

**GUADALUPE-BLANCO RIVER AUTHORITY**  
**Minutes of the Board of Directors**  
**July 20, 2022**

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on July 20, 2022, at the GBRA Annex Building Board Room, 905 Nolan, Seguin, Guadalupe County, Texas. Directors present were Dennis Patillo, Don Meador, Sheila Old, William Carbonara, Andra Wisian, Steve Ehrig, Kenneth Motl, Oscar Fogle and Emanuel Valdez. Present in the Annex Building at 905 Nolan Street, Seguin, Texas were Darrell Nichols, Senior Deputy General Manager; Jonathan Stinson, Deputy General Manager; Vanessa Guerrero, Executive Manager of Administration; David Harris, Executive Manager of Operations; Charlie Hickman, Executive Manager of Engineering; Randy Staats, Executive Manager of Finance/Chief Financial Officer; Nathan Pence, Executive Manager of Environmental Science; Tommy Hill, Senior Advisor to the General Manager; Ann Price, Outside Counsel; Joe Cole, General Counsel; Courtney Kerr-Moore, Assistant General Counsel; Justin Adkins, Assistant General Counsel; and Amanda Reichle, Safety and Risk Manager.

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:

Director Ehrig led the Pledges of Allegiance to the United States flag and the Texas flag.

The Chairman called for **Chairmen Item 1 - Consideration of and possible action creating an ad-hoc committee to review and make recommendations related to conservation grant requests.** Chairman Patillo addressed the Board for the consideration to create an ad-hoc committee to review and make recommendations related to conservation grant requests funding from the GBRA Trust. The Committee will be comprised of Director Wisian, Director Old and Director Ehrig. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Chairman Item 1 creating an ad-hoc committee to review and make recommendations related to conservation grant requests.

The Chairman then called for **Chairman Item 2 - Consideration of and possible action approving a Resolution honoring Guadalupe-Blanco River Authority 2022 retiree Jeff McKee.** Upon Motion by Director Meador, seconded by Director Fogle, the Board unanimously approved a Resolution honoring GBRA retiree Jeff McKee. A copy of the Resolution is attached and made a part of these minutes.

The Chairman then called for **Public Comments from the public.** The Chairman recognized Drew Miller, attorney representing Calhoun County rice farmers to discuss rate increases for rice water in 2023. Chairman Patillo then recognized Nick Weaver, Project Manager with GDS Associates, to discuss Calhoun County water rates for rice farmers.

The Chairman then called for **Consent Item 4 - Consideration of and possible action approving the minutes of the June 15, 2022 Board meeting; Consent Item 5 - Consideration of and possible action approving the monthly financial report for June 2022; Consent Item 6 - Consideration of and possible action approving the monthly operations report for June 2022; Consent Item 7 - Consideration of and possible action approving Directors' expense vouchers for June 2022; and Consent Item 8 - Consideration of and possible action to approve a change order with SJ Louis Construction in the amount of \$55,557.43 for access road reinforcement, fiber optic cable installation, and weather delays on the Carrizo Groundwater Supply Project Surface Facilities (Change Order #3).** Upon Motion by Director Fogle, seconded by Director Carbonara, the Board unanimously approved Consent Items 4, 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.** David Harris, Executive Manager of Operations, briefed the Board on new operator licenses and various upgrades recently obtained by operations staff. Mr. Harris also discussed the Coletto Creek Lake “Texas Sharelunker” Stocking program release of about 54,000 Lone Star bass fingerlings. The Board was briefed on the saltwater barrier and how it works. A wastewater pump training day was conducted at Lockhart WTP, and operators were brought in from Lockhart, Shadow Creek, and Sunfield to obtain some hands-on experience with various repair issues. Excavation has begun on the Sunfield WWTP Expansion project. Mr. Harris also discussed the Calhoun Canal repairs currently underway and the various issues relating to the delivery of water through the canals to customers. Amanda Reichle, Safety and Risk Manager, gave a safety update stating that in the past month there were no lost time incidents, two incident reports, and nine active COVID-19 cases reported. GBRA safety instruction classes conducted in July focused on spotter safety, safety-distracted driving, and lab hood safety. GBRA is continuing to stress the importance of heat-related prevention measures.

The Chairman called for a recess at 11:09 a.m. and reconvened the meeting in open session at 11:19 a.m.

Next, the Chairman called for **Action Item 10 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute Amendment One of Contract No. 582-22-30081 with the Texas Commission on Environmental Quality for the Texas Clean Rivers Program within the Guadalupe River Basin.**

Elizabeth Edgerton, Water Quality Program Supervisor, is seeking authorization to execute Amendment One of a contract with the Texas Commission on Environmental Quality in order to increase the funding by \$200,338.00 in order to cover costs for work being performed under the current contract and the expansion of additional monitoring sites. Upon Motion by Director Motl, seconded by Director Meador, the Board unanimously approved Action Item 10 authorizing the General Manager/CEO to negotiate and execute Amendment One of Contract No. 582-22-30081 with the Texas Commission on Environmental Quality for the Texas Clean Rivers Program within the Guadalupe River Basin.

The Chairman then called for **Action Item 11 - Consideration of and possible action finding that the existing easement property for the Carrizo Groundwater Supply Project in Caldwell County is surplus and is not needed and authorizing the General Manager/CEO to execute an Easement Release for Trina Roberts.** Courtney Kerr-Moore, Assistant General Counsel, is seeking authorization to execute an Easement Release in Caldwell County for the Carrizo Groundwater Supply Project for the Roberts property. This easement will be exchanged for a new modified easement to better reflect the needs of the project. Upon Motion by Director Old, seconded by Director Carbonara, the Board unanimously approved Action Item 11 authorizing the General Manager/CEO to execute an Easement Release for Trina Roberts.

