

GUADALUPE-BLANCO RIVER AUTHORITY

Minutes of the Board of Directors

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on April 21, 2021, at the GBRA, Annex Building Board Room, 905 Nolan, Seguin, Guadalupe County, Texas. Directors present were Dennis Patillo, Don B. Meador, Kenneth Motl, William R. Carbonara, Steven B. Ehrig, Andra Wisian and Sheila Old. Present in the Annex Building at 905 Nolan Street, Seguin, Texas Kevin Patteson, General Manager/Chief Executive Officer; Darrell Nichols, Senior Deputy General Manager; Jonathan Stinson, Deputy General Manager; Vanessa Guerrero, Executive Manager of Administration; David Harris, Executive Manager of Operations; Nathan Pence, Executive Manager of Environmental Science and Community Affairs; Randy Staats, Executive Manager of Finance/Chief Financial Officer; Courtney Kerr-Moore, Associate General Counsel; Earnie Granville, Associate General Counsel; Lindsey Campbell, Public Relations/Communications Manager; Bridget Hinze Weber, Strategic and Community Affairs Manager and Chad Norris, Deputy Executive Manager of Environmental Science.

General Manager/CEO Patteson addressed all regarding the conducting of the meeting. The Public had access to the proceedings through the following means: 1. by webinar link on computer or smart phone; Webinar Link: <https://attendee.gotowebinar.com/register/2245054724051211276> 2. by using the GoToWebinar App on computer or smartphone (access will be available for public comments during the designated portion of the meeting) 3.- use the webinar ID 356-564-531; by telephone (for listening purposes only) - Call In Number: 631-992-3221; Audio

Access Code: 174-059-770; and 4. by appearing at GBRA Seguin Offices to make comments. The public was also able to view presentations.

Chairman Patillo called the meeting to order at 10:00 a.m., and took note of the certifications presented that notice of the meeting had been properly posted in the office of the Secretary of State, in the Guadalupe County Courthouse, at the GBRA main office and at the GBRA Annex Building in Seguin, Texas, pursuant to Title 5, Chapter 551 of the Texas Government Code. A quorum being present, the following proceedings were had:

Chairman Patillo led the Pledge of Allegiance to the United States flag and the Texas flag.

The Chairman called for **Chairman Item 1 - Consideration of and possible action approving a Resolution honoring Guadalupe-Blanco River Authority 2021 retiree James King**. Director Patillo read a Resolution honoring James King for his 40 years of dedicated and meritorious service to the Guadalupe-Blanco River Authority. Chairman Patillo thanked James King for his 40 years of dedication to GBRA. Upon Motion by Director Motl, seconded by Director Carbonara, the Board unanimously approved a Resolution honoring GBRA 2021 retiree James King. A copy of the Resolution is attached and made a part of these minutes.

Next, the Chairman called for **Chairman Item 2- Welcome new and re-appointed Directors and administer Oath of Office to Sheila L. Old, Andra M. Wisian, Dennis L. Patillo, William R. Carbonara, Don B. Meador and Stephen B. Ehrig**. Chairman Patillo welcomed Andra M. Wisian and Sheila L. Old to the Board. The Honorable William D. Old, 25th Judicial District Judge for Guadalupe County, Texas, administered the *Oath*

of Office to Sheila L. Old, Andra M. Wisian, Dennis L. Patillo, William R. Carbonara, Don B. Meador and Stephen B. Ehrig.

The Chairman called for **Chairman Item 3 - Consideration of and possible action approving a Resolution honoring Ron Hermes for his outstanding leadership during his service as a Director of the Guadalupe-Blanco River Authority Board of Directors**. Upon Motion by Director Motl, seconded by Director Carbonara, the Board unanimously approved a Resolution honoring GBRA Board of Director, Ron Hermes. A copy of the Resolution is attached and made a part of these minutes.

Next, the Chairman called for **Chairman Item 4 - Comments from the public**. There were no public comments.

The Chairman then called for **Consent Item 5 - Consideration of and possible action approving the minutes of the March 17, 2021 Board meeting; Consent Item 6 Consideration of and possible action approving the monthly financial report for March 2021; Consent Item 7 - Consideration of and possible action approving the monthly operations report for March 2021 and Consent Item 8 Consideration of and possible action approving Directors' expense vouchers**. Upon Motion by Director Carbonara, seconded by Director Motl, the Board unanimously approved Consent Items 5, 6, 7 and 8.

