

GUADALUPE-BLANCO RIVER AUTHORITY
Minutes of the Board of Directors
November 15, 2023

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on November 15, 2023, at the GBRA Annex Building Board Room, 905 Nolan, Seguin, Guadalupe County, Texas. Directors present were Dennis Patillo, Sheila Old, Stephen B. Ehrig, Don B. Meador, William Carbonara, Emanuel Valdez, Patrick Cohoon, John Cyrier, and Robert Blaschke. Present in the Annex Building in Seguin, Texas were Darrell Nichols, General Manager/CEO; Jonathan Stinson, Deputy General Manager; Vanessa Guerrero, Executive Manager of Administration; Randy Staats, Executive Manager of Finance/CFO; Charles Hickman, Executive Manager of Engineering; Nathan Pence, Executive Manager of Environmental Science; David Harris, Executive Manager of Operations; Adeline Fox, Executive Manager of Communications and Outreach; and Joseph Cole, General 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 and at the GBRA office in New Braunfels, 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 then called for **Public Comments from the public**. The Chairman first called on Phillip Schulze and then on Aimee Brotherton. Each person represented that they were property owners on the downstream side of Dunlap Dam and were requesting flow to be maintained in the area immediately downstream of the dam as they represented that conditions in

this area were different now that the Dunlap Dam construction has been completed and the spillgates have been raised.

The Chairman called for **Consent Item 2 - Consideration of and possible action approving the minutes of the October 18, 2023, Board Meeting; Consent Item 3 - Consideration of and possible action approving the monthly financial report for October 2023; Consent Item 4 - Consideration of and possible action approving the monthly operations report for October 2023; Consent Item 5 - Consideration of and possible action approving Directors' expense vouchers for October 2023.** Upon Motion by Director Old, seconded by Director Ehrig, the Board unanimously approved Consent Items 2, 3, 4, and 5.

The Chairman then called for **General Manager/CEO Item 6 - 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.** Vanessa Guerrero, Executive Manager of Administration, briefed the Board on education, human resources and safety, including a summary of projects, education outreach, and community requests. This included an update on the

Fifth Grade Outdoor Classroom at the Gorge for FY 2024 and upcoming educational group tours. Human Resources has been focusing on recruitment and retention efforts, which included the Red, White, and You job fair in early November, employee benefit options for the new plan year, and the flu vaccination clinic. Additional focus was also given to facility updates and inspections and review of safety policies and programs. Next, Nathan Pence, Executive Manager of Environmental Science, introduced and welcomed Chelsea Smith, GBRA's new Laboratory Technician. Amanda Buchanan, Safety and Risk Manager, reported there were no lost time incidents of injuries or illnesses; however, one incident was reported. During November, training focused on health and wellness (all staff), ergonomics and self-assessment (Lab staff), and a confined space entry permit refresher (Operations staff). The kickoff meeting for the Hazard Mitigation Plan was held in late October, the Risk and Capability Assessment Workshop is scheduled for late November, and staff is analyzing data from the recent Safety Culture Survey. Darrell Nichols, General Manager/CEO, provided some additional briefing on the education program for GBRA, including the goal to reach more children and members of the public, GBRA's work with the education community on better methods of outreach to children, and improved curriculum. Mr. Nichols also reported on efforts by the Environmental Science staff to better enhance and increase GBRA's science capabilities, as evidenced by GBRA's participation in a national conference on Habitat Conservation Plans, as well as GBRA's efforts in developing leading science on various mussel studies being recognized throughout the United States.

Next, the Chairman called for **Action Item 7 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an agreement with New Braunfels Utilities (NBU) for GBRA to provide laboratory testing services for NBU's water**

and wastewater facilities. Kylie Gudgell, Lab Administrator, is seeking authorization to negotiate and execute a professional services agreement with NBU for testing fees based on the Board-approved rates for the projected time frame of January 1, 2024 to December 31, 2024, with four one-year automatic renewal terms, not to exceed an amount of \$60k per term. Upon Motion by Director Ehrig, seconded by Director Carbonara, the Board unanimously approved Action Item 7 authorizing the General Manager/CEO to negotiate and execute an agreement with NBU for GBRA to provide laboratory testing services for NBU's water and wastewater facilities.

The Chairman called for **Action Item 8 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute an engagement agreement for legal services with a law firm to serve as GBRA's bond counsel.** Randy Staats, Executive Manager of Finance/CFO, is seeking authorization to negotiate and execute an engagement agreement to provide ongoing legal services relating to the issuance of future debt and compliance with existing and future bonds. Upon Motion by Director Blaschke, seconded by Director Cohoon, the Board unanimously approved Action Item 8 authorizing the General Manager/CEO to negotiate and execute an engagement agreement for legal services with a law firm to serve as GBRA's bond counsel.

