PERMITTING AND RELATED MATTERS, AND DECLARING AN EFFECTIVE DATE

RECITALS:

1. The Hays Caldwell Public Utility Agency, the predecessor to the Alliance Regional Water Authority (the "Authority"), entered into an agreement with Carls, McDonald & Dalrymple, LLP ("CMcD") for legal services for groundwater permitting and related matters on June 10, 2009. The Agreement was renewed with approval by the Hays Caldwell Public Utility Agency Board in every September from 2010 through 2016. The Authority's Board renewed the agreement in September 2017 and 2018.
2. The agreement was transferred from CMcD to Patricia Erlinger Carls through the adoption of Resolution 2018053-006.
3. The Authority is in need of continued specialized legal services for groundwater permitting and related matters for the remainder of 2021.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ALLIANCE REGIONAL WATER AUTHORITY:

SECTION 1. The attached Engagement Agreement for Special Counsel Services between the Authority and Patricia Erlinger Carls is approved.

SECTION 2. The Chair of the Authority's Board of Directors, Chris Betz, is authorized to execute the attached agreement on behalf of the Authority.

SECTION 3. This Resolution shall be in full force and effect immediately upon its passage.

ADOPTED: April 28, 2021

ATTEST:

Chris Betz
Chair, Board of Directors

James Earp
Secretary, Board of Directors

**Law Offices of
Patricia Erlinger Carls**

April 22, 2021

Via email to: gmoore@alliancewater.org
Mr. Graham Moore, P.E., Executive Director
Alliance Regional Water Authority
1040 Highway 123
San Marcos, TX 78666

Re: Engagement of Special Counsel Services

Dear Graham:

It was a pleasure speaking with you yesterday. Per your request, attached is an Engagement Agreement for Special Counsel services relating to Alliance Water's groundwater permits issued by Plum Creek Conservation District ("PCCD") and/or the Gonzales County Underground Water Conservation District ("GCUWCD"). If the attached agreement is acceptable to Alliance Water, please arrange for a duly authorized representative of Alliance Water to sign in the space indicated, keep the original in your files, and return a copy to me (an electronic copy is fine).

I appreciate the opportunity to continue to be of service to Alliance Water. As always, please feel free to call me with any questions.

Very truly yours,
LAW OFFICES OF PATRICIA ERLINGER CARLS

By: Patricia Erlinger Carls
Patricia E. Carls

Enclosure

ENGAGEMENT AGREEMENT FOR SPECIAL COUNSEL SERVICES

This Engagement Agreement for Special Counsel Services (“*Agreement*”) is by and between the Law Offices of Patricia Erlinger Carls (“*Carls*”) and Alliance Regional Water Authority (“*Alliance Water*”). Carls and Alliance Water are sometimes collectively referred to in this Agreement as the “*Parties*.”

GENERAL

- 1 Identification of the Client.** Alliance Water (as an entity) is Carls’ client, as distinct from its members, officers, directors, employees or agents. There may be situations in which Alliance Water’s interests become, or are likely to become, adverse to some of its members, officers, directors, employees or agents. In those circumstances, Carls will not represent the affected member or individual without Alliance Water’s express consent, and only if allowed by and in accordance with the Texas Disciplinary Rules of Professional Conduct.
- 2 Scope of Services.** Alliance Water has asked Carls to represent it as Special Counsel on an as-requested basis on matters related to Alliance Water’s groundwater permits issued by the Plum Creek Conservation District (the “*PCCD Permit Matters*”) and/or the Gonzales County Underground Water Conservation District (the “*GCUWCD Permit Matters*.”) The GCUWCD Permit Matters and the PCCD Permit Matters are collectively referred to in this Agreement as the “*Groundwater Permit Matters*.”

RESPONSIBILITIES AND EXPECTATIONS

- 3 Alliance Water’s Responsibilities.** Relying on information and guidance provided by Alliance Water, Carls will provide legal counsel and assistance to Alliance Water on the Groundwater Permit Matters described in Section 2 in accordance with the terms and conditions of this Agreement, keep Alliance Water reasonably informed of progress and developments, and respond to Alliance Water’s inquiries. To enable Carls to effectively render legal services, Alliance Water agrees to fully and accurately disclose all facts that may be relevant to the Groundwater Permit Matters or that Carls may otherwise request, and keep Carls apprised of developments relevant to the matters. Alliance Water also agrees to require its authorized agents to assist and cooperate with Carls as may be needed during the course of the representation. In addition, Alliance Water is responsible for advising Carls whether any document Carls prepared or received and sent to Alliance Water for its review or approval reflects the principal terms of Alliance Water’s proposed course of action, agreement, litigation strategy, or other positions and expectations, as the case may be. Alliance

Water shall inform Carls, in writing, of all policies and directives in force or to be implemented that relate in any way to my services hereunder.

- 4 **No Guarantee of Results.** During the course of the representation, Carls may express opinions or beliefs concerning the Groundwater Permit Matters described in Section 2, or various courses of action and the results that may be anticipated. Any such statements made by Carls is intended to be an expression of opinion only, based on information available to Carls at the time, and must not be construed by Alliance Water as a promise or guarantee of any particular result.

FEES

- 5 **Budget Authorization.** Alliance Water has approved an initial budget authorization of \$25,000 (the "*Budgeted Amount*") for work on the PCCD Permit Matters. Carls agrees that the fees and expenses on the PCCD Permit Matters will not exceed the Budgeted Amount, or any subsequently approved increase in the Budgeted Amount related to the PCCD Permit Matters, unless an increase in the Budgeted Amount is approved by an authorized representative of Alliance Water. If work on GCUWCD Permit Matters is requested during the term of this Agreement, the Budgeted Amount (and any approved increases in the Budgeted Amount) may also be used for the GCWUCD Permit Matters.
- 6 **Hourly Rate.** As compensation for the legal services that Carls will provide to Alliance Water, Alliance Water shall pay reasonable attorney's fees predicated upon the standards set forth by the State Bar of Texas. Trish Carls' current hourly rate for the services described herein is \$245.00 per hour. This rate multiplied by the amount of time spent on Alliance Water's behalf, measured to the nearest tenth of an hour, will be charged to Alliance Water for Carls' work. The hourly rate may be increased by Carls, but not more frequently than annually.
- 7 **Routine Expenses.** In addition to the Hourly Rate, Alliance Water will be responsible for all internal and external routine expenses incurred by Carls in representing Alliance Water. Such expenses typically include charges for postage and deliveries, court costs, filing fees, application fees, external copy services, travel, etc. These routine internal and external expenses will be included on the monthly statements to Alliance Water and will be passed through at cost, with no mark up. Mileage expenses will be billed at the rate per mile set by the Internal Revenue Service. Any unusual or non-routine expenses for services needed to represent Alliance Water that exceed \$500 will not be incurred without the prior permission of Alliance Water, and

whenever possible such services will be billed directly by the vendor to Alliance Water.

- 8 **Statements.** Carls will send Alliance Water detailed statements each calendar month for services rendered and expenses incurred during the previous calendar month which are due on receipt. If Carls' invoices are not paid within thirty (30) days after receipt, Carls may choose to suspend or discontinue its representation of Alliance Water.

- 9 **File Retention.** All original documents are owned by Alliance Water. Whenever possible, Carls will not retain any original documents in my files but will send those to Alliance Water to file and retain in accordance with its record retention policies. Any originals remaining in Carls' possession at the end of Carls' representation (e.g., opinion letters, memorandums, correspondence, contracts, permits, licenses, deeds, etc.) will be returned to Alliance Water within a reasonable time, unless Alliance Water authorizes Carls to destroy them. Carls retains the right to keep electronic and/or paper copies of these documents. All of Carls' work product is owned by and will be retained by Carls. These files include administrative records, time and expense reports, billing and accounting records, and internal work product such as drafts, notes, internal communications (both paper and electronic), and legal and factual research prepared for the internal use of Carls. All documents retained by Carls will be transferred to the person or entity responsible for administering Carls' records retention program. Typically, Carls keeps these records for four (4) years after the conclusion of representation and during that time Alliance Water will have reasonable access to those records. Thereafter, without notice to Alliance Water, those files may be destroyed.

- 10 **Electronic Communications, Document Storage, and Transmission.** The Parties agree to the use of electronic mail and cloud-based services for communications and document management. The Parties agree to use reasonable security measures to prevent the interception of electronic transmissions and unauthorized access to communications and documents. Still, the possibility exists that electronic transmissions and cloud-based communication and document storage services could be accessed, intercepted or otherwise received by third parties and lose their privileged nature. As with any information regarding legal representation, regardless of the manner of transmission, the Parties agree to use caution in when using electronic services in order to protect confidentiality.

- 11 **Insurance.** Upon request, Carls will provide Alliance Water with a copy of a Certificate of Insurance for Carls' Professional Liability Insurance.
- 12 **Conflicts.** This letter confirms that Carls has performed a conflicts check and confirmed that Carls does not currently have any conflicts in representing entities whose interests may be adverse to Alliance Water on the Groundwater Permit Matters described in Section 2 of this Agreement. If Carls discovers a conflict of interest during the course of her work for Alliance Water, Carls will immediately advise Alliance Water in writing.
- 13 **Notice Regarding Grievance Process.** The State Bar of Texas investigates and prosecutes professional misconduct by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the Office of the General Counsel of the State Bar of Texas will provide you will information about how to file a complaint. For more information, please call 1-800-932-1900, toll free.
- 14 **Termination.** This contract can be terminated by either party upon 30 days' written notice to the other party, provided that Alliance Water remains responsible for all fees and expenses incurred by Carls on Alliance Water's behalf prior to the effective date of such termination, plus any fees and expenses incurred at Alliance Water's request in connection with the transition to substitute counsel.

Approved and Agreed:

LAW OFFICES OF PATRICIA ERLINGER CARLS

By: _____
Patricia Erlinger Carls

Date: _____

Approved and Agreed:

ALLIANCE REGIONAL WATER AUTHORITY

By: _____

Printed Name: _____

Title: _____

Date: _____

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- H.3** Consider adoption of Resolution 2021-04-28-002 making appointments to the Administrative Committee ~ *Graham Moore, P.E., Executive Director*
-

Background/Information

The Administrative Committee was originally formed in October 2018. With Tracy Scheel no longer on the Board of Directors, the Administrative Committee has one vacancy. The following are currently on the committee:

- Mike Taylor
- Jane Hughson
- Micah Grau (non-voting member)

In accordance with the Authority's bylaws, voting members must be Board Directors only and non-Directors can only be appointed non-voting members. Traditionally the third voting member seat would be filled by someone from the City of Kyle.

The Administrative Committee is expected to review various options for health insurance for the Authority over the Summer and to ultimately make a recommendation to the Board as to how to continue forward. In addition the Committee will also participate in the review process of the Authority's consultants.

Attachment(s)

- Resolution 2021-04-28-002

Technical Committee Decision(s) Needed:

- Adoption of Resolution 2021-04-28-002 making appointments to the Administrative Committee.



ALLIANCE WATER

RESOLUTION NO. 20210428-002

A RESOLUTION OF THE ALLIANCE REGIONAL WATER AUTHORITY BOARD OF DIRECTORS MAKING APPOINTMENTS TO THE ADMINISTRATIVE COMMITTEE; AND DECLARING AN EFFECTIVE DATE

RECITALS:

1. The Alliance Regional Water Authority (the "Authority") Board of Directors (the "Authority Board") created and made appointments to the Administrative Committee through the adoption of Resolution 20181024-005 in October 2018.
2. The Authority Board wishes to affirm some appointments and make a new appointment to the Administrative Committee.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ALLIANCE REGIONAL WATER AUTHORITY:

SECTION 1. The Authority Board appoints _____, _____, and _____ as members of the Administrative Committee and _____ as a non-voting member of the Administrative Committee.

SECTION 2. The appointees made in Section 1 will continue as a member of the Committee until he or she is no longer a Director (voting members), or he or she is removed or replaced by the Authority Board.

SECTION 3. This Resolution shall be in full force and effect immediately upon its passage.

ADOPTED: April 28, 2021

ATTEST:

Chris Betz
Chair, Board of Directors

James Earp
Secretary, Board of Directors

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

H.4 Discussion of legislative issues for the 87th Texas Legislature, and possible direction to Staff. ~ *Scott Miller / Jeff Hecker, Texas Solutions Group*

Background/Information

The 87th Session is moving along quickly. Below are some key dates of interest:

- 5/10: Final Day for House Committee to Report House Bills
- 5/13: Final Day for House to Consider House Bills (non-Local and Consent)
- 5/22: Final Day for House to Report Senate Bills
- 5/31: Sine Die (Last Day of Session)

On the following pages the updated bill list. Since the bill filing deadline has passed, there will not be any new additions to this list.

Attachment(s)

- ARWA Bill Tracking as of 4/22/2021

Board Decision(s) Needed:

- Possible direction to Staff.

ARWA Bill Tracking – 2021 / 87th Texas Legislature

ARWA – Bills to Support/Oppose (as of 4/22/2021)				
<u>Bill Number</u>	<u>Sponsor</u>	<u>General Information</u>	<u>Committee</u>	<u>ARWA Position</u>
HB 2863	Kuempel	<ul style="list-style-type: none"> • Would allow ARWA, CRWA, San Marcos, Kyle and Buda to due ASR in saline zone of EAA • 4/13: Heard in Committee 	Natural Resources	Support
HB 666 HB 668 SB 152	Harris Harris Perry	<ul style="list-style-type: none"> • Relating to regulation of groundwater conservation districts • Award of attorney fees is optional • Groundwater rights owner can petition for rule-making • Notice of permit to adjacent landowners • 4/7: Passed Senate • 4/27: Senate bill scheduled for House Cmte hearing 	Natural Resource Natural Resources Ag, Water & Rural Affairs	Support
HB 837 SB 830	Lucio III Zaffirini	<ul style="list-style-type: none"> • Requires the PUC to verify the compensation awarded to a utility by the petitioner • 4/16: Passed House • 4/19: Senate bill heard in Cmte 	Natural Resources Water, Ag & Rural Affairs	Support
HB 966	Burns	<ul style="list-style-type: none"> • Ch. 36 Water Code amended to change award of attorney's fees from "shall" to "may". 	Natural Resources	Support
HB 1030	Shaheen	<ul style="list-style-type: none"> • Allow publication on entity's website to satisfy any other legal requirement to publish notice in a newspaper 	County Affairs	Support
HB 1089	Reynolds	<ul style="list-style-type: none"> • Increases the tort liability limit for a governmental unit for wrongful acts committed by their employees • 4/14: Pending in Cmte 	Judiciary & Civil Jurisprudence	Oppose
HB 1473 SB 526	Gates Kolkhorst	<ul style="list-style-type: none"> • Require special purpose districts to include a live video stream of each board meeting on the district's website. • 4/19: Passed Senate 	Natural Resources Local Government	Oppose
HB 1888 SB 1515	Fierro Gutierrez	<ul style="list-style-type: none"> • Allows governmental entities to conduct open or closed mtgs via conference call 	State Affairs Business & Commerce	Support

