

**GUADALUPE-BLANCO RIVER AUTHORITY**  
**Minutes of the Board of Directors**  
**September 21, 2022**

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on September 21, 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 Kevin Patteson; Darrell Nichols, Acting General Manager/CEO; 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; Joe Cole, General Counsel; Courtney Kerr-Moore, Assistant General Counsel; Justin Adkins, Assistant General Counsel; Amanda Reichle, Safety and Risk Manager; and Kevin Jacobs, Outside Counsel.

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

The Chairman then called for **Public Comments from the public**. There were no public comments.

The Chairman called for **Consent Item 2 - Consideration of and possible action approving the minutes of the August 17, 2022 Board meeting; Consent Item 3 - Consideration of and possible action approving the monthly financial report for August 2022; Consent Item 4 - Consideration of and possible action approving the monthly operations report for August 2022; Consent Item 5 - Consideration of and possible action approving Directors' expense vouchers for August 2022; Consent Item 6 - Consideration of and possible action to approve a change order with Zachry Construction in the amount of \$57,075.47 for work associated with the October 14, 2021 flood event on the Lake Dunlap Spillgate Replacement and Dam Armoring Project (Change Order #16); and Consent Item 7 - Consideration of and possible action to approve a change order with FA Nunnely in the amount of \$107,453.88 for audio/visual system changes, office safety changes, structural changes, and civil changes on the New Braunfels Office Expansion project (Change Order #2)**. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Consent Items 2, 3, 4, 5, 6 and 7.

The Chairman then called for **General Manager/CEO Item 8 - 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.** Randy Staats, Executive Manager of Finance/CFO, briefed the Board on bond issuance activities, reimbursement resolutions, recent fraud attempts and internal controls and upcoming items to include bond transactions, defined benefits pension plan, and the FY22 financial audit. Next, Amanda Reichle, Safety and Risk Manager, gave a safety update stating that in the past month there were no lost time incidents of injuries or illnesses. Safety awards were presented to all eligible employees at the recent staff meeting in New Braunfels. Focused efforts will begin with the selected consultants on the FY 2023 Hazard Mitigation Plan due next fall. Charlie Hickman, Executive Manager of Engineering, introduced a new employee, Ernest Saldonyo, Construction Inspector, to the Board.

Next, the Chairman called for **Action Item 9 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Small Utility Enterprise Agreement (SUEA) contract with Esri, GBRA's existing GIS software vendor, to significantly increase available GIS licensing and advance the**

**use and functionality of GBRA's enterprise GIS platform.** Mysti Downing, GIS Administrator, is seeking authorization for a three-year unlimited licensing agreement with ESRI GIS Software for a suite of advanced licensing including unlimited server, desktop and extension licenses, a developer license for creating custom tools, Creator and Utility Network user licenses for GBRA's Portal, custom applications and tools. Upon Motion by Director Fogle, seconded by Director Wisian, the Board unanimously approved Action Item 9 authorizing the Acting General Manager/CEO to negotiate and execute a Small Utility Enterprise Agreement (SUEA) contract with Esri, GBRA's existing GIS software vendor, to significantly increase available GIS licensing and advance the use and functionality of GBRA's enterprise GIS platform.

The Chairman then called for **Action Item 10 - Consideration of and possible action adopting the GBRA Strategic Plan for 2023-2028.** Jonathan Stinson, Deputy General Manager, is seeking adoption of the GBRA Strategic Plan for 2023-2028. Upon Motion by Director Fogle, seconded by Director Carbonara, the Board unanimously approved Action Item 10 adopting the GBRA Strategic Plan for 2023-2028.

The Chairman called for **Action Item 11 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate a contract with the Texas Water Trade for water for environmental flows for up to 3 years.** Nathan Pence, Executive Manager of Environmental Science, is seeking authorization to negotiate a contract with Texas Water Trade, a Texas nonprofit organization, to purchase water from GBRA for wildlife water purposes. Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Action Item 11 authorizing the

Acting General Manager/CEO to negotiate a contract with the Texas Water Trade for water for environmental flows for up to 3 years.

