

**GUADALUPE-BLANCO RIVER AUTHORITY**  
**Minutes of the Board of Directors**  
**February 21, 2024**

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on February 21, 2024, 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, Emanuel Valdez, William Carbonara, 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 Valdez 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 introduced and welcomed Kate Villanueva, representing herself, to formally request an expansion of the existing no-wake zone on Lake Dunlap near the boat launch near IH-35, citing public safety

concerns and potential damage to private property. The Chairman then recognized John Blount, also representing his wife and himself, who made a formal request for an expansion of the existing no-wake zone on Lake Dunlap near the boat launch area near IH-35, citing public safety concerns and potential damage to private property.

The Chairman called for **Consent Item 2 - Consideration of and possible action approving the minutes of the January 17, 2024 Board Meeting; Consent Item 3 - Consideration of and possible action approving the monthly financial report for January 2024; Consent Item 4 - Consideration of and possible action approving the monthly operations report for January 2024; and Consent Item 5 - Consideration of and possible action approving Directors' expense vouchers for January 2024.** Upon Motion by Director Ehrig, seconded by Director Blaschke, 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: Safety Update, GBRA water and sewer utility operations, hydroelectric operations, GBRA facilities management including plants and dams, 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.** Adeline Fox, Executive Manager of Communication and Outreach, introduced and welcomed San'Tres Broussard, GBRA's new Media Specialist. Next, David Harris, Executive Manager of Operations, briefed the Board on new operator licenses, compliance, and ongoing activities. GBRA was recently awarded a 10-year award from the Texas Commission on Environmental Quality's (TCEQ) Texas Optimization Program for the San Marcos WTP, acknowledging the plant for exceeding State of Texas requirements relating to water quality for public health. Mr. Harris also informed the Board about operator training including basic wastewater and water, pump and system hydraulics, utility safety, and resiliency training. GBRA's new in-house "Golden Weir Award" was recently presented to Buda WWTP for operational excellence. Mr. Harris also briefed the Board on the residential water and wastewater retail growth in the basin. There has been a 12% increase in residential retail connections from 2022 to 2023. GBRA received delivery of a new truck for the Western Canyon WWTP to assist with hydro excavations, sewer cleaning, valve maintenance, and tank cleanings. The Board was provided an update on the status of the Sunfield WWTP expansion project, winter operations, the Western Canyon Mussel Project, preparation for summer water demands, and progress on the Alliance WTP. Next, Amanda Buchanan, Safety and Risk Manager, stated there were two incidents and no lost time reported during this period. During February, training focused on fire extinguisher and fire cabinet safety, and hydrogen sulfide safety awareness. The Hazard Mitigation Action Plan (HMAP) is 60% complete, with two public engagements scheduled in February and completion of a draft HMAP for review in late April 2024. Site visits this month included a safety walk with the GBRA communication team for a WCID event, the annual fire marshal facility inspection at the Seguin Campus, and the Alliance WTP site

walk. Next, Randy Staats, Executive Manager of Finance/CFO, briefed the Board on recent financial system updates, including investment management software upgrades. Additionally, GBRA staff has updated GBRA's website to include a presentation on "How to Do Business With GBRA" to assist vendors with navigating the purchasing process and provide contact information. The Government Treasurers' Organization of Texas awarded GBRA a Certificate of Investment Policy for the development of an investment policy that meets the requirements of the Public Funds Investment Act and the standards for prudent public investing. Mr. Staats also discussed GBRA's future bond activity, including bond transactions and reimbursement resolutions.

Next, the Chairman called for **Action Item 7 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wholesale Wastewater Service Agreement between Guadalupe-Blanco River Authority and WB WT West End Estates, LLC for the Grier Tract.** Justin Adkins, Assistant General Counsel, is seeking authorization to negotiate and execute a wholesale wastewater service agreement with WB WT West End Estates, LLC ("West End") for the Grier Tract, which lies within the GBRA Stein Falls Wastewater System service area. West End is requesting that GBRA provide wholesale wastewater service to the tract. To provide the requested wastewater service, GBRA and West End will need to execute an agreement requiring West End to provide construction plans for review by GBRA, construct the system within the tract, connect the infrastructure to GBRA's existing facilities, and pay a connection fee per LUE. Upon Motion by Director Ehrig, seconded by Director Old, the Board unanimously approved Action Item 7 authorizing the General Manager/CEO to negotiate and execute a Wholesale Wastewater Service Agreement between Guadalupe-Blanco River Authority and WB WT West End Estates, LLC for the Grier Tract.

The Chairman called for **Action Item 8 - Declaration by the Board of Directors that such property is surplus and not needed by GBRA and consideration of and possible action authorizing the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records.** Courtney Kerr-Moore, Deputy General Counsel, is seeking the Board's declaration that certain property is surplus and such interest in real property that is to be conveyed is not needed by GBRA and to authorize the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records, as required by Texas Water Code § 49.226. The asset manager of the River Acres RV Park approached GBRA to request an easement to install a new septic line across a road owned by GBRA in Gonzales County, Texas. Ms. Kerr-Moore is also seeking approval for the General Manager/CEO to negotiate any such agreements necessary to effectuate sale of the easement. Upon Motion by Director Cyrier, seconded by Director Blaschke, the Board unanimously approved Action Item 8, declaring that that certain portions of the Property are surplus and such interest in real property that is to be conveyed is not needed by GBRA and authorized the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records. A copy of the Resolution is attached and made a part of these minutes.