ARWA Bill Tracking – 2021 / 87th Texas Legislature

HB 2000	Huberty	<ul style="list-style-type: none"> Creates a fund for increasing reliability of water, electricity, natural gas and broadband utilities administered by the TWDB 4/14: Substitute approved in House Cmte 	State Affairs	Support
HB 2275	Zwiener	<ul style="list-style-type: none"> Create a water resiliency fund for entity's to weatherize water and wastewater facilities. Requires some financial contribution from entities. 4/14: Pending in Cmte 	State Affairs	Support
HB 4146 SB 1747	King Zaffirini	<ul style="list-style-type: none"> Restricts TCEQ from issuing discharge permits into certain stream segments; excludes cities and river authorities 4/21: Substitute approved in House Cmte 	Environment Regulation Water, Ag & Rural Affairs	Support with modification
HB 4161 SB 905	Frank Perry	<ul style="list-style-type: none"> Requires TCEQ to develop regulatory guidance on direct potable reuse projects 4/9: Passed Senate 4/14: Senate bill referred to House Natural Resources 	Natural Resources Water, Ag & Rural Affairs	Support
SB 307	Eckhardt	<ul style="list-style-type: none"> Prohibits entities other than Local Government Corporation from provide wholesale water across two county lines if they commence operations after September 2021. 	Water, Ag & Rural Affairs	Oppose
SB 724	Schwertner	<ul style="list-style-type: none"> Condemnor is required to pay attorney's fees and other professional fees if special commissioner's award is greater than 20% of condemnor's final offer 	State Affairs	Oppose

ARWA – Bills Related to Open Meetings / Government (as of 4/22/2021)

<u>Bill Number</u>	<u>Sponsor</u>	<u>General Information</u>	<u>Committee</u>	<u>ARWA Position</u>
HB 768	Patterson	<ul style="list-style-type: none"> Extends a requirement to make video and audio of a regular public meeting available on the internet. 	County Affairs	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

		<p>Requirements match those of school board meetings.</p> <ul style="list-style-type: none"> • 3/25: Left Pending in Cmte 		
HB 2560 SB 639	Martinez Menendez	<ul style="list-style-type: none"> • Allows for open meetings to occur via conference call. Has some provisions requiring presiding officer to be at a location open to the public. 	State Affairs Business & Commerce	Monitor
HB 2578	Leach	<ul style="list-style-type: none"> • Requires Comptroller to prepare a website for political subdivision to post all required notices on in lieu of posting in newspapers • 4/8: Left pending in cmte 	State Affairs	Monitor
HB 2683 SB 924	Canales Zaffirini	<ul style="list-style-type: none"> • Allow for open meetings via conference call or virtual meeting. Requires notice of public locations where any Board members are attending. • 4/21: Passed House 	State Affairs Business & Commerce	Monitor
HB 2913 SB 929	Capriglione Zaffirini	<ul style="list-style-type: none"> • Require posting on websites of all contracts entered into for goods or services from private vendors, including selection method 	State Affairs Business & Commerce	Monitor
HB 2928 HB 3410	Jetton Goldman (similar)	<ul style="list-style-type: none"> • Authorizes posting of notice on entity's website in lieu of posting in newspapers 	State Affairs State Affairs	Monitor
SB 526	Kolkhorst	<ul style="list-style-type: none"> • Require live video stream of meetings on website. • 4/19: Passed Senate 	Local Government Natural Resources	Monitor
SB 861	Paxton	<ul style="list-style-type: none"> • Expand opportunities for governmental bodies to hold remote meetings and prescribes procedures • 4/9: Committee substitute approved 	Business & Commerce	Monitor
SB 923	Zaffirini	<ul style="list-style-type: none"> • Omnibus open meetings & open government bill. Individual sections are divided into separate bills (SB 925 through SB 929) 	Business & Commerce	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

ARWA – Bills to Monitor (as of 4/22/2021)				
<u>Bill Number</u>	<u>Sponsor</u>	<u>General Information</u>	<u>Committee</u>	<u>ARWA Position</u>
HB 263	Meza	<ul style="list-style-type: none"> Relating to rest breaks for employees of certain contractors with a governmental entity 	State Affairs	Monitor
HB 348	Zwiener	<ul style="list-style-type: none"> Relating to a requirement to make certain environmental and water use permit applications available online 	Natural Resources	Monitor
HB 692 SB 1097	Shine Creighton	<ul style="list-style-type: none"> Relates to retainage requirements for certain public works construction projects 4/6: Substitute approved in House Cmte 4/13: Left pending in Senate Cmte 	State Affairs Business Affairs	Monitor
HB 749 SB 234	Middleton Hall	<ul style="list-style-type: none"> Prohibits political subdivision from spending public funds on lobbyists 3/26: Pending in House Cmte 	State Affairs State Affairs	Monitor
HB 776	Walle	<ul style="list-style-type: none"> Clarifies contract requirements for workers' compensation on construction projects 3/30: Pending in House Cmte 	Business & Industry	Monitor
HB 863	Romero	<ul style="list-style-type: none"> Requires an audit of public work contract to verify compliance with prevailing wage rate requirements 	State Affairs	Monitor
HB 901	Burns	<ul style="list-style-type: none"> Applies to private entities only: Establishes criteria that company must meet to make a bona fide offer and includes some requirements for the conveyance documents 3/30: Scheduled for Hearing 	Land & Resource Mgmt	Monitor
HB 902	Burns	<ul style="list-style-type: none"> Require the AG to establish an ombudsman office to provide info to landowners whose property is being taken by eminent domain. Includes continuing education for ROW agents. Comprehensive changes to the Property Code. 3/30: Pending in House Cmte 	Land & Resource Mgmt	Monitor
HB 1130	White	<ul style="list-style-type: none"> Ch. 251 of Utilities Code is amended to include civil remedies for failure of underground utilities to comply with the Chapter. 4/14: Left pending in Cmte 	Judiciary & Civil Jurisprudence	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

HB 1336	Pacheco	<ul style="list-style-type: none"> Requires contractors to comply with E-verify program in order to be eligible for a contract for goods and services. 	State Affairs	Monitor
HB 1435	Lucio III	<ul style="list-style-type: none"> Changes CCN certification by PUC to authorize a municipal single certification only if the PUC finds the retail public utility is incapable of providing service and to establish compensation. 3/23: Pending in House Cmte 	Natural Resources	Monitor
HB 1506	Zwiener	<ul style="list-style-type: none"> Condemnor would gain possession of condemned land if award is deposited within 7 days, otherwise possession would not be gained until 180 days. 	Land & Resource Mgmt	Monitor
HB 1801 SB 1441	Larson Campbell	<ul style="list-style-type: none"> Allows SAWS to provide Edwards water to military installations without a permit, provided installation reduces their withdrawals by equal amount 4/19: Passed Senate 4/21: Senate bill referred to House Natural Resources Cmte 	Natural Resources Vet Affairs & Border Security	Monitor
HB 1879	Schofield	<ul style="list-style-type: none"> Establish actual progress for the purpose of right to repurchase real property from a condemning entity Increase req't from 2 to 3 of a list of 5 items (previously 7) 4/6: Pending in House Cmte 	Land & Resource Mgmt	Monitor
HB 2041 SB 721	Leman Schwertner	<ul style="list-style-type: none"> Requires condemnor to provide updated appraisal prior to special commissioner's hearing 4/13: Passed House Committee 4/20: Passed Senate 	Land & Resource Mgmt State Affairs	Monitor
HB 2042 SB 723	Leman Schwertner	<ul style="list-style-type: none"> Would specially allow landowners to refuse to grant condemnor access to property. Recourse would be through a lawsuit. 4/20: Passed Senate 	Land & Resource Mgmt State Affairs	Monitor
HB 2044 SB 726	Leman Schwertner	<ul style="list-style-type: none"> Similar to HB 1879 Keeps the list at 7 items, but does increase number required from 2 to 3 	Land & Resource Mgmt State Affairs	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

		<ul style="list-style-type: none"> • Substitutes allow water district to complete only 1 of 7 if completing a project in the State Water Plan • 4/13: Substitute Passed House Cmte • 4/20: Passed Senate 		
HB 2581	Kacal	<ul style="list-style-type: none"> • Establishes a process for a governmental entity to prequalify potential offerors on civil works projects. • 4/22: Substitute approved in House Cmte 	State Affairs	Monitor
HB 2652 SB 1039	Larson Eckhardt	<ul style="list-style-type: none"> • Establishes an advisory board to study surface water and groundwater interaction • 4/8: Substitute approved in House Cmte 	Natural Resources Ag, Water & Rural Affairs	Monitor
HB 2730	Deshotel	<ul style="list-style-type: none"> • Significant changes to eminent domain, including prescribing language to be included in some easements • 3/30: Pending in House Cmte 	Land & Resource Mgmt	Monitor
HB 2762 HB 3059	Rogers Guerra (similar)	<ul style="list-style-type: none"> • Would exclude wholesale water supply facilities from participating in load shedding during a rolling blackout 	State Affairs State Affairs	Monitor
HB 2851	Lucio III	<ul style="list-style-type: none"> • Require GCDs, in the adoption of desired future conditions, to consider modeled sustainable groundwater pumping as determined by the TWDB • 4/27: Scheduled for Hearing 	Natural Resources	Monitor
HB 3079 SB 997	Larson Nichols	<ul style="list-style-type: none"> • Prescribes procedural requirements for review of rates charged by written contracts. • TWCA Initiated Bill • 4/8: Substitute approved in House Cmte • 4/20: Substitute approved in Senate Cmte 	Natural Resources Water, Ag & Rural Affairs	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

HB 3084	Larson	<ul style="list-style-type: none"> Requires the Interregional Planning Council to identify and propose projects for the state water plan that involve multiple planning groups & identify innovative funding 4/20: Substitute approved in House Cmte 	Natural Resources	Monitor
HB 3345	Wu	<ul style="list-style-type: none"> Require posting of audit records on the entity's website 4/20: Substitute approved in House Cmte 	State Affairs	Monitor
HB 3619 SB 946	Bowers Eckhardt	<ul style="list-style-type: none"> Requires a GCD to consider effects on exempt wells when considering issuing a new permit; does not apply to renewal of an existing permit. 4/20: Passed House 	Natural Resources Water, Ag & Rural Affairs	Monitor
HB 3650	Lucio III	<ul style="list-style-type: none"> Transfers functions related to economic regulation of water and sewer service from PUC to TCEQ 4/15: Passed House Cmte 	Natural Resources	Monitor
HB 3801 SB 2157	Metcalf Creighton	<ul style="list-style-type: none"> Addresses requirements for management plan when reasonableness of DFCs has been challenged. 4/20: Passed House 	Natural Resources Water, Ag & Rural Affairs	Monitor
HB 3972 SB 1314	King Lucio	<ul style="list-style-type: none"> Prior to filing a suite against a GCD a person must obtain a surety bond 4/13: Heard in House Cmte 	Natural Resources Water, Ag & Rural Affairs	Monitor
HB 4147	Larson	<ul style="list-style-type: none"> Establishes a comprehensive process for PUC to review rates charged for raw and/or wholesale water and sewer services 	Natural Resources	Monitor
SB 423	Hinojosa	<ul style="list-style-type: none"> Amends Ch 21 of Property Code to allow special commissioners' hearing notices in an eminent domain proceeding in manners as allowed by Texas Rules of Civil Procedure for citation. 	State Affairs	Monitor
SB 722	Schwertner	<ul style="list-style-type: none"> Condemnor must pay reasonable attorney fees for failing to disclose appraisal reports 	State Affairs	Monitor

ARWA Bill Tracking – 2021 / 87th Texas Legislature

SB 724	Schwertner	<ul style="list-style-type: none"> • Condemnor is required to pay attorney’s fees and other professional fees if special commissioner’s award is greater than 20% of condemnor’s final offer 	State Affairs	Oppose
SB 986	Kolkhorst	<ul style="list-style-type: none"> • Significant eminent domain bill – primarily affects private entities. Similar to legislation filed in 86th session. 	State Affairs	Monitor
SB 995	Powell	<ul style="list-style-type: none"> • Establishes a disaster reinvestment and infrastructure planning board and creation of a revolving fund 	Finance	Monitor
SB 1682	Hancock	<ul style="list-style-type: none"> • Relating to the funding of utility reliability projects by the TWDB and other entities 	Ag, Water & Rural Affairs	Monitor

END

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- I. BOARD MEMBER ITEMS OR FUTURE AGENDA ITEMS – Possible acknowledgement by Board Members of future area events and/or requests for item(s) to be placed on a future agenda where no action is required.
-

Background/Information

The Board Members have an opportunity to make announcements or to request that items be added to future Board or Committee agendas.

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- J.1** *Executive Session pursuant to the Government Code, Section 551.071 (Consultation with Attorney) and/or Section 551.072 (Real Property Deliberations) regarding:*
- A. Water supply partnership options*
 - B. Groundwater leases*
 - C. Acquisition of real property for water supply project purposes*
-

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

J.2 Action from Executive Session on the following matters:

- A. *Water supply partnership options*
 - B. *Groundwater leases*
 - C. *Acquisition of real property for water supply project purposes*
-

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- D. Consideration of Resolution 2021-04-28-003 approving a Purchase Agreement with Mission Way Property Management, LLC for a permanent pipeline easement on Parcel D024C.*
-

Attachment(s)

The Board will discuss the specific details of the parcel and the landowner's counter-offer in Executive Session.

Board Decision(s) Needed:

- Possible Adoption of Resolution 2021-04-28-003.



ALLIANCE WATER

RESOLUTION NO. 20210428-003

A RESOLUTION OF THE ALLIANCE REGIONAL WATER AUTHORITY BOARD OF DIRECTORS APPROVING THE PURCHASE AGREEMENT WITH MISSION WAY PROPERTY MANAGEMENT, LLC FOR A PERMANENT PIPELINE EASEMENT ON PARCEL D024C IN CALDWELL COUNTY ASSOCIATED WITH THE AUTHORITY’S PHASE 1B PROJECT; AND DECLARING AN EFFECTIVE DATE

RECITALS:

1. The Alliance Regional Water Authority (the “Authority”) made an initial offer to purchase an access easement on Parcel D024C on April 30, 2020 and a final offer was sent on November 6, 2020.
2. On April 6, 2021 the landowner made a counter-offer to the terms of the permanent easement.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ALLIANCE REGIONAL WATER AUTHORITY:

SECTION 1. The Authority accepts the landowner counter-offer for the terms and of the easement associated with Parcel D024C.

SECTION 2. The Authority’s Executive Director, Graham Moore, is authorized to execute the Purchase Agreement upon final approval as to form by the Authority’s Legal Counsel, Mike Gershon.

SECTION 3. This Resolution shall be in full force and effect immediately upon its passage.

ADOPTED: April 28, 2021

ATTEST:

Chris Betz
Chair, Board of Directors

James Earp
Secretary, Board of Directors

REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS

Wednesday, April 28, 2021 at 3:00 P.M.

Conference Call Number: 1-903-405-2572; Code: 757 448 344#

- E. *Consideration of Resolution 2021-04-28-004 finding Public Convenience and Necessity for and authorizing the acquisition of certain water pipeline easements and temporary construction easements and certain fee estates for the Alliance Regional Water Authority, Phase 1B Water Line Project in connection therewith, over, across, upon and under certain privately owned real estate properties; authorizing all appropriate actions by the Board of Directors, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and 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 ARWA 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; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law.*

Attachment(s)

- Resolution 2021-04-28-004

Board Decision(s) Needed:

- Adoption of Resolution 2021-04-28-004.