The Chairman then called for **General Manager/CEO Item 9 - The General Manager/CEO and staff may report on, and the Board may discuss, executive reports and/or issues relating to GBRA activities including without limitation, the following: GBRA water and sewer utility operations, hydroelectric operations, GBRA facilities management including plants and dams, safety, water resources**

planning and operation, construction management, economic and community development, project development, accounting and finance, records management, grants and financial assistance, human resources, information technology, communications, social media, education programs, resource protection, weather and climate, river flows and other scientific issues, public and private entities partnering with GBRA, water quality services, community affairs, environmental programs, stewardship, and update on GBRA Safety Work Plan. Amanda Reichle, Safety and Risk Manager, gave a report indicating that there were no lost time accidents or injuries in the last month. One positive Covid-19 case was reported and GBRA continues to monitor Covid-19 Data in the surrounding counties. GBRA is implementing some annual refresher trainings to include defensive driving and an active shooter course. Next, Vanessa Guerrero, Executive Manager of Administration, briefed the Board on projects completed and in progress since the March Board meeting regarding Team Administration to include human resources, regulatory and customer affairs, education and information technology communication. Nathan Pence, Executive Manager of Environmental Science and Community Affairs briefed the Board on the Gorge to include the Outdoor Lab to be completed early summer and the increase in tours on the North Rim Trail. The GBRA Water Quality Lab is now under the direction of Environmental Science department. Mr. Pence discussed the Endangered Species Program, a Lake Dunlap Workshop, the discovery in Plum Creek of Guadalupe Orb, a freshwater mussel. Chad Norris, Deputy Executive Manager of Environmental Science briefed the Board on the Comprehensive Land and Conservation Easement Mapping Plan for the whooping crane.

The Chairman then called for **Action Item 10 - Consideration of and possible action authorizing the General Manager/CEO to solicit bids, negotiate and execute a contract to purchase materials necessary to upgrade water distribution mains in the Calhoun Rural County Water System.** David Harris, Executive Manager of Operations is seeking the approval to authorize Kevin Patteson, General Manager/CEO to solicit bids, negotiate and execute a contract for the expansion of the water distribution mains in the Calhoun Rural County Water System due to growing customer base to include 100 new requests for service. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Action Item 10 authorizing the General Manager/CEO to solicit bids, negotiate and execute a contract to purchase materials necessary to upgrade water distribution mains in the Calhoun Rural County Water System.

The Chairman called for **Action Item 11 - Consideration of and possible action authorizing the General Manager/CEO to solicit bids, negotiate and execute a contract to rehabilitate components of the electric transmission system.** David Harris, Executive Manager of Operations is seeking the approval to authorize Kevin Patteson, General Manager/CEO to solicit bids, negotiate and execute a contract to maintain, rehabilitate and repair components related to transmission of power generated by the hydro-electric system in the Guadalupe Valley Hydro System. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Action Item 11 authorizing the General Manager/CEO to solicit bids, negotiate and execute a contract to rehabilitate components of the electric transmission system.

The Chairman called for **Action Item 12 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement with Springs Hill Water Supply Corporation for billing services for GBRA Dietz retail wastewater customers.** Randy Staats, Executive Manager of Finance/Chief Financial Officer, is seeking approval for Kevin Patteson, General Manager/CEO to enter into a contract with Springs Hill Water Supply Corporation for inclusion of GBRA wastewater billing component to current Dietz retail water customers. Upon Motion by Director Meador, seconded by Director Motl, the Board unanimously approved Action Item 12 authorizing the General Manager/CEO to negotiate and execute an agreement with Springs Hill Water Supply Corporation for billing services for GBRA Dietz retail wastewater customers.

The Chairman called for **Action Item 13 - Consideration of and possible action authorizing the General Manager/CEO to execute a Memorandum of Understanding in support of the Edwards Aquifer Authority's "The Next Generation" concept for collaborative research and restoration in the Guadalupe River Basin throughout the Texas Hill Country.** Nathan Pence, Executive Manager of Environmental Science and Community Affairs, is seeking Board approval to execute a Memorandum of Understanding to collaborate in the exploration, identification and development of projects of mutual benefit to GBRA and the Edwards Aquifer Authority (EAA) to restore the Guadalupe River Basin throughout the Texas Hill Country. Upon Motion by Director Meador, seconded by Director Motl, the Board unanimously approved Action Item 13 authorizing the General Manager/CEO to execute a Memorandum of Understanding in

support of the Edwards Aquifer Authority's "The Next Generation" concept for collaborative research and restoration in the Guadalupe River Basin throughout the Texas Hill Country.

