

**GUADALUPE-BLANCO RIVER AUTHORITY**  
**Minutes of the Board of Directors**  
**January 18, 2023**

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on January 18, 2023, at the GBRA Annex Building Board Room, 905 Nolan, Seguin, Guadalupe County, Texas. Directors present were Dennis Patillo, Don B. Meador, Sheila Old, Steve Ehrig, William Carbonara, and Oscar Fogle. Directors Motl and Valdez were not present. Present in the Annex Building in Seguin, Texas were Darrell Nichols, Acting General Manager/CEO; Jonathan Stinson, Deputy General Manager; Vanessa Guerrero, Executive Manager of Administration; Randy Staats, Executive Manager of Finance/CFO; Nathan Pence, Executive Manager of Environmental Science; Charlie Hickman, Executive Manager of Engineering; David Harris, Executive Manager of Operations; Brian Perkins, Deputy Executive Manager of Engineering; Joe Cole, General Counsel; Justin Adkins, Assistant General Counsel Peter Newell, Senior Engineering Director and Travis Sales, Outside Counsel.

Chairman Patillo called the meeting to order at 9:59 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 Old led the Pledges 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 2023 retiree Roy**

**Odom.** Chairman Patillo recognized Roy Odom for his forty-three years of service with the Guadalupe-Blanco River Authority. Upon Motion by Director Meador, seconded by Director Old, the Board unanimously approved a Resolution honoring GBRA retiree Roy Odom. A copy of the Resolution is attached and made a part of these minutes.

The Chairman then called for **Chairman Item 2 - Consideration of and possible action approving a Resolution honoring Guadalupe-Blanco River Authority 2023 retiree Tommy Hill.** Chairman Item 2 was not addressed.

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

The Chairman called for **Consent Item 4 - Consideration of and possible action approving the minutes of the December 14, 2022 Board meeting; Consent Item 5 - Consideration of and possible action approving the monthly financial report for December 2022; Consent Item 6 - Consideration of and possible action approving the monthly operations report for December 2022 and Consent Item 7 - Consideration of and possible action approving Directors' expense vouchers for December 2022.** Upon Motion by Director Meador, seconded by Director Carbonara, the Board unanimously approved Consent Items 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.** Nathan Pence, Executive Manager of Environmental Science, briefed the Board on the Water Quality department to include an introduction of Elizabeth Malloy, new Water Quality Technician and Sean Melvin, new Plum Creek Watershed Coordinator. Mr. Pence also discussed the Freshwater Mussel Research Fatmucket Toxicity testing, the TWCA Conference, the 2022 National HCP Coalition Conference, and the GBRA Regional Lab to include a new courier service program and internal/external audits. Activities at the Gorge have included a wildflower seed planting program, a Veteran's Day Gala and growth of outdoor classrooms. Next, Vanessa Guerrero, Executive Manager of Administration, introduced Shannon Anderson, the new Communications Director. Amanda Buchanan, Safety and Risk Manager, gave a safety update stating in the past month there were no lost time incidents of injuries or illnesses. Three high hazard field activity visits were held this month focusing on confined space entry/work, environmental sampling and driving with Water Quality personnel. Tier II Reporting is due for hazardous chemicals in March 2023, and a forklift inspection checklist is being created in NEXGEN. Next, Darrell Nichols, Acting General Manager/CEO informed the Board of the upcoming notice on January 23, 2023 to be provided to adjacent landowners of Lake McQueeney regarding the beginning of the drawdown on March 27, 2023 to facilitate the upcoming construction. GBRA will also begin the drawdown of Meadow

Lake on March 27, 2023 in conjunction with the drawdown of Lake McQueeney. Because of the failure of four of the six spillgates, GBRA cannot continue to operate the Meadow Lake dam in its current condition.

Next, the Chairman called for **Action Item 9 - Consideration of and possible action to approve a change order with SJ Louis Construction in the amount of \$77,182.44 for work associated with rerouting of an existing force main for the Stein Falls CIP Gravity Main Pipeline Project (Change Order #12).** Travis Basham, Project Engineer, is seeking approval of a change order associated with a developer-installed force main installed after construction drawings were approved and completed by GBRA. The force main was installed in the opposite direction of flow from the outgoing gravity main installed by ST Louis Construction. This modification will re-route the force main to connect to the new existing system to meet TCEQ requirements. Upon Motion by Director Fogle, seconded by Director Ehrig, the Board unanimously approved Action Item 9 approving a change order with SJ Louis Construction in the amount of \$77,182.44 for work associated with rerouting of an existing force main for the Stein Falls CIP Gravity Main Pipeline Project (Change Order #12).

The Chairman called for **Action Item 10 - Consideration of and possible action authorizing the Acting General Manager/CEO to negotiate and execute a Master Hydropower Purchase and Sale Agreement between the Guadalupe-Blanco River Authority and the Guadalupe Valley Electric Cooperative, Inc. for power sales.** Darrell Nichols, Acting General Manager/CEO, is seeking authorization to update a previous master agreement with Guadalupe Valley Electric Cooperative to purchase power that GBRA generates from the Guadalupe Valley Hydro Electric System. Upon Motion by Director Old, seconded by Director

Meador, the Board unanimously approved Action Item 10 authorizing the Acting General Manager/CEO to negotiate and execute a Master Hydropower Purchase and Sale Agreement between the Guadalupe-Blanco River Authority and the Guadalupe Valley Electric Cooperative, Inc. for power sales.