ALLIANCE WATER

RESOLUTION NO. 20210428-004

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE ALLIANCE REGIONAL WATER AUTHORITY FINDING PUBLIC CONVENIENCE AND NECESSITY FOR AND AUTHORIZING THE ACQUISITION OF CERTAIN WATER PIPELINE EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS AND CERTAIN FEE ESTATES FOR THE ALLIANCE REGIONAL WATER AUTHORITY, PHASE 1 B WATER LINE PROJECT IN CONNECTION THEREWITH, OVER, ACROSS, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES; AUTHORIZING ALL APPROPRIATE ACTION BY THE BOARD OF DIRECTORS, STAFF, RETAINED ATTORNEYS AND ENGINEERING AND TECHNICAL CONSULTANTS IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED FEE ESTATES AND 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 ARWA 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; ESTABLISHING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, in order to promote public health, safety, and welfare, ALLIANCE REGIONAL WATER AUTHORITY (“ARWA”) hereby finds that public convenience and necessity require acquisition of permanent Pipeline and Right-of-Way Easements and, in some instances, temporary easements (cumulatively, “Easements”) over, or fee simple title to certain tracts of land identified in the attached Exhibit being more specifically described by metes and bounds in Exhibit “A” for the public use to construct, reconstruct, operate, inspect, maintain and repair water transmission lines and related facilities and improvements (the “Project”); and

WHEREAS, in order to effectuate the Project, it will be necessary and convenient that agents, representatives, or employees of ARWA lay out the Project, and acquire these property rights from properties for the purpose of construction, reconstruction, operation, inspection, maintenance and repair of the Project; and

WHEREAS, it may be necessary to hire engineers, surveyors, appraisers, attorneys, title companies, architects, or other persons or companies to effect the laying out, establishment, and acquisition of land rights necessary to effectuate said Project; and

WHEREAS, in order to acquire the necessary land rights, it will be or has been necessary for ARWA's agents, representatives, or employees to enter upon the above- described properties for the purpose of surveying and establishing said land titles and to determine adequate compensation for said land rights, to conduct tests, and to negotiate with the owners thereof for the purchase of necessary land rights; and

WHEREAS, it was necessary to set out procedures for the establishment and approval of just compensation for the necessary land rights to be acquired for the Project; and

WHEREAS, as provided for by Texas Water Code, Chapter 65, including Sections 65.201 and the Texas Government Code Chapter 11010, including Sections 11010.101, 11010.102 and 11010.103, the Board finds and determines that each of the parcels of land listed below, and more particularly described in the attached Exhibits (parcels), are necessary or convenient as a part of the system of water pipelines to be constructed, reconstructed, operated, inspected, maintained, or repaired and it is necessary to acquire the Easements and fee simple title in the parcels or such lesser property interests as set forth in the attached Exhibits; and

WHEREAS, the Board finds and determines that the water pipeline facilities to be constructed or improved on the parcels identified and listed below and those property interests acquired; and

WHEREAS, the Board finds and determines that condemnation of the parcels is required; and

WHEREAS, the initiation of condemnation proceedings for the parcels is adopted and authorized by a single order for the parcels, and this first vote by the Board applies to all of the parcels.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ALLIANCE REGIONAL WATER AUTHORITY:

SECTION 1.

1. That in order to promote the public health, safety, and welfare, public convenience and necessity require ARWA's acquisition of Easements, fee simple interests, and any such lesser property interests for the public use for construction, reconstruction, operation, maintenance, inspection and repair of water transmission lines and appurtenances over those certain parcels of land described with particularity on Exhibit "A," attached and incorporated herein by reference as if fully set out.

2. That ARWA's agents, representatives, or employees are hereby authorized to:

- a. Lay out the exact location of the land area needed for the necessary property interests described herein;
- b. Hire such engineers, surveyors, appraisers, title companies, architects, and other persons or companies needed to effect the laying out of the facilities, the establishment and acquisition of easement rights and other rights necessary for the Project;
- c. Enter upon any property necessary for the purpose of surveying and establishing title, to determine adequate compensation for the necessary land rights, and to conduct tests;
- d. Negotiate with the owners of any such properties for the purchase thereof;
- e. To purchase any necessary easements and rights-of-way on, over, under and across each of the Easements and execute all documents necessary to acquire such necessary land rights;

f. Initiate eminent domain proceedings against the owner(s) of each of the Easements for acquisition thereof in the event the owner(s) fail to accept a bona fide offer to purchase each of the respective Easements; and

g. Take whatever further actions deemed appropriate to economically effect the establishment of the Project and appurtenances thereto.

3. That all previous acts and proceedings done or initiated by ARWA's agents, representatives, or employees for establishment of the Project, including the negotiation for and/or acquisition of any necessary property rights for any of the Easements are hereby authorized, ratified, approved, confirmed, and validated. This resolution shall take effect immediately from and after its passage.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 28th day of April 2021.

ALLIANCE REGIONAL WATER AUTHORITY

Chris Betz
Chair of the Board of Directors of
ALLIANCE REGIONAL WATER AUTHORITY

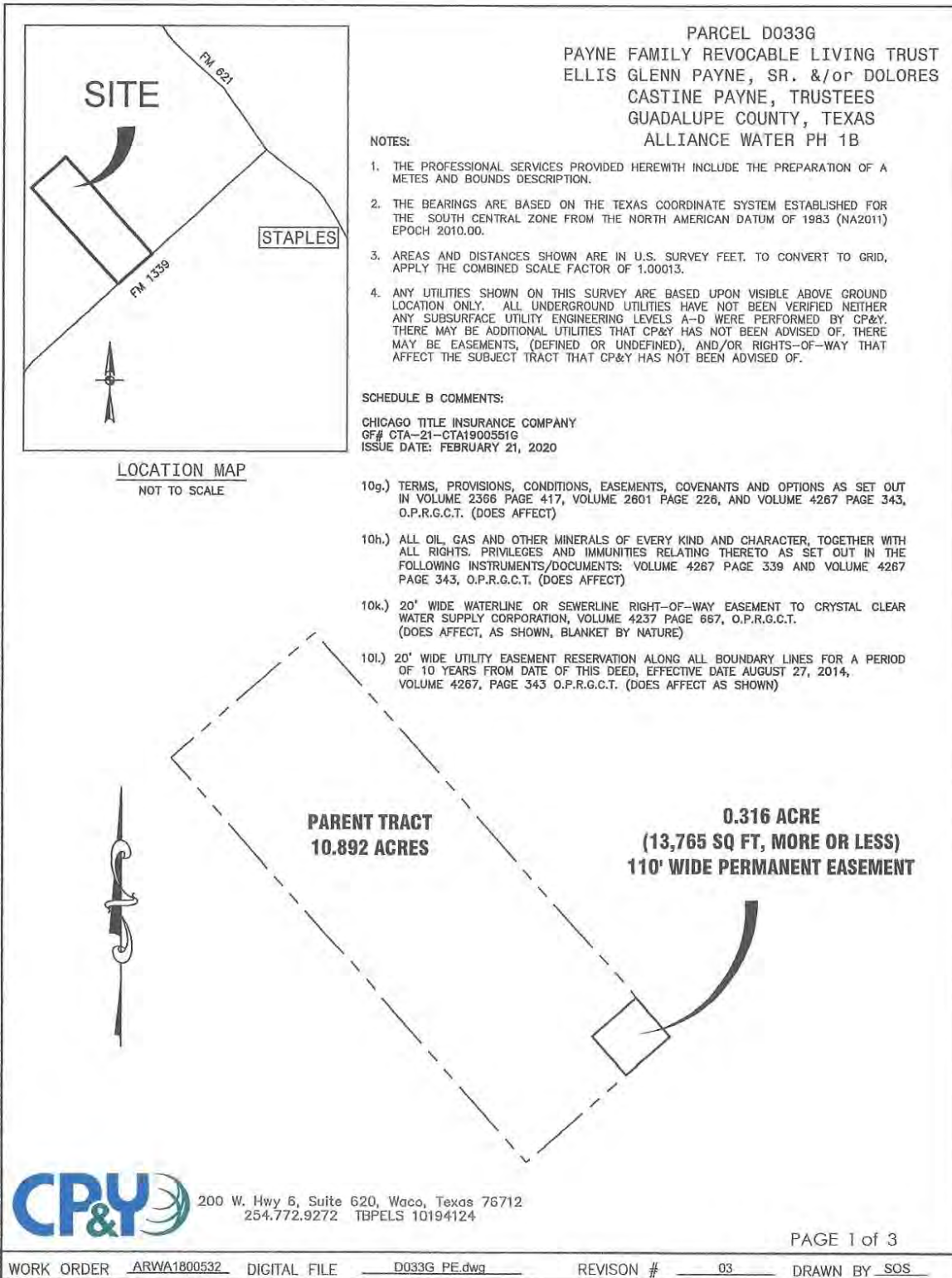
ATTEST:

James Earp
Secretary of the Board of Directors of
ALLIANCE REGIONAL WATER AUTHORITY

EXHIBIT "A"

<u>Parcel Number</u>	<u>Landowner</u>	<u>County</u>	<u>Survey</u>	<u>Abstract</u>	<u>Acres Owned</u>	<u>Property(ies)</u>
D033G	Payne Family Revocable Living Trust, Ellis Glenn Payne, Sr. &/or Dolores Castine Payne, Trustees	Guadalupe	Cyrus Campbell	No. 8	10.892	0.316
D034G	Dalton Wayne Elam	Guadalupe	George Allen	No. 1	42.84	2.821
D035G	Dalton Wayne Elam	Guadalupe	George Allen	No. 1	10.00	1.170
D036G	Jo Ann Elam Hearn	Guadalupe	George Allen	No. 1	42.08	2.622
E011G	Gregory W. Kraft and Pamela Sarlo-Kraft	Guadalupe	A.M. Esnaurizar	No. 20	58.578	3.949
E024G	Huber 758, LLC, a Texas Limited Liability Company	Guadalupe	A.M. Esnaurizar	No. 20	50.00	1.649
E026G	Gregory W. Kraft and Pamela Kraft	Guadalupe	A.M. Esnaurizar	No. 20	41.599	2.055

Parcel D033G



Date: Dec 15, 2020, 3:39pm User ID: smith
 File: G:\Projects\ARWA1800532-Alliance Water\SURVEY\SEGMENT D TITLES - Guadalupe County\0033G EXHIBIT EASEMENT\0033G_PE_R03.dwg



Partners for a Better Quality of Life

Legal Description
0.316 Acre (13,765 Square Foot)
110 Foot Wide Permanent Easement

BEING A 0.316 ACRE, 110 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE CYRUS CAMPBELL & BROTHERS SURVEY, ABSTRACT NO. 8, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 10.892 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE PAYNE FAMILY REVOCABLE LIVING TRUST, TRUSTEES BEING ELLIS GLENN PAYNE, SR. AND/OR DOLORES CASTINE PAYNE, AS RECORDED IN COUNTY CLERKS FILE NUMBER 201600553 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T.). SAID 0.316 ACRE 110 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found being the southerly common corner of said 10.892 acre tract and that called 106.6 acre tract of land described in deed as "First Tract" to Noble Ellsworth Koepp and Sharon Ann Koepp Atzger, as recorded in Volume 1087, Page 836 of said O.P.R.G.C.T., and lying in the southeast line of that called 20 foot wide water line or sewer line easement to Crystal Clear Special Utility District, as recorded in Volume 4237, Page 667 of said O.P.R.G.C.T., and also lying in the northwest right of way (R.O.W.) line of Farm to Market 1339 (80 foot wide R.O.W.);

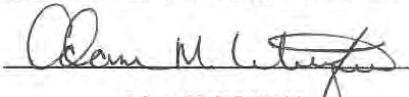
THENCE S 48° 48' 41" W, along the common line of said 10.892 acre tract, said easement and said R.O.W. line, a distance of 125.00 feet, to a point for the south corner hereof. From which a 1/2 inch iron rod found being the southerly common corner of said 10.892 acre tract and that called 10.895 acre tract of land described in deed to Matthew Hathaway, as recorded in County Clerks File Number 201899012458 of said O.P.R.G.C.T. bears S 48° 48' 41" W, a distance of 284.89 feet;

THENCE leaving said common line and R.O.W., over and across said 10.892 acre tract, the following two (2) courses and distances:

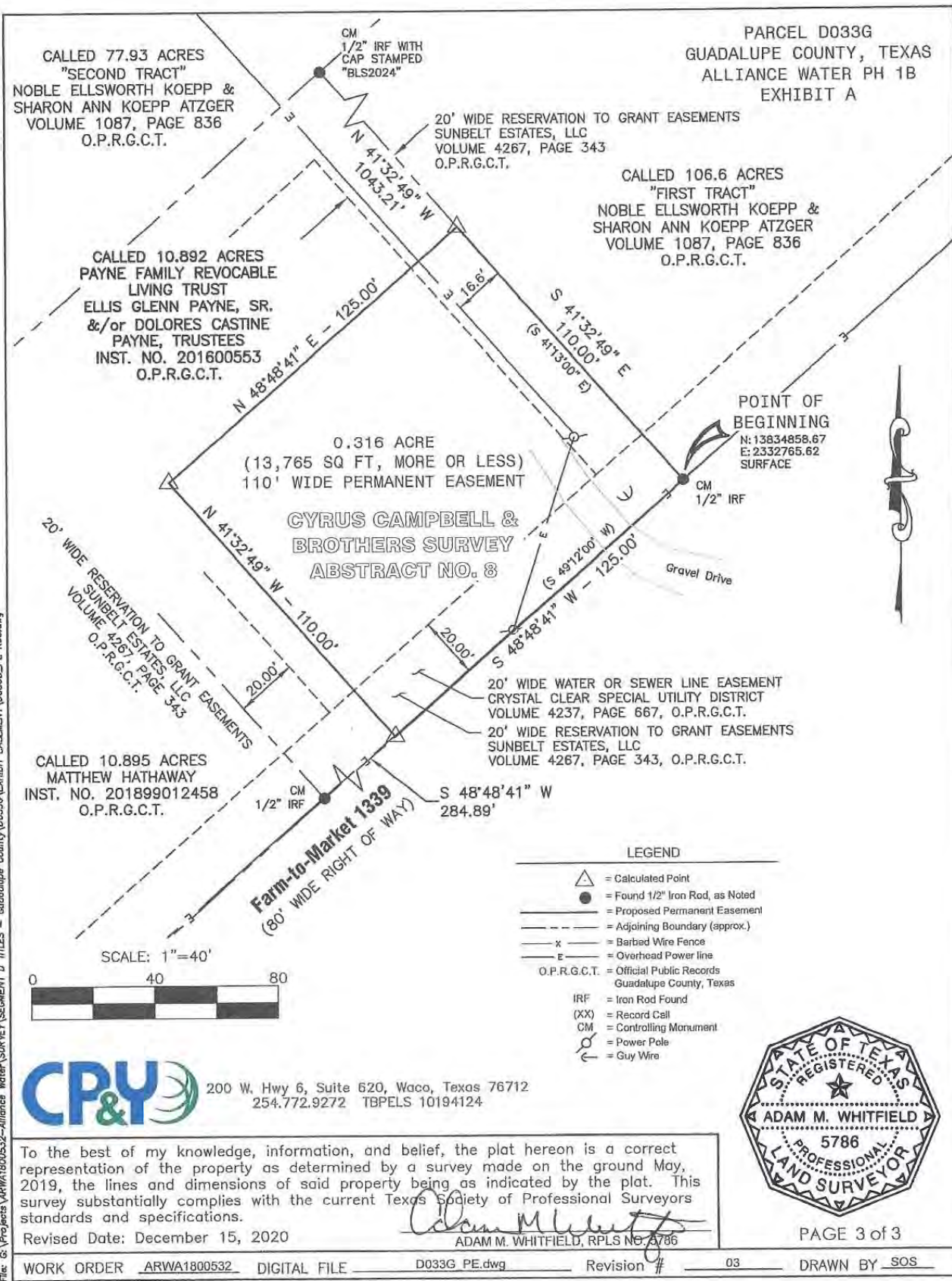
- 1) N 41° 32' 49" W, passing at a distance of 20.00 feet, the northwest line of said 20 foot wide easement, and continuing for a total distance of 110.00 feet, to a point for the west corner hereof;
- 2) N 48° 48' 41" E, a distance of 125.00 feet, to a point for the north corner hereof, lying on the common line of said 10.892 and 106.6 acre tracts. From which a 1/2 inch capped iron rod found stamped "BLS 2024", being the northerly common corner of said 10.892 and 106.6 acre tracts and lying in the southeast line of that called 77.93 acre tract of land described in deed as "Second Tract" in said Volume 1087, Page 836, bears N 41° 32' 49" W a distance of 1,043.21 feet;

THENCE S 41° 32' 49" E, along the common line of said 10.892 and 106.6 acre tracts, passing at an approximate distance of 90.00 feet, the northwest line of said 20 foot wide easement, and continuing for a total distance of 110.00 feet, to the **POINT OF BEGINNING** and containing 0.316 acre, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.