The Chairman called for **Action Item 12 - Consideration of and possible action finding that the existing easement property for the Carrizo Groundwater Supply Project in Caldwell County is surplus and is not needed and authorizing the General**

**Manager/CEO to execute an Easement Release for Chad and Andrea Smith.**

Courtney Kerr-Moore, Assistant General Counsel, is seeking authorization to execute an Easement Release in Caldwell County, Texas for the Carrizo Groundwater Supply Project for the Smith property. This easement will be exchanged for a new modified easement to better reflect the needs of the project. Upon Motion by Director Wisian, seconded by Director Fogle, the Board unanimously approved Action Item 12 authorizing the General Manager/CEO to execute an Easement Release for Chad and Andrea Smith.

The Chairman called for **Action Item 13 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Reimbursement Agreement with Hays County related to the Windy Hill Relocation Project.** Peter Newell, Director of Engineering, is seeking authorization to negotiate and execute a Reimbursement Agreement with Hays County to reimburse GBRA for eligible services related to design, permitting, and construction costs to extend casings to the new ROW limits of Windy Hill. Upon Motion by Director Wisian, seconded by Director Meador, the Board unanimously approved Action Item 13 authorizing the General Manager/CEO to negotiate and execute a Reimbursement Agreement with Hays County related to the Windy Hill Relocation Project.

The Chairman called for **Action Item 14 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Reimbursement Agreement with Hays County related to the FM 621 Relocation Project.** Peter Newell, Director of Engineering, is seeking authorization to execute a Reimbursement Agreement with Hays County to reimburse GBRA for eligible services related to design, permitting,

and construction costs to extend casings to the new ROW limits of the FM 621 Relocation Project. Upon Motion by Director Wisian, seconded by Director Meador, the Board unanimously approved Action Item 14 authorizing the General Manager/CEO to negotiate and execute a Reimbursement Agreement with Hays County related to the FM 621 Relocation Project.

The Chairman called for **Action Item 15 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder, based on a Competitive Sealed Proposal process which provides the best value for the Guadalupe-Blanco River Authority, for the FM 621 and Windy Hill Pipeline Relocation project.** Peter Newell, Director of Engineering, is seeking authorization for the General Manager to execute a contract with the highest rank bidder, due to a planned TXDOT expansion encroaching into GBRA's easement and raw water pipeline in multiple locations, based on the Competitive Sealed Proposal process. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Action Item 15 authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder, based on a Competitive Sealed Proposal process which provides the best value for the Guadalupe-Blanco River Authority, for the FM 621 and Windy Hill Pipeline Relocation project.

The Chairman called for **Action Item 16 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder, based on a Competitive Sealed Proposal process which provides the best value for the Guadalupe-Blanco River Authority, for the Goff**

**Bayou Radial Gate Replacement Project.** Brian Perkins, Deputy Executive Manager of Engineering, is seeking authorization for the General Manager/CEO to execute a contract for the replacement of the Goff Bayou Radial Gate, part of a grant agreement with PepsiCo. Upon Motion by Director Motl, seconded by Director Carbonara, the Board unanimously approved Action Item 16 authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder, based on a Competitive Sealed Proposal process which provides the best value for the Guadalupe-Blanco River Authority, for the Goff Bayou Radial Gate Replacement Project.

Next, the Chairman called for **Action Item 17 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder based on a Competitive Sealed Proposal process, which provides the best value for the Guadalupe-Blanco River Authority, for selection of a crest gate manufacturer for the Lake Placid and Lake McQueeney Spillgate Replacement and Armoring projects.** Charlie Hickman, Executive Manager of Engineering, is seeking authorization for the General Manager/CEO to execute a contract with the selected crest gate manufacturer for the Lake Placid and Lake McQueeney Spillgate Replacement and Armoring projects for gate design, fabrication, and oversight of installation and commissioning activities during construction. Upon Motion by Director Wisian, seconded by Director Old, the Board unanimously approved Action Item 17 authorizing the General Manager/CEO to negotiate and execute a Contract with the highest ranked bidder based on a Competitive Sealed Proposal process, which provides the best value for the Guadalupe-Blanco River Authority, for



selection of a crest gate manufacturer for the Lake Placid and Lake McQueeney Spillgate Replacement and Armoring projects.

The Chairman then called for **Discussion Item 18 - Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin.** Charlie Hickman, Executive Manager of Engineering, briefed the Board on Guadalupe River Basin hydrologic conditions. The Edwards Aquifer and the majority of the basin are showing below-average precipitation conditions with declining flows. Canyon Lake is showing about 904.78 feet. Currently, Comal Springs is flowing around 108 cfs.

There being no further business to be brought before the Board, the open meeting was recessed at 11:59 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:59 a.m. pursuant to Chapter 551, Texas Government Code.

The open meeting reconvened at 1:01 p.m.

The Chairman called for a vote on the Motion by Director Meador to appoint Darrell Nichols, Senior Deputy General Manager, as Acting General Manager/CEO of GBRA with general executive charge, management and control of properties, business and operations of GBRA with all such powers as may be reasonably be incident to such responsibilities as General Manager/CEO as provided for in the GBRA Enabling Act, By-Laws of the GBRA Board of Directors, and GBRA Board Policy. Upon Motion by Director Meador, seconded by Director Fogle, the Board unanimously approved the Motion to appoint Darrell Nichols as Acting General Manager/CEO of GBRA with general executive charge, management and control of properties, business and operations of GBRA with

all such powers as may be reasonably be incident to such responsibilities as General Manager/CEO as provided for in the GBRA Enabling Act, By-Laws of GBRA Board of Directors and GBRA Board Policy.

There being no further business to be brought before the Board, the meeting was adjourned at 1:02 p.m. subject to call by the Chairman.

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Chairman

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Secretary