The Chairman called for **Discussion Item 14 - Consideration and possible action authorizing the General Manager/CEO to negotiate and execute a contract with the lowest responsible bidder for the installation of replacement intake screens for the Regional Raw Water Delivery System Pump Station No. 2.** Mikk Griffin, GBRA Project Engineers, is seeking Board authorization for the General Manager/CEO to negotiate and execute a contract for replacement of intake screens on Lake Dunlap Regional Raw Water Delivery System Pump Station No. 2 . The intact screens serve as a barrier to the system to remove any unwanted debris accumulation. The damage to three (3) of the five (5) screens was discovered when the canal water elevation dropped due to the dam failure. In addition to the new design, the new screens will be covered with a copper nickel alloy to protect against the zebra mussels accumulation on the screens. This is a time sensitive project due to the increase due to the demands during the summer months. Bids are due at the end of April and projected completion is early summer. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Action Item 14 authorizing the General Manager/CEO to negotiate and execute a contract with the lowest responsible bidder for the installation of replacement intake screens for the Regional Raw Water Delivery System Pump Station No. 2.

The Chairman called for **Discussion Item 15 – Mid-Year presentation and up-date on GBRA's Fiscal Year 2021 Work Plan and Budget.** Randy Staats, Executive Manager of Finance/Chief Financial Officer, briefed the Board on the 2021 Budget to include

budget focus, summary of the budget, revenue comparison, customer response to winter storm, comparison of expenses, financial impact of the winter storm and legal expenses. Mr. Staats also discussed the FY 22 Budget growth.

The Chairman called for Discussion Item 16 - Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin. Charlie Hickman, Executive Manager of Engineering and Development, briefed the Board on the Guadalupe River Basin hydrologic conditions. The majority of the basin is in the severe drought category. The Edwards Aquifer is at the stage two drought level. Currently, Comal Springs is flowing around 210 cfs. Surface flows across the entire basin are well below median flows.

There being no further business to be brought before the Board, the open meeting was recessed at 11:13 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:20 a.m. pursuant to Chapter 551, Texas.

The Board reconvened in open session at 12:13 p.m. Chairman Patillo had to leave at approximately 12:00 pm. The remaining Board comprised of Directors Don B. Meador, Kenneth Motl, William R. Carbonara, Steven B. Ehrig, Andra Wisian and Sheila Old reconvened in open session at 12:13 p.m. The Vice-Chairman Director Meador called for further **Consent Item- Authorizing the General Manager/CEO to file a lawsuit to enforce GBRA's easement rights on property owned by Edwin & Shannah Donhauser located near the Stein Falls capital improvement project in Guadalupe County and take all actions necessary or advisable to prosecute that case to resolution.** Courtney Kerr-Moore, Associate

General-Counsel, briefed the Board on the current situation requiring legal action to enforce GBRA's easement rights for removal of a dam/berm located on the easement. Upon Motion by Director Carbonara, seconded by Director Ehrig, the Board unanimously approved Action Item authorizing the General Manager/CEO to file a lawsuit to enforce GBRA's easement rights on property owned by Edwin & Shannah Donhauser located near the Stein Falls capital improvement project in Guadalupe County and take all actions necessary or advisable to prosecute that case to resolution.

The Vice-Chairman Director Meador called for further **Consent Item to ratify the filing of the GBRA's original petition, application for temporary and permanent injunction, and request for a temporary restraining order against Audra L. Henke and Artie E. Henke in Calhoun County, and authorize the General Manager to take all actions necessary or advisable to prosecute the case to resolution.** Earnie Granville, Associate General-Counsel, briefed the Board on the petition for declaratory judgment recognizing a GBRA easement established through adverse possession and by necessity; as well as injunctive relief and immediate relief of a Temporary Restraining Order in order to maintain the historical Status Quo to keep the canal clear in Calhoun County. Upon Motion by Director Carbonara, seconded by Director Wisian, the Board unanimously approved Action Item authorizing the General Manager/CEO to ratify the filing of the GBRA's original petition, application for temporary and permanent injunction, and request for a temporary restraining order against Audra L. Henke and Artie E. Henke in Calhoun County, and authorize the General Manager to take all actions necessary or

advisable to prosecute the case to resolution. Director Motl recused himself from the vote.

There being no further business to be brought before the Board, the meeting was adjourned at 12:19 p.m. subject to call by the Vice-Chairman.

Chairman

Secretary