 Adam M. Whitfield
 Registered Professional Land Surveyor
 Texas Registration Number 5786
 Date: 12-15-2020
 January 24, 2020
 Revised Date: December 15, 2020





Date: Dec 15, 2020, 3:01pm, User: id_samith
 File: G:\Projects\ARWA\1800532-Affiliates Water\SURVEY\SEGMENT D TITLES - Guadalupe County\0333G\EXHIBIT EASEMENT\0333G_PE_R03.dwg



200 W. Hwy 6, Suite 620, Waco, Texas 76712
 254.772.9272 TBPELS 10194124

To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground May, 2019, the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Revised Date: December 15, 2020

Adam M. Whitfield
 ADAM M. WHITFIELD, RPLS NO. 5786



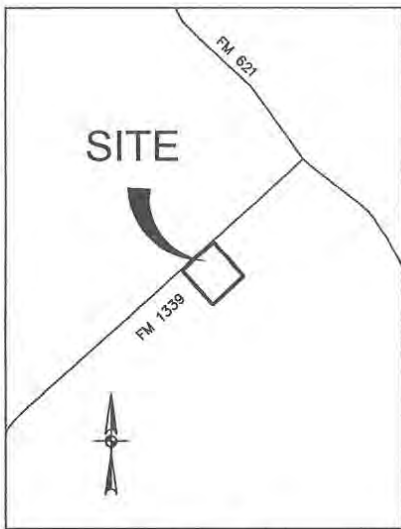
PAGE 3 of 3

WORK ORDER ARWA1800532 DIGITAL FILE D033G PE.dwg Revision # 03 DRAWN BY SOS

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Parcel D034G

**PARCEL D034G
DALTON WAYNE ELAM
GUADALUPE COUNTY, TEXAS
ALLIANCE WATER PH 1B**



LOCATION MAP
NOT TO SCALE

NOTES:

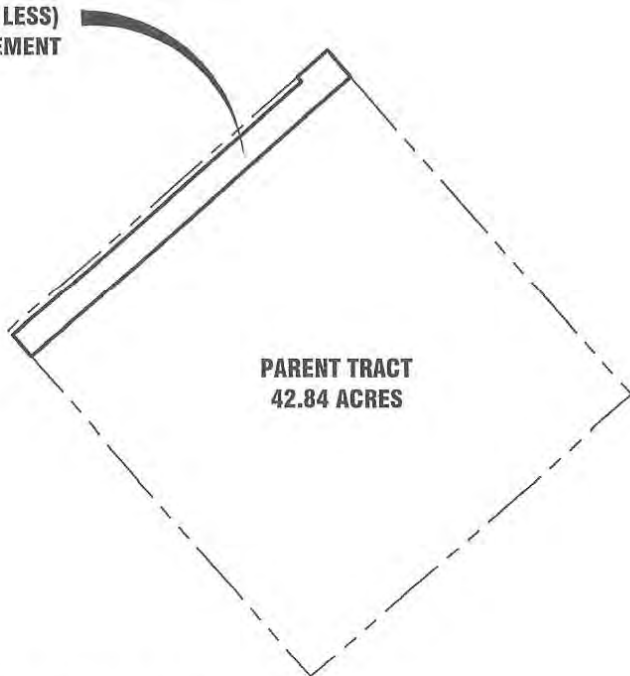
1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE IN U.S. SURVEY FEET. TO CONVERT TO GRID, APPLY THE COMBINED SCALE FACTOR OF 1.00013.
4. ANY UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON VISIBLE ABOVE GROUND LOCATION ONLY. ALL UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED NEITHER ANY SUBSURFACE UTILITY ENGINEERING LEVELS A-D WERE PERFORMED BY CP&Y. THERE MAY BE ADDITIONAL UTILITIES THAT CP&Y HAS NOT BEEN ADVISED OF. THERE MAY BE EASEMENTS, (DEFINED OR UNDEFINED), AND/OR RIGHTS-OF-WAY THAT AFFECT THE SUBJECT TRACT THAT CP&Y HAS NOT BEEN ADVISED OF.

SCHEDULE B COMMENTS:

CHICAGO TITLE INSURANCE COMPANY
GF# CTA-21-CTA1900214G
ISSUE DATE: APRIL 02, 2020

- 10.) RIGHT-OF-WAY DEED TO STATE OF TEXAS VOLUME 313, PAGE 278 D.R.G.C.T.
(DOES NOT AFFECT)

**2.821 ACRES
(122,883 SQ. FT. MORE OR LESS)
90' WIDE PERMANENT EASEMENT**



**PARENT TRACT
42.84 ACRES**

Date: Feb 15, 2020, 3:09pm User: Dr. Smith
File: G:\Projects\ARWA\1800532-Alliance Water Survey\SEGMENT D TITLES - Guadalupe County\034G\EXHIBIT EASEMENT\034G_PE_R03.dwg



200 W. Hwy 6, Suite 620, Waco, Texas 76712
254.772.9272 TBPELS 10194124



**Legal Description
2.821 Acre (122,883 Square Foot)
90 Foot Wide Permanent Easement**

BEING A 2.821 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE GEORGE ALLEN SURVEY, ABSTRACT NO. 1, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 42.84 ACRE TRACT OF LAND DESCRIBED IN DEED TO DALTON WAYNE ELAM, AS RECORDED IN VOLUME 975, PAGE 866 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T). SAID 2.821 ACRE 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch capped iron rod found and stamped "BYRN SURVEY", being the westerly common corner of said 42.84 acre tract and that called 2.006 acre tract of land described in deed to Samuel Montemayor and Ada Montemayor, as recorded in County Clerks File Number 2017023710 of said O.P.R.G.C.T., and lying on the southeast Right of Way (ROW) line of Farm to Market 1339 (80 foot wide ROW) for the north corner of the herein described tract;

THENCE S 41° 05' 06" E, along the common line of said 42.84 and 2.006 acre tracts, a distance of 110.00 feet, to a point for the east corner hereof. From which a 1/2 inch capped iron rod found and stamped "RLPS 4069", being the easterly common corner of said 42.84 acre tract and that called 138.508 acre tract of land described in deed to Dale Linebarger, as recorded in Volume 1666, Page 763 of said O.P.R.G.C.T. bears S 41° 05' 06" E, a distance of 1,290.92 feet;

THENCE S 48° 48' 41" W, leaving said common line, over and across said 42.84 acre tract, a distance of 1,337.65 feet, to a point, lying in the common line of said 42.84 acre tract and that called 10.00 acre tract of land described in deed to Dalton Wayne Elam and wife, Freda Lea Elam, as recorded in Volume 1291, Page 919 of said O.P.R.G.C.T., for the south corner hereof. From which a 5/8 inch capped iron rod found and stamped "BYRN & ASSOC", being the easterly common corner of said 42.84 acre tract and that called 42.08 acre tract of land described in deed to Jo Ann Elam Hearn, as recorded in Volume 975, Page 866 of said O.P.R.G.C.T. bears S 41° 06' 18" E, a distance of 1,278.63 feet;

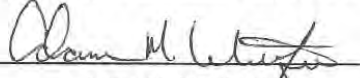
THENCE N 41° 06' 18" W, along the common line of said 42.84 and 10.00 acre tracts, a distance of 90.00 feet, to a point for the west corner hereof. From which an axle found, being the westerly common corner of said 42.84 and 10.00 acre tracts and lying on said FM 1339 southeast ROW line bears N 41° 06' 18" W, a distance of 20.00 feet;

THENCE over and across said 42.84 acre tract, the following two (2) courses and distances:

- 1) N 48° 48' 41" E, being 20 feet from the northwest line of said 42.84 acre tract and said southeast ROW line, when measured at right angles, a distance of 1,212.69 feet, to a point for an interior "ell" corner hereof;
- 2) N 41° 05' 06" W, a distance of 20.00 feet, to a point, lying in the common line of said 42.84 acres and said ROW line for corner;

THENCE N 48° 48' 41" E, along said common line, a distance of 125.00 feet, to the **POINT OF BEGINNING** and containing 2.821 acres, more or less.

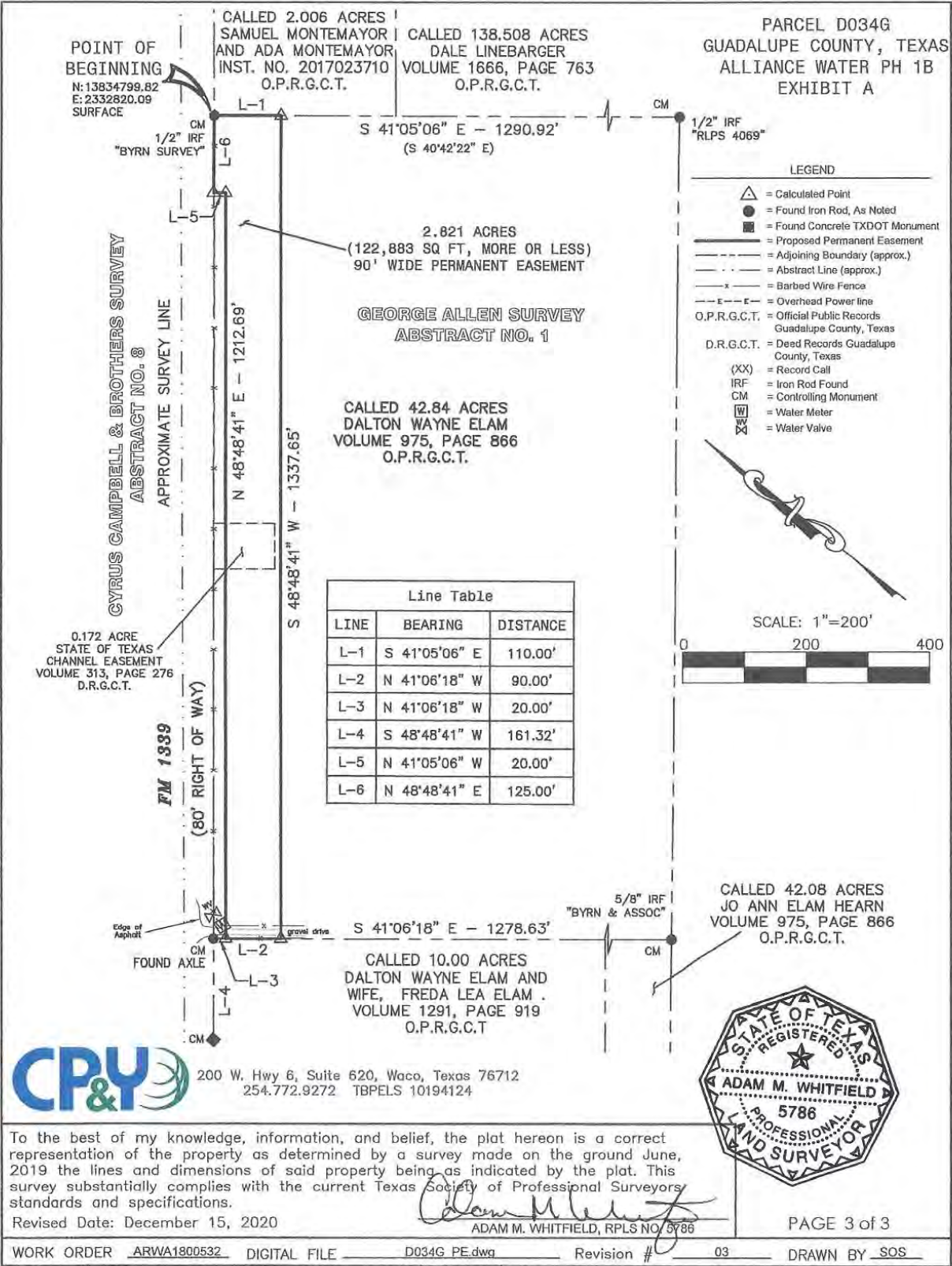
The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.


 Adam M. Whitfield
 Registered Professional Land Surveyor
 Texas Registration Number 5786

Date: 12-15-2020
 January 24, 2020

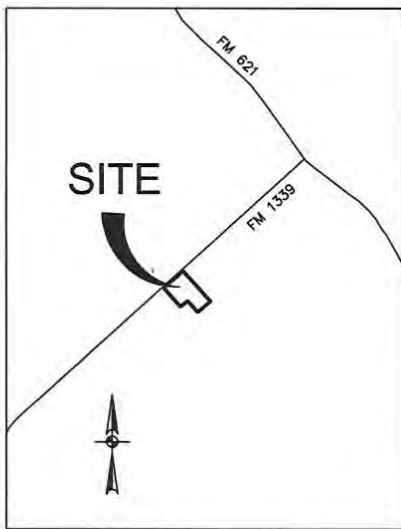
Revised Date: December 15, 2020





Parcel D035G

**PARCEL D035G
DALTON WAYNE ELAM, AND WIFE, FRED A
LEA ELAM, THEIR HEIRS & ASSIGNS
GUADALUPE COUNTY, TEXAS
ALLIANCE WATER PH 1B**



LOCATION MAP
NOT TO SCALE

NOTES:

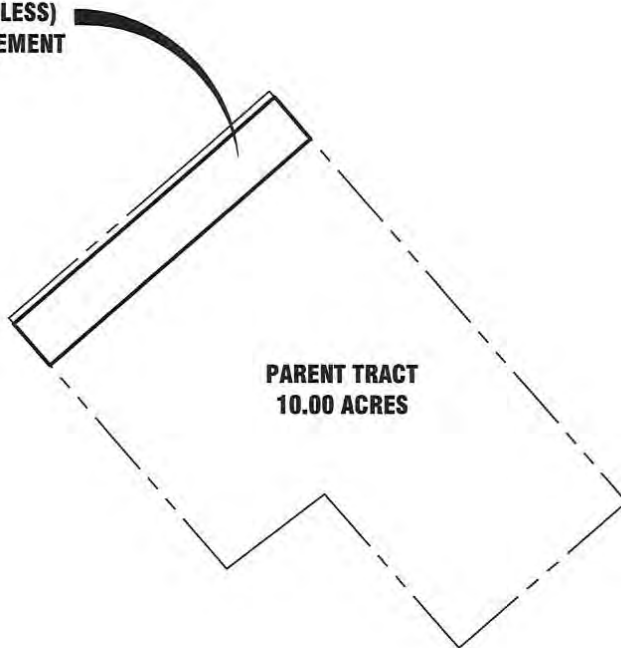
1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE IN U.S. SURVEY FEET. TO CONVERT TO GRID, APPLY THE COMBINED SCALE FACTOR OF 1.00013.
4. ANY UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON VISIBLE ABOVE GROUND LOCATION ONLY. ALL UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED NEITHER ANY SUBSURFACE UTILITY ENGINEERING LEVELS A-D WERE PERFORMED BY CP&Y. THERE MAY BE ADDITIONAL UTILITIES THAT CP&Y HAS NOT BEEN ADVISED OF. THERE MAY BE EASEMENTS, (DEFINED OR UNDEFINED), AND/OR RIGHTS-OF-WAY THAT AFFECT THE SUBJECT TRACT THAT CP&Y HAS NOT BEEN ADVISED OF.