The Chairman called for **Action Item 12 - Consideration of and possible action ratifying execution of a purchase order by the Acting General Manager/CEO related to repairs at the Saltwater Barrier in Calhoun County.** Courtney Kerr-Moore, Assistant General Counsel, is seeking ratification of the purchase order for repairs at the Saltwater Barrier in Calhoun County. Upon Motion by Director Motl, seconded by Director Ehrig, the Board unanimously approved Action Item 12 ratifying execution of a purchase order by the Acting General Manager/CEO related to repairs at the Saltwater Barrier in Calhoun County.

The Chairman called for **Action Item 13 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute multiple contracts with a collective amount not to exceed \$5,000,000 related to the design and construction of repairs to the Saltwater Barrier Dam.** Charlie Hickman, Executive Manager of Engineering, is seeking authorization to negotiate multiple contracts for the gate system, on-call design services and various other contracts relating to crane and pump rental, demolition, building modification and electrical system installation for repairs to the Saltwater Barrier Dam. Upon Motion by Director Motl, seconded by Director Meador, the Board unanimously approved Action Item 13 authorizing the Acting General Manager/CEO to negotiate and execute multiple contracts with a collective amount not to exceed \$5,000,000 related to the design and construction of repairs to the Saltwater Barrier Dam.

The Chairman then called for **Action Item 14 - Consideration of and possible action adopting a Resolution Expressing Official Intent to reimburse costs incurred to design, construct, and equip infrastructure repairs and replacement to the Diversion Dam & Saltwater Barrier.** Randy Staats, Executive Manager of Finance/CFO, is seeking adoption of a Resolution allowing reimbursement from bond funds for funds expended related to the design, construction, equipping of infrastructure, repairs to and replacement of the Diversion Dam & Saltwater Barrier. Upon Motion by Director Motl, seconded by Director Carbonara, the Board unanimously approved Action Item 14 adopting a Resolution Expressing Official Intent to reimburse costs incurred to design, construct, and equip infrastructure repairs and replacement to the Diversion Dam & Saltwater Barrier. A copy of the Resolution is attached and made a part of these minutes.

The Chairman then called for **Action Item 15 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute purchase orders for the purchase of furniture, fixtures, and equipment for the GBRA office building in New Braunfels.** Randy Staats, Executive Manager of Finance/CFO, is seeking authorization to purchase furniture, fixtures, equipment and the necessary technology for the GBRA office building in New Braunfels. Bond proceeds for the project were received in May 2022, which included funds to furnish the building. Upon Motion by Director Old, seconded by Director Wisian, the Board unanimously approved Action Item 15 authorizing the Acting General Manager/CEO to negotiate and execute purchase orders for the purchase of furniture, fixtures, and equipment for the GBRA office building in New Braunfels.

The Chairman then called for **Action Item 16 - Consideration of and possible action adopting the Management Audit Report performed during 2022 and authorizing submission to the Texas Commission on Environmental Quality.** Randy Staats, Executive Manager of Finance/CFO, is seeking adoption of the Management Audit Report conducted by ABIP in June and July 2022 as prescribed by Texas Administrative Code (TAC) Title 30 Rule 292.13(6)(a) to be submitted to the Texas Commission on Environmental Quality. Mike Del Toro, the representative from ABIP, provided a summary to the Board of the management audit. Upon Motion by Director Wisian, seconded by Director Motl, the Board unanimously approved Action Item 16 adopting the Management Audit Report performed during 2022 and authorizing submission to the Texas Commission on Environmental Quality.