The Chairman called for **Action Item 9 - Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt a duplex rate within the Johnson Ranch Water Division and adjust the Coletto Creek park monthly camping fee.** Randy Staats, Executive Manager of Finance/CFO, is seeking approval of an amendment to the FY 2024 GBRA Work Plan and Budget to create a rate for a new duplex complex in the Johnson Ranch water service area and an increase in the Coletto Creek park monthly

camping fee. A new duplex complex is under contract in the Johnson Ranch service area, which requires service to 230 individual units. A wholesale water fee and usage charge are proposed for the complex, rather than billing for 230 separately-installed meters. The monthly camping fee at Coletto Creek park has not been adjusted since 2019. The newly adjusted monthly camping fee for October 1st to March 31st will be \$540. Upon Motion by Director Old, seconded by Director Valdez, the Board unanimously approved Action Item 9 approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt a duplex rate within the Johnson Ranch Water Division and adjust the Coletto Creek Park monthly camping fee.

The Chairman called for **Action Item 10 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and Chesmar Homes, LLC for the NB West Tract.** Justin Adkins, Assistant General Counsel, is seeking authorization to negotiate and execute an agreement with Chesmar Homes, LLC in the NB West Development Tract (“NB West Tract”) to provide retail wastewater service for 1,550 living unit equivalents. The NB West Tract is located northwest of the City of New Braunfels, wholly within Comal County, and is being developed by Chesmar Homes, LLC, NBISD, and Brandt Ranch, LLC. Upon Motion by Director Valdez, seconded by Director Ehrig, the Board unanimously approved Action Item 10 authorizing the General Manager/CEO to negotiate and execute a Wastewater Service Agreement between Guadalupe-Blanco River Authority and Chesmar Homes, LLC for the NB West Tract.

The Chairman called for **Action Item 11 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Firm Water Supply Agreement with Hyfuels Green Lake LLC.** Courtney Kerr-Moore, Deputy General Counsel,

is seeking authorization to negotiate and execute a Firm Water Supply Agreement for a new industrial facility in Calhoun County with a proposed termination date of December 31, 2060, for an initial quantity of water of 1,120 AF/yr, with the option, upon mutual agreement, to increase the quantity up to 4,480 AF/yr. Upon Motion by Director Valdez, seconded by Director Blaschke, the Board unanimously approved Action Item 11 authorizing the General Manager/CEO to negotiate and execute a Firm Water Supply Agreement with Hyfuels Green Lake LLC.

The Chairman called for **Action Item 12 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract with a qualified engineering firm to conduct design and construction phase services related to the Carrizo Groundwater Supply Program (CGSP) Wellfield Expansion.** Peter Newell, Senior Engineering Director, is seeking authorization to negotiate and execute a contract for an expansion of the CGSP wellfield to produce an additional 9,000 AF/yr of groundwater, which will be connected to the existing raw water transmission pipeline. The project will include design and construction services for three new Carrizo Aquifer wells, upgrade of existing well motors and pumps, and approximately two miles of new collection system pipeline. Upon Motion by Director Cohoon, seconded by Director Meador, the Board unanimously approved Action Item 12 authorizing the General Manager/CEO to negotiate and execute a contract with a qualified engineering firm to conduct design and construction phase services related to the Carrizo Groundwater Supply Program (CGSP) Wellfield Expansion.

The Chairman then called for **Discussion Item 13 - Discussion regarding Base Flow Report, Water Quality Index, long term weather pattern, and condition of the Guadalupe Basin.** Charles Hickman, Executive Manager of Engineering, briefed the Board on the Guadalupe

River basin hydrologic conditions, including rainfall percentages, events, and totals; the Base Flow Report; the U.S. Drought Monitor Seasonal Outlook; Edwards Aquifer level; Comal Springs level; Guadalupe River stream flows; El Niño modeled forecast; and elevation of Canyon Lake. Canyon Lake elevation is currently at 889.13 feet. Currently, Comal Springs is flowing around 119 cfs.

There being no further business to be brought before the Board, the open meeting was recessed at 10:43 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:00 a.m. pursuant to Chapter 551, Texas Government Code.

The open meeting reconvened at 11:36 a.m.

There being no further business to be brought before the Board, the meeting was adjourned at 11:36 a.m. subject to call by the Chairman.

Chairman

Secretary/Treasurer