SCHEDULE B COMMENTS:

CHICAGO TITLE INSURANCE COMPANY
GF# CTA-21-CTA1900215G
ISSUE DATE: FEBRUARY 20, 2020

- 10j.) ACCESS, WATER AND ELECTRIC LINE EASEMENT RESERVATION TO BECKY SUE ELAM SUTTERFIELD VOLUME 1291, PAGE 919 O.P.R.G.C.T. (DOES AFFECT AS SHOWN, BLANKET BY NATURE)

**1.170 ACRES
(50,965 SQ. FT. MORE OR LESS)
90' WIDE PERMANENT EASEMENT**



**PARENT TRACT
10.00 ACRES**



200 W. Hwy 6, Suite 620, Waco, Texas 76712
254.772.9272 TBPLS 10194124

Date: Aug 03, 2020, 10:02am User ID: esmith File: G:\Projects\ARWA1800532-Alliance Water\SURVEY\SEGMENT D TILES - Guadalupe County\D035G\EXHIBIT EASEMENT\D035G_PE_R01.dwg



**Legal Description
1.170 Acre (50,965 Square Foot)
90 Foot Wide Permanent Easement**

BEING A 1.170 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE GEORGE ALLEN SURVEY, ABSTRACT NO. 1, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 10.00 ACRE TRACT OF LAND DESCRIBED IN DEED TO DALTON WAYNE ELAM AND WIFE, FRED A LEA ELAM AS RECORDED IN VOLUME 1291, PAGE 919 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T). SAID 1.170 ACRE 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an axle found, being the northerly common corner of said 10.00 acre tract and that called 42.84 acre tract of land described in deed to Dalton Wayne Elam as recorded in Volume 975, Page 866 of said O.P.R.G.C.T., and lying in the southeast Right of Way (ROW) line of Farm to Market 1339 (80 foot wide ROW). From which a concrete TXDOT monument found in the northwest line of said 10.00 acres and lying in said southeast ROW line bears S 48° 48' 41" W, a distance of 161.32 feet;

THENCE S 41° 06' 18" E (record call is S 40° 42' 34" E), along the northeast line of said 10.00 acres and the southwest line of said 42.84 acres a distance of 20.00 feet, to a point for the **POINT OF BEGINNING** and the north corner of the herein described tract;

THENCE S 41° 06' 18" E (record call is S 40° 42' 34" E), continuing along said common line a distance of 90.00 feet, to a point for the northeast corner hereof. From which a 5/8 inch capped iron rod found stamped "Byrn & Assoc", being the easterly common corner of said 42.84 acre tract and that called 42.08 acre tract of land described in deed to Jo Ann Elam Hearn, as recorded in Volume 975, Page 866 of said O.P.R.G.C.T. bears S 41° 06' 18" E, a distance of 1,278.63 feet;

THENCE over and across said 10.00 acre tract, the following two (2) courses and distances:

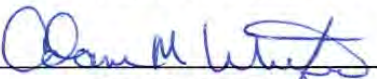
- 1) S 48° 48' 41" W, a distance of 161.44 feet, to a point for corner;
- 2) S 49° 05' 55" W, a distance of 404.68 feet, to a point lying in the southwest line of said 10.00 acre tract, being the northeast line of the remaining portion of said 12.19 acre tract, for the southeast corner hereof. From which a 1/2 inch iron rod found, being an interior "ell" corner of said 10.00 acre tract bears S 41° 05' 31" E a distance of 432.78 feet (record call is S 40° 46' 25" E);

THENCE N 41° 05' 31" W, along the common line of said 10.00 acre tract and the remaining portion of said 12.19 acre tract, a distance of 90.00 feet, to a point for the southwest corner hereof. From which a 1/2 inch iron rod found being the northerly common corner of said 10.00 acre tract and the remaining portion of said 12.19 acre tract and lying in said FM 1339 southeast ROW line bears N 41° 05' 31" W, a distance of 20.00 feet;

THENCE leaving said common line, over and across said 10.00 acre tract and 20 feet from the common northwest line of said 10.00 acres and said southeast ROW line, when measured at right angles, the following two (2) courses and distances:

- 1) N 49° 05' 55" E, a distance of 404.76 feet, to a point for corner;
- 2) N 48° 48' 41" E, a distance of 161.34 feet, to the **POINT OF BEGINNING** and containing 1.170 acres, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.



Adam M. Whitfield
Registered Professional Land Surveyor
Texas Registration Number 5786

Date: 08-03-2020
January 24, 2020

Revised Date: August 03, 2020

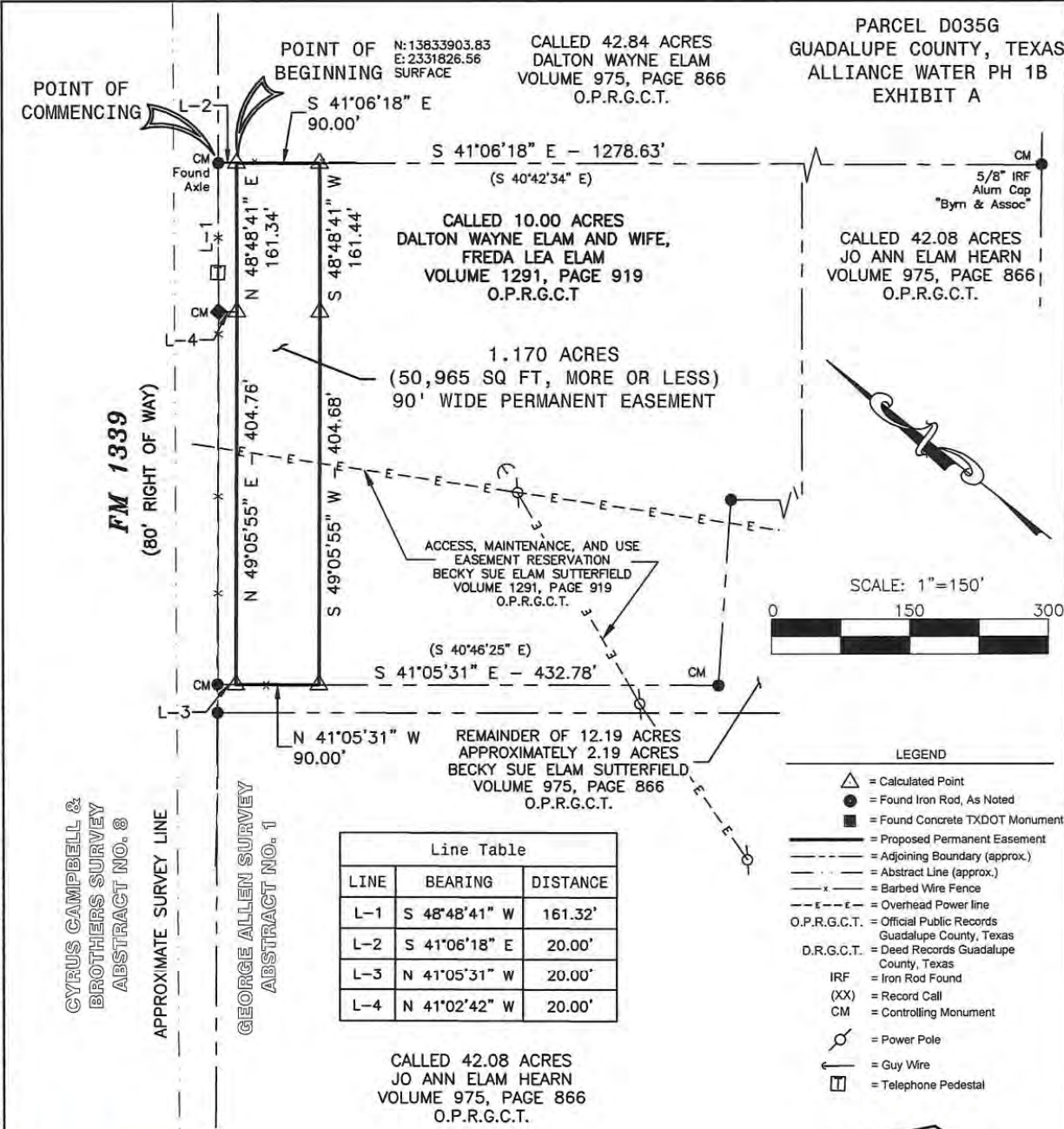
Page 2 of 3



200 West Highway 620
Waco, Texas 76712
TBPE # F-1741
TBPLS # 10194124
(p) 254.772.9272 - (f) 254.776.2924
www.cpyi.com



D035G R01



Line Table

LINE	BEARING	DISTANCE
L-1	S 48°48'41" W	161.32'
L-2	S 41°06'18" E	20.00'
L-3	N 41°05'31" W	20.00'
L-4	N 41°02'42" W	20.00'

Date: Aug 03, 2020, 10:01am User ID: ssmith
 File: G:\Projects\ARWA1800532-Alliance Water\Survey\SEGMENT D TITLES - Guadalupe County\DD35G\EXHIBIT EASEMENT\DD35G_PE_R01.dwg



200 W. Hwy 6, Suite 620, Waco, Texas 76712
 254.772.9272 TBPLS 10194124

To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground June, 2019 the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Revised Date: August 03, 2020

ADAM M. WHITFIELD, RPLS NO. 5786



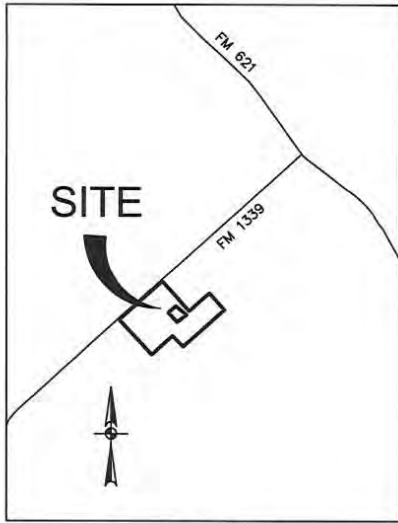
PAGE 3 of 3

WORK ORDER ARWA1800532 DIGITAL FILE D035G PE.dwg Revision # 01 DRAWN BY SOS

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Parcel D036G

**PARCEL D036G
JO ANN ELAM HEARN
GUADALUPE COUNTY, TEXAS
ALLIANCE WATER PH 1B**



LOCATION MAP
NOT TO SCALE

NOTES:

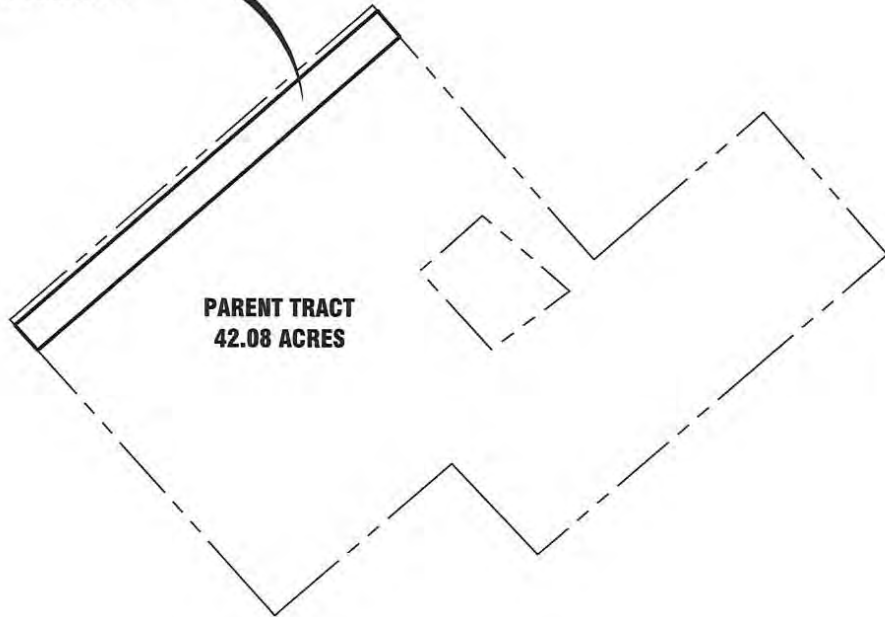
1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE IN U.S. SURVEY FEET. TO CONVERT TO GRID, APPLY THE COMBINED SCALE FACTOR OF 1.00013.
4. ANY UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON VISIBLE ABOVE GROUND LOCATION ONLY. ALL UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED NEITHER ANY SUBSURFACE UTILITY ENGINEERING LEVELS A-D WERE PERFORMED BY CP&Y. THERE MAY BE ADDITIONAL UTILITIES THAT CP&Y HAS NOT BEEN ADVISED OF. THERE MAY BE EASEMENTS, (DEFINED OR UNDEFINED), AND/OR RIGHTS-OF-WAY THAT AFFECT THE SUBJECT TRACT THAT CP&Y HAS NOT BEEN ADVISED OF.