Next, the Chairman then called for **Action Item 17 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Joint Funding Agreement between the United States Geological Survey and GBRA for the period October 2022 through September 2023 for stream gauge monitoring.** Charlie Hickman, Executive Manager of Engineering, is seeking authorization to execute a Joint Funding Agreement to fund ongoing maintenance to the existing fifty-four river gauges to continue to provide stage and stream flow gauging and water quality testing at various sites in the basin. Upon Motion by Director Fogle, seconded by Director Wisian, the Board unanimously approved Action Item 17 authorizing the Acting General Manager/CEO to negotiate and execute a Joint Funding

Agreement between the United States Geological Survey and GBRA for the period October 2022 through September 2023 for stream gauge monitoring.

Next, the Chairman then called for **Action Item 18 - Consideration of and possible action authorizing the Acting General Manager/CEO to make payment to the Sunfield Municipal Utility District for pipeline work and approving an amendment to the GBRA Fiscal Year 2023 Work Plan and Budget for the project.**

Amy Uniacke, Treatment Design Director, briefed the Board on the sewer pipe owned by GBRA within the Sunfield Municipal Utility District that was exposed due to stormwater erosion. Ms. Uniacke is seeking authorization to make payment on behalf of GBRA to Sunfield Municipal Utility District for GBRA's portion of the repair work. Upon Motion by Director Motl, seconded by Director Ehrig, the Board unanimously approved Action Item 18 authorizing the Acting General Manager/CEO to make payment to the Sunfield Municipal Utility District for pipeline work and approving an amendment to the GBRA Fiscal Year 2023 Work Plan and Budget for the project.

The Chairman then called for **Action Item 19 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Memorandum of Understanding (MOU) with Gulf Coast Authority (GCA) to collaborate on the provision of industrial wastewater treatment operations in GBRA's service area.** Joe Cole, General Counsel, is seeking authorization to negotiate an MOU with GCA for collaboration on potential industrial wastewater treatment operations in GBRA's service area. Upon Motion by Director Wisian, seconded by Director Meador, the Board unanimously approved Action Item 19 authorizing the Acting



General Manager/CEO to negotiate and execute a Memorandum of Understanding (MOU) with Gulf Coast Authority (GCA) to collaborate on the provision of industrial wastewater treatment operations in GBRA's service area.

Next, the Chairman then called for **Action Item 20 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Letter of Agreement with Alliance Regional Water Authority (ARWA) to collaborate and support respective efforts regarding wellfield siting and groundwater production permitting.** Darrell Nichols, Acting General Manager/CEO, is seeking authorization to negotiate a Letter of Agreement with ARWA regarding wellfield development within the Plum Creek Water Conservation District and Gonzales County Underground Water Conservation District. Upon Motion by Director Meador, seconded by Director Fogle, the Board unanimously approved Action Item 20 authorizing the Acting General Manager/CEO to negotiate and execute a Letter of Agreement with Alliance Regional Water Authority (ARWA) to collaborate and support respective efforts regarding wellfield siting and groundwater production permitting.

Next, the Chairman then called for **Action Item 21 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Raw Water Supply Agreement between Guadalupe-Blanco River Authority and the Port O'Connor Improvement District.** Joe Cole, General Counsel, is seeking authorization to negotiate a new raw water supply agreement to provide raw water to the Port O'Connor Improvement District for a term of forty years. Upon Motion by Director Meador, seconded by Director Fogle, the Board unanimously approved Action

Item 21 authorizing the Acting General Manager/CEO to negotiate and execute a Raw Water Supply Agreement between Guadalupe-Blanco River Authority and the Port O'Connor Improvement District.

The Chairman called for a brief recess at 11:19 a.m. and reconvened in open session at 11:30 a.m.

The Chairman then called for **Discussion Item 22 - 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 the 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 903.19 feet. Comal Springs is flowing around 119 cfs.

There being no further business to be brought before the Board, the open meeting was recessed at 11:35 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:37 a.m. pursuant to Chapter 551, Texas Government Code.

The open meeting reconvened at 12:41 p.m. There being no further business to be brought before the Board, the meeting was adjourned at 12:41 p.m. subject to call by the Chairman.



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Chairman

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Secretary