The Chairman called for **Action Item 11 - Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority, declaring a public necessity for the acquisition of court orders to obtain entry onto certain properties for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisals in connection with the expansion of the treated water pipeline system for Hays, Caldwell, and Guadalupe counties onto said properties to be identified to wit:**

**Caldwell County Appraisal District ID No. 13829, Mark Allen George and Elspeth Ferguson George, Caldwell County, Texas, and identified on map attached as Exhibit “A”;**  
**Caldwell County Appraisal District ID No. 13834, James B. Mazac and Karen A. Mazac, Caldwell County, Texas, and identified on map attached as Exhibit “B”;**  
**Caldwell County Appraisal District ID No. 13847, Richard E. Blauvelt, Caldwell County, Texas, and identified on map attached as Exhibit “C”;** and  
**Caldwell County Appraisal District ID No. 15005, Doris H. Steubing, Caldwell County, Texas, and identified on map attached as Exhibit “D”;**  
**Caldwell County Appraisal District ID No. 15438, Open R. Family Partnership, Ltd., a Texas Limited Partnership, Caldwell County, Texas, and identified on map attached as Exhibit “E”;**  
**Caldwell County Appraisal District ID No. 15716, Gloria Hoppe Matejowsky, Caldwell County, Texas, and identified on map attached as Exhibit “F”;**  
**Caldwell County Appraisal District ID No. 34505, Mark Allen George and Elspeth Ferguson George, Caldwell County, Texas, and identified on map attached as Exhibit “G”;**  
**Caldwell County Appraisal District ID No. 41289, Mark Allen George and Elspeth Ferguson George, Caldwell County, Texas, and identified on map attached as Exhibit “H”;**  
**Caldwell County Appraisal District ID No. 41827, Mark Allen George and Elspeth Ferguson George, Caldwell County, Texas, and identified on map attached as Exhibit “I”;**  
**Caldwell County Appraisal District ID No. 45425, Gloria Hoppe Matejowsky, Caldwell County, Texas, and identified on map attached as Exhibit “J”;**  
**Caldwell County Appraisal District ID No. 45432, Julie W. Moore, Ann Whitworth Messer and H. Philip Whitworth, Jr., Caldwell County, Texas, and identified on map attached as Exhibit “K”;**

**Guadalupe County Appraisal District ID No. 61333, Robert and Claudia Briell, Trustees of the Briell Living Trust, Guadalupe County, Texas, and identified on map attached as Exhibit “L”; and  
Caldwell County Appraisal District ID No. 87477, H.A. Guettler and EMG Properties, LLC, a Texas limited liability company, Caldwell County, Texas, and identified on map attached as Exhibit “M”.**

Justin Adkins, Assistant General Counsel, is seeking a Resolution authorizing the acquisition of court orders to obtain entry onto certain properties in connection with the expansion of the water pipeline system for the Carrizo Groundwater Supply Program in portions of Caldwell, Hays and Guadalupe counties. Upon Motion by Director Fogle, seconded by Director Meador, the Board unanimously approved Action Item 11 approving a Resolution by the Guadalupe-Blanco River Authority, declaring a public necessity for the acquisition of court orders to obtain entry onto certain properties for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisals in connection with the expansion of the treated water pipeline system for Hays, Caldwell, and Guadalupe counties onto said properties to be identified to wit. A copy of the Resolution is attached and made a part of these minutes.

The Chairman called for **Discussion Item 12 - Discussion and briefing on Legislative Issues**. Jonathan Stinson, Deputy General Manager, briefed the Board on the current 88<sup>th</sup> Texas Regular Legislative Session, which convened on January 10, 2023 and will continue through the end of May. The sixty-day deadline to file bills is March 10<sup>th</sup> in order to make it through the process. There will be about 7000 bills that will be filed, and GBRA is currently tracking and impacted by about 30 bills, to include SB 296. Redistricting, as a result of the 2021 Census, resulted in new boundaries for the Texas House of Representatives, Senate, U.S. Congress and the State Board of Education. The major issues for the 88<sup>th</sup> Legislative session include budget (\$188 billion), water policy (infrastructure investment, resiliency requirements and economic

development) and open meetings, procurement, public information and Sunset review as they relate to GBRA.

The open meeting was recessed at 10:42 a.m. subject to call by the Chairman and reconvened in open meeting at 10:43 a.m.

The Chairman then called for Discussion Item 13 - **Discussion, presentation and update on the status of the Guadalupe River Habitat Conservation Plan.** Nathan Pence, Executive Manager of Environmental Science, briefed the Board on the Guadalupe River Habitat Conservation Plan, which was developed to provide a pathway for GBRA to serve its customers while protecting federally listed endangered species. Mr. Pence provided a brief history of the Endangered Species Act of 1973, to include the definition of “take” according to the Act, plan and permit area, and endangered and candidate species to be covered under the plan. Also, discussed were the covered activities and the GRHCP Hydrologic Modeling Approach. Going forward, GBRA is creating technical memoranda that cover the topics of climate change in the basin, potential impacts of GBRA’s activities on covered species and creating partnerships with organizations that seek second-party take protection.

The Chairman then called for Discussion Item 14 - **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 898.55 feet. Comal Springs is flowing around 126 cfs.

The open meeting was recessed at 11:22 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:35 a.m. pursuant to Chapter 551, Texas Government Code.

The open meeting reconvened at 12:47 p.m.

The Chairman called for a vote on the **Motion to authorize Chairman Patillo to negotiate employment terms, compensation and benefits for the position of General Manager/CEO for the Guadalupe-Blanco River Authority with a recommended candidate.** The Selection Committee recommended Darrell Nichols for the position of General Manager/CEO of Guadalupe-Blanco River Authority. Upon Motion by Director Ehrig, seconded by Director Meador, the Board unanimously approved the Motion authorizing Chairman Patillo to negotiate employment terms, compensation and benefits for the position of General Manager/CEO position with the recommended candidate, Darrell Nichols.

There being no further business to be brought before the Board, the meeting was adjourned at 12:51 p.m. subject to call by the Chairman.

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Chairman

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Secretary