SCHEDULE B COMMENTS:

CHICAGO TITLE INSURANCE COMPANY
GF# CTA-21-CTA1900217G
ISSUE DATE: FEBRUARY 20, 2020

- 10.) 30' WIDE ACCESS EASEMENT RESERVATION TO JO ANN HEARN VOLUME 1059, PAGE 980 O.P.R.G.C.T. (DOES AFFECT AS SHOWN)

**2.622 ACRES
(114,214 SQ. FT. MORE OR LESS)
90' WIDE PERMANENT EASEMENT**



**PARENT TRACT
42.08 ACRES**

Date: Aug 03, 2020, 9:34am User ID: ssmith
File: G:\Projects\ARWA1800532-Alliance Water\SURVEY\SECTION D TITLES - Guadalupe County\D036G\EXHIBIT EASEMENT D036G_PE_R02.dwg



200 W. Hwy 6, Suite 620, Waco, Texas 76712
254.772.9272 TBPLS 10194124

PAGE 1 of 3

WORK ORDER ARWA1800532 DIGITAL FILE D036G PE.dwg REVISION # 02 DRAWN BY SOS

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Partners for a Better Quality of Life

Legal Description
2.622 Acre (114,214 Square Foot)
90 Foot Wide Permanent Easement

BEING A 2.622 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE GEORGE ALLEN SURVEY, ABSTRACT NO. 1, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 42.08 ACRE TRACT OF LAND DESCRIBED IN DEED TO JO ANN ELAM HEARN AS RECORDED IN VOLUME 975, PAGE 866 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T.). SAID 2.622 ACRE 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch capped iron rod found stamped "Byrn Surveyors" being the northerly common corner of said 42.08 acre tract and that called 12.19 acre tract of land described in deed to Becky Sue Elam Sutterfield as recorded in Volume 975, Page 866 of said O.P.R.G.C.T., and lying in the southeast right of way (ROW) line of Farm to Market 1339 (80 foot wide ROW);

THENCE S 41° 09' 55" E (record call is S 40° 46' 25" E), leaving said R.O.W., along the common line of said 42.08 and 12.19 acre tracts, a distance of 20.00 feet, to a point for the **POINT OF BEGINNING** and the north corner of the herein described tract;

THENCE S 41° 09' 55" E, continuing along said common line, a distance of 90.00 feet, to a point for the east corner hereof. From which a 1/2 inch capped iron rod found stamped "Byrn & Assoc", being the southerly common corner of said 42.08 and 12.19 acre tracts bears S 41° 09' 55" E, a distance of 780.03 feet;

THENCE S 49° 05' 55" W, leaving said common line, over and across said 42.08 acre tract, a distance of 1,268.37 feet, to a point lying in the common line of said 42.08 acre tract and that called 193.94 acre tract of land described in deed to H. B. Mott Limited Partnership as recorded in Volume 4022, Page 684 of said O.P.R.G.C.T., being further described in Volume 510, Page 700, of the Deed Records of Guadalupe County, Texas (D.R.G.C.T.) for the south corner hereof. From which a 1/2 inch iron rod found, being the easterly common corner of said 42.08 and 193.94 acre tracts bears S 41° 55' 04" E, a distance of 939.44 feet (record call is S 41° 33' 07" E);

THENCE N 41° 55' 04" W, along the common line of said 42.08 and 193.94 acre tracts, a distance of 90.01 feet, to a point for the west corner hereof. From which a concrete TXDOT monument found, being the northerly common corner of said 42.08 and 193.94 acre tracts and lying in said FM 1339 southeast ROW line bears N 41° 55' 04" W, a distance of 20.00 feet;

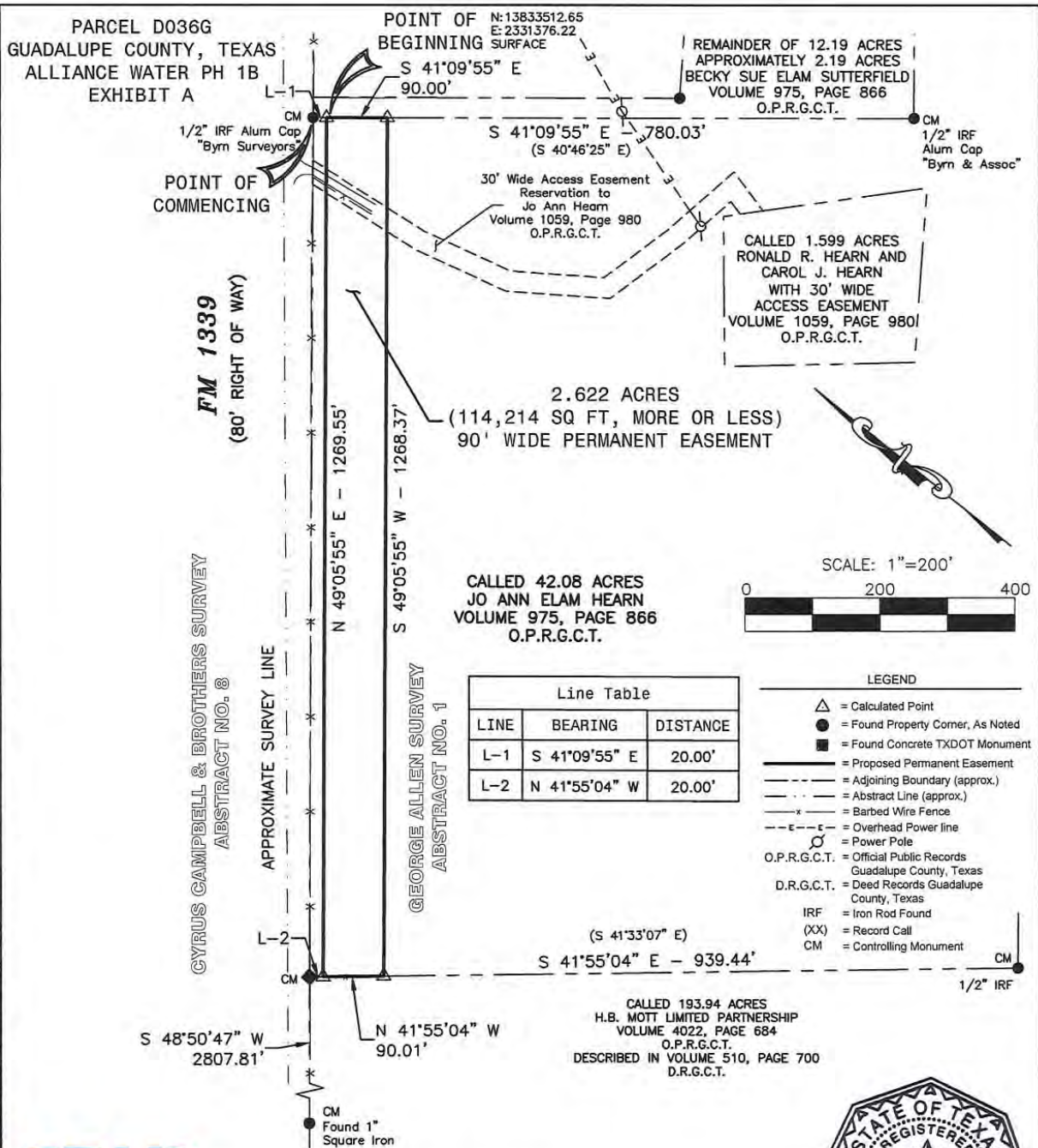
THENCE N 49° 05' 55" E, leaving said common line, over and across said 42.08 acre tract and 20 feet from the common line of said 42.08 acre tract and said FM 1339 southeast ROW line, when measured at right angles, a distance of 1,269.55 feet, to the **POINT OF BEGINNING** and containing 2.622 acres, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.

Adam M. Whitfield
Registered Professional Land Surveyor
Texas Registration Number 5786

Date: 08-03-2020
January 24, 2020

Revised Date: August 03, 2020

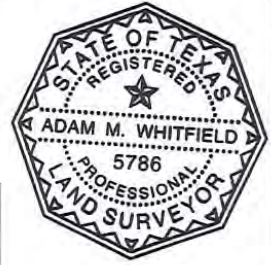


Line Table		
LINE	BEARING	DISTANCE
L-1	S 41°09'55" E	20.00'
L-2	N 41°55'04" W	20.00'



200 W. Hwy 5, Suite 620, Waco, Texas 76712
254.772.9272 TBPLS 10194124

To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground June, 2019 the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.
Revised Date: August 03, 2020
Adam M. Whitfield
ADAM M. WHITFIELD, RPLS NO. 5786





SAM, LLC
4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735
Ofc 512.447.0575 Fax 512.326.3029
info@sam.biz www.sam.biz TBPLS # 10064300



Legal Description
3.949 Acres (172,018 Square Foot)
90 Foot Wide Permanent Easement

BEING A 3.949 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND CALLED 58.578 ACRES, CONVEYED TO GREGORY W. KRAFT AND PAMELA SARLO-KRAFT, BY DEED RECORDED IN VOLUME 1466, PAGE 392, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS; SAID 3.949 ACRE, 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an Guadalupe-Blanco Aluminum Disk found at the southwest corner of said 58.578 acre tract, same being at the southeast corner of a called 127.78 acre tract, described in a deed to Dorothy Weltner Oelkers, Warren H. Weltner And Carol Weltner Smith and recorded in Document number 2018-99027921, Official Public records, Guadalupe County, Texas, further being the northwest margin of Weltner Road County Road 128;

THENCE N 44° 22' 35" W, with the common line of said 58.578 acre tract and said 127.78 acre tract, a distance of 1,265.03 feet to a point for the **POINT OF BEGINNING** and the southeasterly corner of this 90 foot wide permanent easement;

THENCE continuing N 44° 22' 35" W, with the common line of said 58.578 acre tract and said 127.78 acre tract, a distance of 90.00 feet to a 1/2-inch iron rod found at the northwest corner of said 58.578 acre tract, same being the northeast corner of said 127.78 acre tract, further being the southeast line of a called 95.37 acre tract, Tract 2 , described in a deed to Steven W. Timmermann and recorded in Volume 2109, Page 430, Official Public records, Guadalupe County, Texas, for the southwesterly corner of this 90 foot wide permanent easement;

THENCE N 45° 29' 54" E, with the common line of said 58.578 acre tract and said Tract 2, a distance of 1,911.18 feet to a 1/2-inch iron rod found at the northeast corner of said 58.578 acre tract, same being the southeast corner of said Tract 2, further being in the southwest margin of County Road 129, for the northwesterly corner of this 90 foot wide permanent easement;

THENCE S 44° 41' 32" E, with the common line of said 58.578 acre tract and said County Road 129, a distance of 90.00 feet to a point for the northeasterly corner of this 90 foot wide permanent easement; and



THENCE S 45° 29' 54 W, departing said common line, over and across said 58.578 acre tract, a distance of 1,911.68 feet to the **POINT OF BEGINNING** and containing 3.949 acres, more or less.

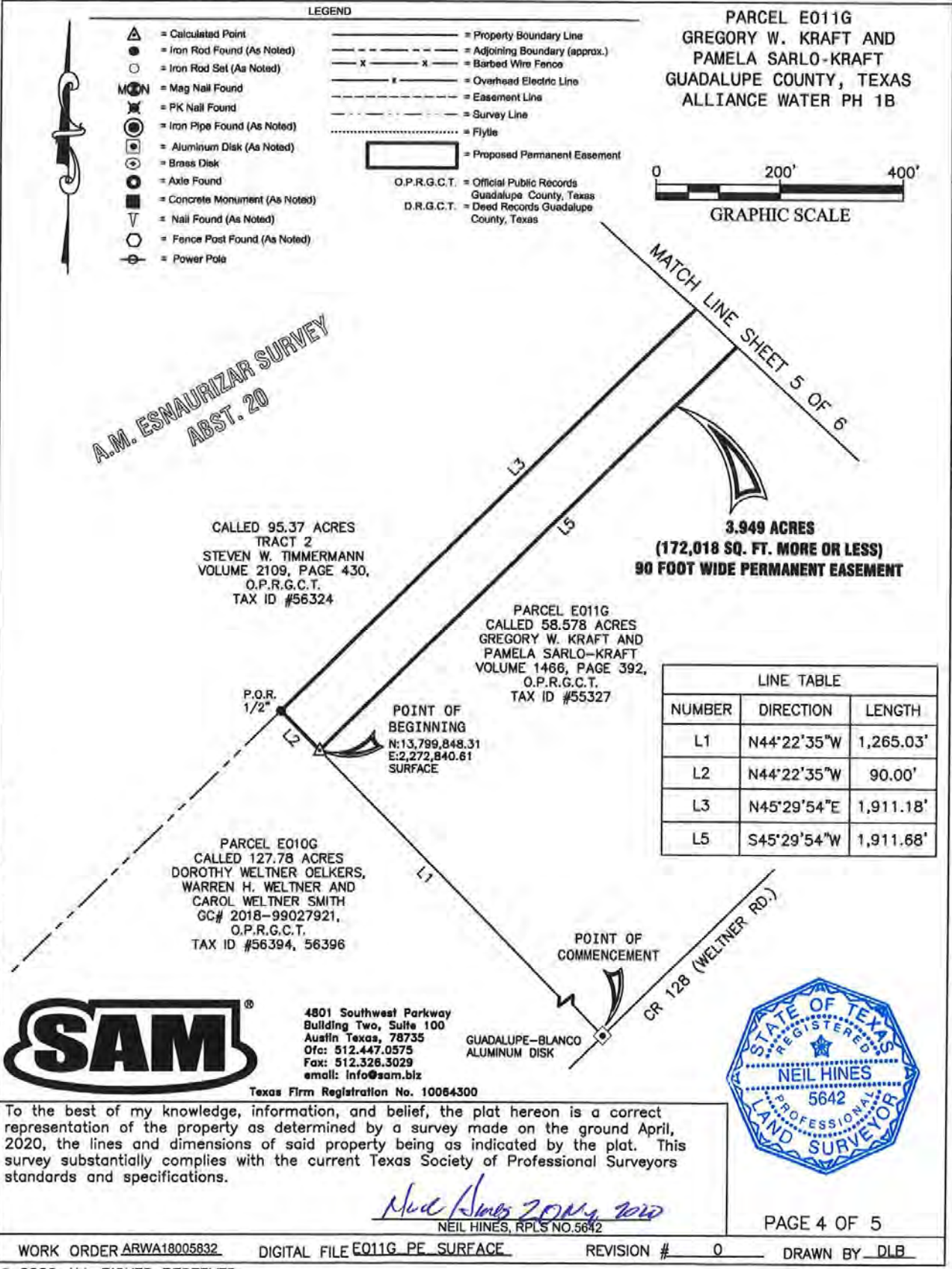
The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.

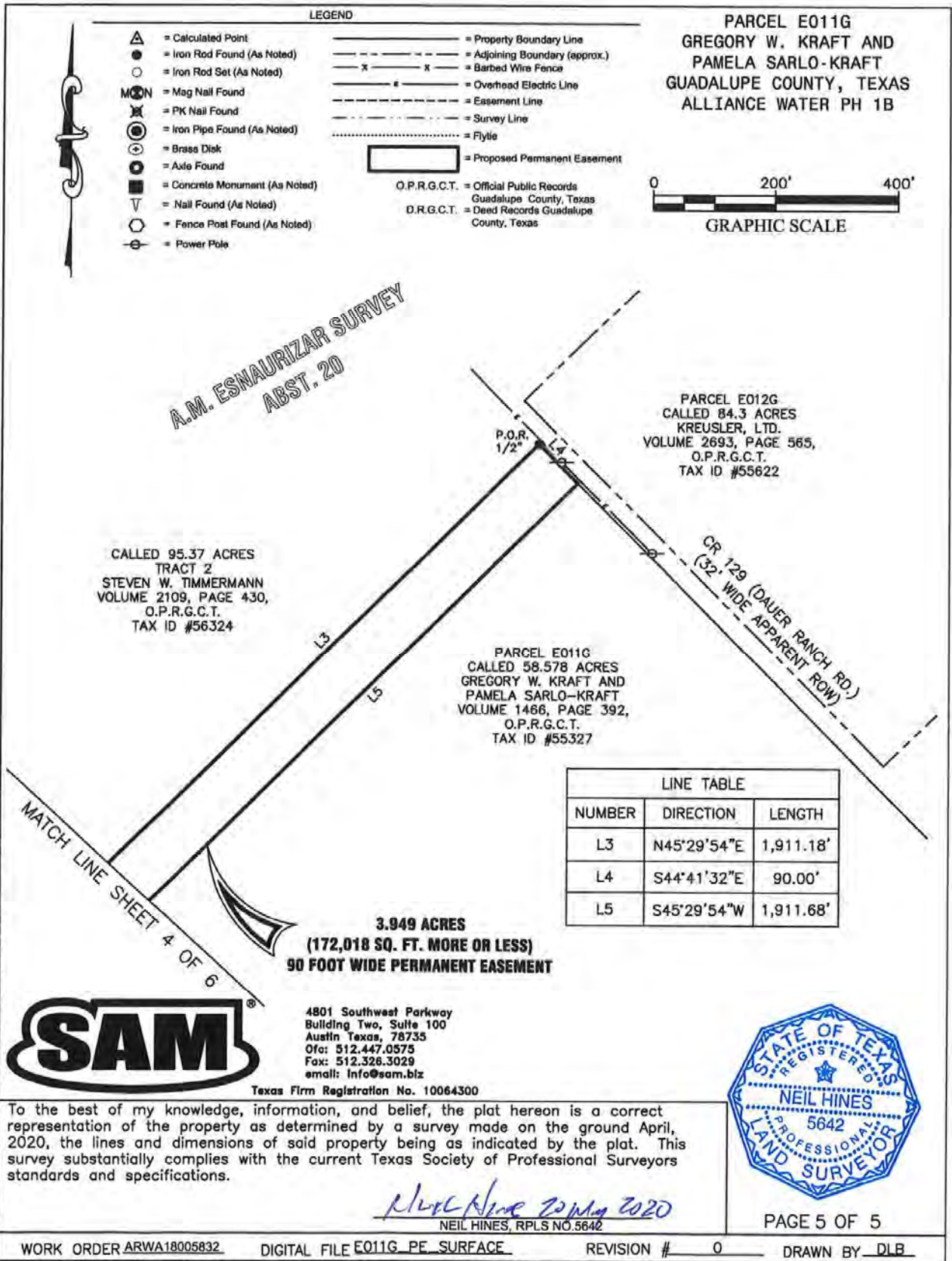
Neil Hines

Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642



Date: *20 May 2020*

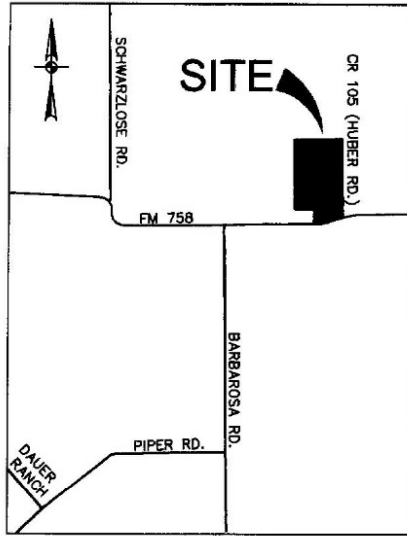




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Parcel E024G

PARCEL E024G
 HUBER 758, LLC,
 A TEXAS LIMITED LIABILITY COMPANY
 GUADALUPE COUNTY, TEXAS
 ALLIANCE WATER PH 1B



LOCATION MAP
 NOT TO SCALE

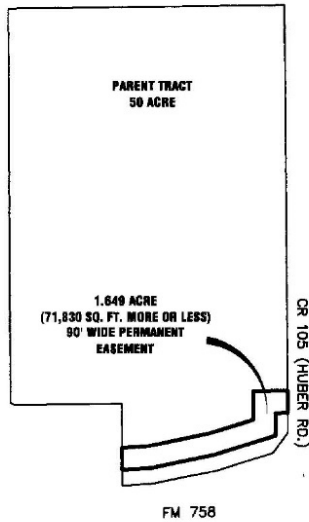
NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE IN U.S. SURVEY FEET. TO CONVERT TO GRID, APPLY THE COMBINED SCALE FACTOR OF 1.00013.
4. ANY UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON VISIBLE ABOVE GROUND LOCATION ONLY. ALL UNDERGROUND UTILITIES HAVE NOT BEEN FIELD VERIFIED NEITHER ANY SUBSURFACE UTILITY ENGINEERING LEVELS A-D WERE PERFORMED BY SAM. THERE MAY BE ADDITIONAL UTILITIES THAT SAM HAS NOT BEEN ADVISED OF

SCHEDULE B COMMENTS:

CHICAGO TITLE INSURANCE COMPANY
 GF# CTA-21-CTA1900988G
 ISSUE DATE: JULY 1, 2020

10q.) PIPE LINE EASEMENT BETWEEN MELVIN BORMANN, GRANTOR AND OASIS PIPE LINE COMPANY TEXAS L.P., GRANTEE RECORDED ON 11/09/1999 IN VOLUME 1473, PAGE 840, O.P.R.G.C.T. (DOES AFFECT AS SHOWN HEREON)



Date: Sep 04, 2020, 11:03am User: BZ, ned.three
 File: s:\1018043606E\1001\Survey\06\Plots\Segment_E_ParcelE024G\PLAT\00\E024G-RT_PE_SURFACE.dwg



4801 Southwest Parkway
 Building Two, Suite 100
 Austin Texas, 78735
 Ofc: 512.447.0575
 Fax: 512.326.3029
 email: info@sam.biz

Texas Firm Registration No. 10064300

PAGE 1 OF 5

WORK ORDER ARWA18005832 DIGITAL FILE E024G_PE REVISION # 1 DRAWN BY DJC

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SAM, LLC
 4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735
 Ofc 512.447.0575 Fax 512.326.3029
 info@sam.biz www.sam.biz TBPLS # 10064300



**Legal Description
 1.649 Acres (71,830 Square Foot)
 90 Foot Wide Permanent Easement**

BEING A 1.649 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF A CALLED 50 ACRE TRACT OF LAND, CONVEYED TO HUBER 758, LLC, BY DEED RECORDED IN DOCUMENT NO. 2018-000344, OFFICIAL PUBLIC RECORDS GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T.), SAID 1.649 ACRE, 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found at a southwesterly corner of said remainder of a called 50 acre tract and a northeast corner of a called 3.52 acre tract described in deed to Christopher Ryan Lawson and Amber Nicole Lawson and recorded in Document No. 2018-99003395, O.P.R.G.C.T.;

THENCE S 00° 48' 51" E, with the common line of said remainder of a called 50 acre tract and said 3.52 acre tract, a distance of 180.37 feet to a point on the common line of said remainder of a called 50 acre tract and said 3.52 acre tract, for the **POINT OF BEGINNING** and the northwesterly corner of this 90 foot wide permanent easement;

THENCE departing said common line, over and across said remainder of a called 50 acre tract the following five (5) courses and distances;

- 1) N 86° 19' 32" E, a distance of 106.81 feet to a point for an angle point of this 90 foot wide permanent easement;
- 2) N 78° 12' 52" E, a distance of 251.86 feet to a point for an angle point of this 90 foot wide permanent easement;
- 3) N 72° 38' 03" E, a distance of 193.28 feet to a point for an angle point of this 90 foot wide permanent easement;
- 4) N 00° 48' 33" W, a distance of 116.15 feet to a point for an angle point of this 90 foot wide permanent easement, and
- 5) N 89° 11' 27" E, a distance of 140.00 feet to a point on the east line of said remainder of a called 50 acre tract same being the existing west R.O.W. line of Huber Rd.;

THENCE S 00° 48' 33" E, with the east line of said remainder of a called 50 acre tract and existing west R.O.W. line of said Huber Rd., a distance of 90.00 feet to a point on the east line of said remainder of a called 50 acre tract and the existing west R.O.W. line of said Huber Rd.;

THENCE departing east line of said remainder of a called 50 acre tract and existing west R.O.W. line of said Huber Rd., over and across said remainder of a called 50 acre tract the following five (5) courses and distances;



- 1) S 89° 11' 27" W, a distance of 50.00 feet to a point for an angle point of this 90 foot wide permanent easement;
- 2) S 00° 48' 33" E, a distance of 93.29 feet to a point for an angle point of this 90 foot wide permanent easement. From which a 1/2-inch iron rod found on the south line of said remainder of 50 acre tract, same being on the existing north R.O.W line of FM 758 bears S 08°59'56" W, a distance of 72.55 feet;
- 3) S 72° 38' 03" W, a distance of 264.80 feet, to a point for an angle point of this 90 foot wide permanent easement;
- 4) S 78° 12' 52" W, a distance of 262.62 feet to a point for an angle point of this 90 foot wide permanent easement. From which a 1/2-inch iron rod found on the existing north R.O.W line of said FM 758 and the southerly line of said remainder of a called 50 acre tract bears S 07°43'48" E, a distance of 65.16 feet;
- 5) S 86° 19' 32" W, a distance of 117.69 feet to a point on a west line of said remainder of a called 50 acre tract same being the east line of said 3.52 acre tract;

THENCE N 00° 48' 51" W, with said common line, a distance of 90.11 feet to the **POINT OF BEGINNING** and containing 1.649 acres, more or less.

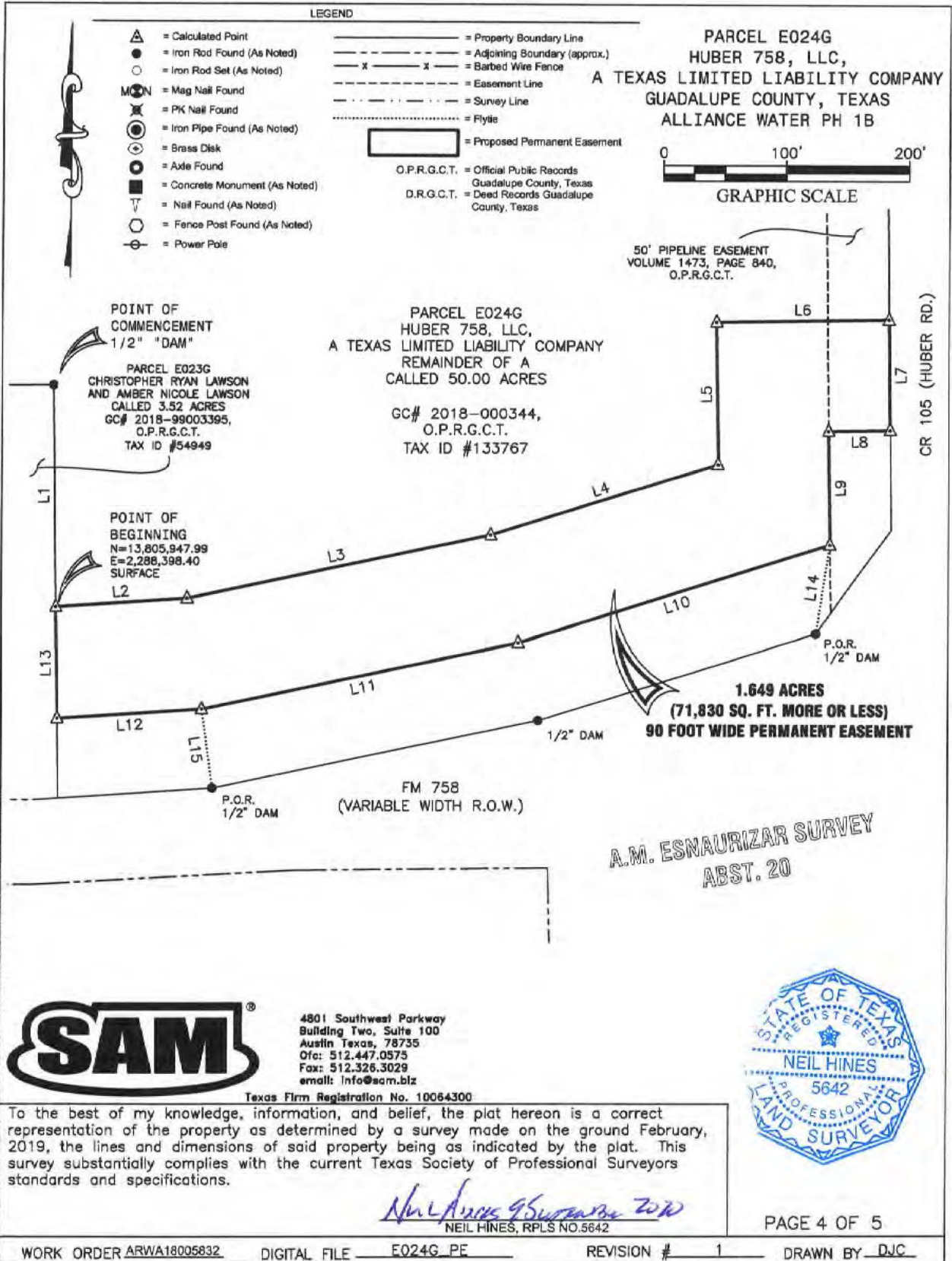
The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.

Neil Hines

Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642



Date: 9/5/2018 *NH*



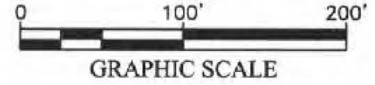
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LEGEND



- △ = Calculated Point
- = Iron Rod Found (As Noted)
- = Iron Rod Set (As Noted)
- MON = Mag Nail Found
- ✕ = PK Nail Found
- ⊙ = Iron Pipe Found (As Noted)
- ⊕ = Brass Disk
- ⊙ = Axle Found
- = Concrete Monument (As Noted)
- ▽ = Nail Found (As Noted)
- ⬡ = Fence Post Found (As Noted)
- ⊖ = Power Pole
- = Property Boundary Line
- - - = Adjoining Boundary (approx.)
- x - x - = Barbed Wire Fence
- - - - - = Easement Line
- · - · - · = Survey Line
- ⋯ = Flyte
- ▭ = Proposed Permanent Easement
- O.P.R.G.C.T. = Official Public Records
Guadalupe County, Texas
- D.R.G.C.T. = Deed Records Guadalupe
County, Texas

PARCEL E024G
 HUBER 758, LLC,
 A TEXAS LIMITED LIABILITY COMPANY
 GUADALUPE COUNTY, TEXAS
 ALLIANCE WATER PH 1B



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S00°48'51"E	180.37'
L2	N86°19'32"E	106.81'
L3	N78°12'52"E	251.86'
L4	N72°38'03"E	193.28'
L5	N00°48'33"W	116.15'
L6	N89°11'27"E	140.00'
L7	S00°48'33"E	90.00'
L8	S89°11'27"W	50.00'
L9	S00°48'33"E	93.29'
L10	S72°38'03"W	264.80'
L11	S78°12'52"W	262.62'
L12	S86°19'32"W	117.69'
L13	N00°48'51"W	90.11'
L14	S08°59'56"W	72.55'
L15	S07°43'48"E	65.16'

Date: Sep 08, 2020, 11:08am User: E:\neil.hines
 File: z:\101604\300E\100\Survey\DWG\PLAT\00\E024G-RT_PE_SURFACE.dwg



4801 Southwest Parkway
 Building Two, Suite 100
 Austin Texas, 78735
 Ofc: 512.447.0575
 Fax: 512.326.3029
 email: info@sam.biz

Texas Firm Registration No. 10064300

To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground February, 2019, the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Neil Hines
 NEIL HINES, RPLS NO. 5642

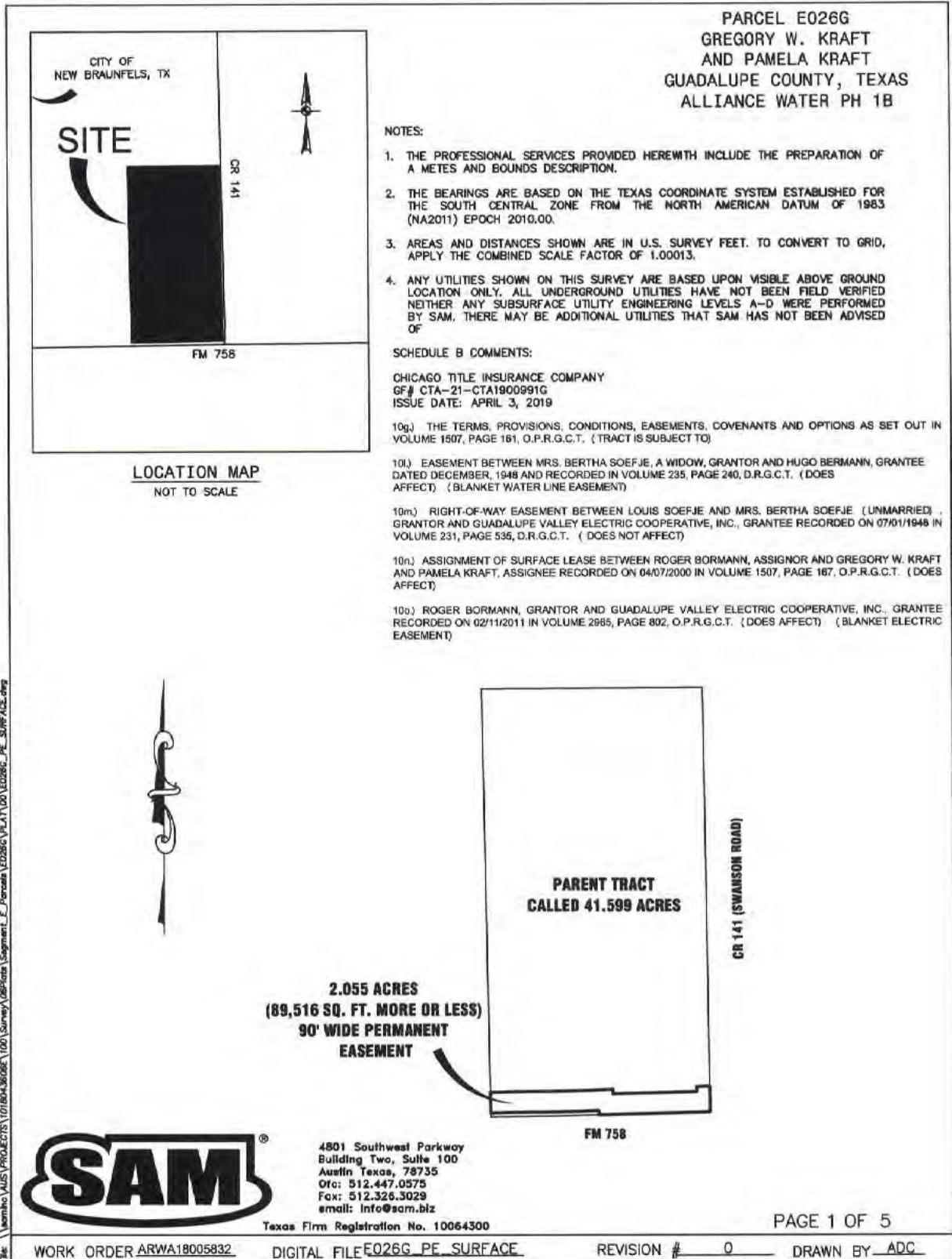


PAGE 5 OF 5

WORK ORDER ARWA18005832 DIGITAL FILE E024G PE REVISION # 1 DRAWN BY DJC

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Parcel D026G



PARCEL E026G
 GREGORY W. KRAFT
 AND PAMELA KRAFT
 GUADALUPE COUNTY, TEXAS
 ALLIANCE WATER PH 1B

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00.
3. AREAS AND DISTANCES SHOWN ARE IN U.S. SURVEY FEET. TO CONVERT TO GRID, APPLY THE COMBINED SCALE FACTOR OF 1.00013.
4. ANY UTILITIES SHOWN ON THIS SURVEY ARE BASED UPON VISIBLE ABOVE GROUND LOCATION ONLY. ALL UNDERGROUND UTILITIES HAVE NOT BEEN FIELD VERIFIED NEITHER ANY SUBSURFACE UTILITY ENGINEERING LEVELS A-D WERE PERFORMED BY SAM. THERE MAY BE ADDITIONAL UTILITIES THAT SAM HAS NOT BEEN ADVISED OF

SCHEDULE B COMMENTS:

CHICAGO TITLE INSURANCE COMPANY
 GF# CTA-21-CTA1900991G
 ISSUE DATE: APRIL 3, 2019

- 10g.) THE TERMS, PROVISIONS, CONDITIONS, EASEMENTS, COVENANTS AND OPTIONS AS SET OUT IN VOLUME 1507, PAGE 161, O.P.R.G.C.T. (TRACT IS SUBJECT TO)
- 10i.) EASEMENT BETWEEN MRS. BERTHA SOEFJE, A WIDOW, GRANTOR AND HUGO BERMAN, GRANTEE DATED DECEMBER, 1948 AND RECORDED IN VOLUME 235, PAGE 240, D.R.G.C.T. (DOES AFFECT) (BLANKET WATER LINE EASEMENT)
- 10m.) RIGHT-OF-WAY EASEMENT BETWEEN LOUIS SOEFJE AND MRS. BERTHA SOEFJE (UNMARRIED), GRANTOR AND GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC., GRANTEE RECORDED ON 07/01/1948 IN VOLUME 231, PAGE 535, D.R.G.C.T. (DOES NOT AFFECT)
- 10n.) ASSIGNMENT OF SURFACE LEASE BETWEEN ROGER BORMANN, ASSIGNOR AND GREGORY W. KRAFT AND PAMELA KRAFT, ASSIGNEE RECORDED ON 04/07/2000 IN VOLUME 1507, PAGE 167, O.P.R.G.C.T. (DOES AFFECT)
- 10o.) ROGER BORMANN, GRANTOR AND GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC., GRANTEE RECORDED ON 02/11/2011 IN VOLUME 2865, PAGE 802, O.P.R.G.C.T. (DOES AFFECT) (BLANKET ELECTRIC EASEMENT)

LOCATION MAP
 NOT TO SCALE

PARENT TRACT
 CALLED 41.599 ACRES

2.055 ACRES
 (89,516 SQ. FT. MORE OR LESS)
 90' WIDE PERMANENT
 EASEMENT



4801 Southwest Parkway
 Building Two, Suite 100
 Austin Texas, 78735
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 Fax: 512.326.3029
 email: info@sam.biz

Texas Firm Registration No. 10064300



SAM, LLC
 4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735
 Ofc 512.447.0575 Fax 512.326.3029
 info@sam.biz www.sam.biz TBPLS # 10064300



**Legal Description
 2.055 Acres (89,516 Square Foot)
 90 Foot Wide Permanent Easement**

BEING A 2.055 ACRE, 90 FOOT WIDE PERMANENT EASEMENT, SITUATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, GUADALUPE COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 41.599 ACRE TRACT, DESCRIBED IN A DEED TO GREGORY W. KRAFT AND PAMELA KRAFT, RECORDED IN VOLUME 1507, PAGE 164, OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T.); SAID 2.055 ACRE 90 FOOT WIDE PERMANENT EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with a plastic cap stamped "BLS 2024" found, at the northwest corner of said 41.599 acre tract, same being at the northeast corner of the remainder of a called 160.00 acre tract, described as Tract One in a deed to Roger Bormann, recorded in Voume 890, Page 74, of the Official Records of Guadalupe County, Texas (O.R.G.C.T.);

THENCE S 01° 08' 26" E, with the common line of said 41.599 acre tract and said remainder of a called 160.00 acre tract, a distance of 1,772.21 feet, to a point, for the **POINT OF BEGINNING** and the northwest corner of this 90 foot wide permanent easement;

THENCE departing said common line, over and across said 41.599 acre tract the following eight (8) courses and distances:

- 1) N 88° 49' 41" E, a distance of 107.17 feet, to a point, for an angle corner of this easement,
- 2) N 89° 18' 05" E, a distance of 200.24 feet, to a point, for an angle corner of this easement,
- 3) N 88° 28' 06" E, a distance of 126.88 feet, to a point, for an angle corner of this easement,
- 4) N 87° 14' 01" E, a distance of 107.25 feet, to a point, for an angle corner of this easement,
- 5) S 01° 32' 48" E, a distance of 20.10 feet, to a point, for an angle corner of this easement,
- 6) N 88° 31' 23" E, a distance of 369.27 feet, to a point, for an angle corner of this easement,
- 7) N 01° 32' 48" W, a distance of 22.17 feet, to a point, for an angle corner of this easement,
and
- 8) N 89° 18' 59" E, a distance of 56.80 feet, to a point on the common line of said 41.599 acre tract and the existing west ROW line of County Road 141 (Swanson Road), for the northeast corner of this easement. From said point, a 1/2-iron rod with a plastic cap stamped "TRI COUNTY" found, for the northeast corner of said 41.599 acre tract, bears N 00° 58' 11" W, 1,751.75 feet;

THENCE S 00° 58' 11" E, with said common line, a distance of 111.39 feet, to a 1/2-inch iron rod found on the common line of said 41.599 acre tract and the existing north ROW line of FM 758 (a variable width ROW), for the southeast corner of said 41.599 acre tract and this easement;



THENCE S 88° 31' 23" W, departing the common line of said 41.599 acre tract and the existing west ROW of said County Road 141 (Swanson Road), with the common line of said 41.599 acre tract and the existing north ROW line of said FM 758, a distance of 488.92 feet, to a point, for an angle corner of this easement;

THENCE departing said common line, over and across said 41.599 acre tract the following five (5) courses and distances:

- 1) N 02° 45' 59" W, a distance of 18.64 feet, to a point, for an angle corner of this easement,
- 2) S 87° 14' 01" W, a distance of 41.92 feet, to a point, for an angle corner of this easement,
- 3) S 88° 28' 06" W, a distance of 128.50 feet, to a point, for an angle corner of this easement,
- 4) S 89° 18' 05" W, a distance of 200.52 feet, to a point, for an angle corner of this easement, and
- 5) S 88° 49' 41" W, a distance of 106.85 feet, to a point on the common line of said 41.599 acre tract and said remainder of a called 160.00 acre tract, for the southwest corner of this easement. From said point, a 1/2-iron rod found for the southwest corner of said 41.599 acre tract, same being the southeast corner of said remainder of a called 160.00 acre tract, bears S 01° 08' 26" E, 17.69 feet;

THENCE N 01° 08' 26" W, with said common line, a distance of 90.00 feet, to the **POINT OF BEGINNING** and containing 2.055 acres, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are in U.S. Survey Feet and may be converted to grid by applying the combined scale factor of 1.00013.

Neil Hines

Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642

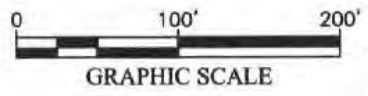


Date: 26 Jun 2020

LEGEND

- = Calculated Point
- = Iron Rod Found (As Noted)
- = Iron Rod Set (As Noted)
- = Mag Nail Found
- = PK Nail Found
- = Iron Pipe Found (As Noted)
- = Brass Disk
- = Axe Found
- = Concrete Monument (As Noted)
- = Nail Found (As Noted)
- = Fence Post Found (As Noted)
- = Power Pole
- = Mailbox
- = Telephone Pedestal
- = Water Faucet
- = Guy Wire
- = Property Boundary Line
- = Adjoining Boundary (approx.)
- = Barbed Wire Fence
- = Easement Line
- = Survey Line
- = Flytle
- = Overhead Electric
- = Proposed Permanent Easement

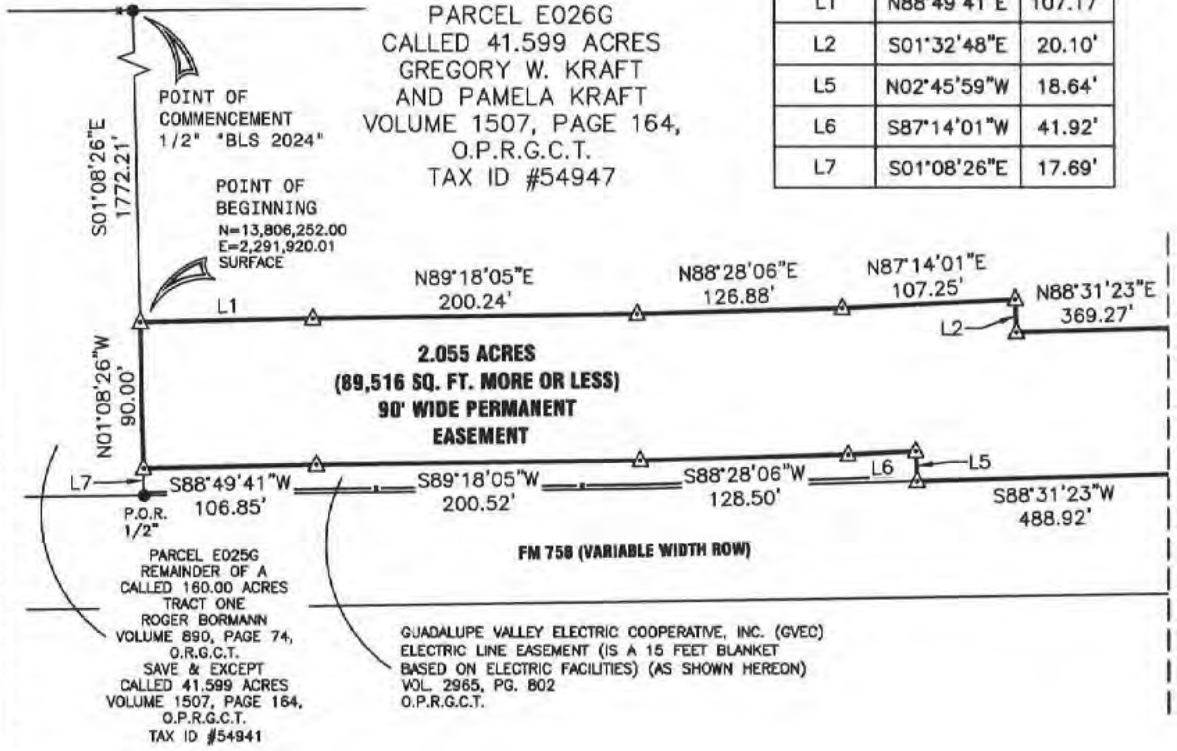
PARCEL E026G
GREGORY W. KRAFT
AND PAMELA KRAFT
GUADALUPE COUNTY, TEXAS
ALLIANCE WATER PH 1B



O.P.R.G.C.T. = Official Public Records
Guadalupe County, Texas
D.R.G.C.T. = Deed Records Guadalupe
County, Texas

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 20

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N88°49'41"E	107.17'
L2	S01°32'48"E	20.10'
L5	N02°45'59"W	18.64'
L6	S87°14'01"W	41.92'
L7	S01°08'26"E	17.69'



MATCHLINE PAGE 5



4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@som.biz

Texas Firm Registration No. 10064300



To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground February, 2019, the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Neil Hines
NEIL HINES, RPLS NO. 5642

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WORK ORDER ARWA18005832 DIGITAL FILE E026G_PE_SURFACE REVISION # 0 DRAWN BY ADC

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REGULAR MEETING
Alliance Regional Water Authority Board of Directors

BOARD MEMBER PACKETS
Wednesday, April 28, 2021 at 3:00 P.M.
Conference Call Number: 1-903-405-2572; Code: 757 448 344#

K. ADJOURNMENT