**The Chairman then called for Action Item 9 - Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain water pipeline easements and temporary construction easements for the GBRA Carrizo Groundwater Supply Expansion Project (TX-130 Project) in connection therewith, over, across, upon and under certain privately owned real properties; authorizing all appropriate action by the General Manager/CEO, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed permanent easements and temporary construction easements that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of GBRA to acquire such property interests; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the Resolution to be severable one from the other in the event any section of the Resolution is determined to be invalid; said properties to be identified to wit:**

**Parcel ER-03 – Nina S. Sells, being a 0.6077 of one acre (26,472 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 9.297 acres conveyed to Nina S. Sells by General Warranty Deed Dated April 7, 2022, as Recorded in Document No. 2022-002702, Official Public Records, Caldwell County, Texas; said 0.6077 of one acre (26,472 square foot) easement being more particularly described by metes and bounds in Exhibit “A” attached hereto;**

**Parcel ER-05 – Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013, being a 0.1184 of one acre (5,159 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee**

**of the Philip Boghosian Living Trust, Under Declaration of Trust dated May 28, 2013 by Special Warranty Deed dated December 31, 2021, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, said 0.1184 of one acre (5,159 square foot) easement being more particularly described in metes and bounds in Exhibit “B” attached hereto; and**

**Parcel ER-06 – David O. Marquez and Denise T. Marquez, husband and wife, being a 0.1366 of one acre (5,592 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 6.920 acres conveyed to David O. Marquez and Denise T. Marquez by Warranty Deed with Vendor’s Lien dated May 30, 2014, as recorded in Document No. 142168, Official Public Records of Real Property, Caldwell County, Texas; said 0.1366 of one acre (5,592 square foot) easement being more particularly described by metes and bounds in Exhibit “C” attached hereto.**

Courtney Kerr-Moore, Deputy General Counsel, is seeking approval of a Resolution declaring a public necessity for the acquisition of certain water pipeline easement and temporary construction easement for the TX-130 Project. GBRA is expanding the Carrizo Groundwater Supply Project via the TX-130 Project in, over, under, through, and across certain real properties located in Caldwell, Hays, and Guadalupe counties, Texas. Efforts to negotiate for the acquisition of these necessary properties have been unsuccessful, making proceedings in eminent domain necessary to acquire such needed permanent easements and temporary construction easements. Upon Motion by Director Old, seconded by Director Meador, by a record vote, the Board unanimously approved Action Item 9 approving the proposed Resolution

A copy of the Resolution is attached and made a part of these minutes.

The Chairman called for **Action Item 10 - 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 right of entry onto a certain property for the purpose of making boundary, topographic, environmental, archeological and geotechnical surveys, and appraisals in connection with the expansion of Western Canyon**

**water pipeline system to an additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas onto said property to be identified to wit:**

**Kendall County Appraisal District ID No. 11782, Boerne Ranch Estates, LLS, Kendall County, Texas, and identified on map attached as Exhibit “A”.**

Courtney Kerr-Moore, Deputy General Counsel, is seeking the Board’s approval of a Resolution declaring a public necessity for the acquisition of court orders to obtain right of entry that cannot be acquired through negotiations onto property identified as Kendall County Appraisal District No. 11782, Boerne Ranch Estate, LLC, Kendall County, Texas. This right of entry is a necessary component of adding an additional delivery point for the Cities of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas, relating to GBRA’s expansion of the Western Canyon water pipeline system. Upon Motion by Director Valdez, seconded by Director Meador, the Board unanimously approved Action Item 10 approving the proposed Resolution

A copy of the Resolution is attached and made a part of these minutes.

The Chairman called for **Action Item 11 - Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt an RV Park Usage Charge for the Stein Falls Wastewater System.** Randy Staats, Deputy Executive Manager of Finance/CFO, is seeking approval of an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to designate an RV Park Usage Charge for the Stein Falls Wastewater System pursuant to Senate Bill 594, passed during the 88<sup>th</sup> Texas Legislative Session, requiring RV parks to be charged for wastewater services based on actual water usage.



Upon Motion by Director Blaschke, seconded by Director Ehrig, the Board unanimously approved Action Item 11 approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt an RV Park Usage Charge for the Stein Falls Wastewater System.

Next, the Chairman called for **Action Item 12 - Consideration of and possible action approving a Resolution of the Board of Directors of Guadalupe-Blanco River Authority adopting Board Policy – 403 Investment Policy and the investment strategy contained therein.** Randy Staats, Deputy Executive Manager of Finance/CFO, is seeking approval of a Resolution adopting GBRA Board Policy – 403 Investment Policy and the investment strategy contained therein. Chapter 2256 of the Texas Government Code and GBRA’s Board Policy 403 require GBRA’s Board of Directors to annually review and adopt the investment policy and the contained investment strategy. The proposed revision includes only one minor update related to a change in title for one of the designated investment officers. Upon Motion by Director Old, seconded by Director Carbonara, the Board unanimously approved Action Item 12 approving a Resolution of the Board of Directors of Guadalupe-Blanco River Authority adopting Board Policy – 403 Investment Policy and the investment strategy contained therein. A copy of the Resolution is attached and made a part of these minutes.

Next, the Chairman called for **Action Item 13 - Consideration of and possible action approving the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit Organizations.** Joe Cole, General Counsel, is seeking the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit organizations. The GBRA Ad-Hoc Committee was charged to consider the Texas Sunset Advisory Commission’s recommendation to review GBRA’s activities with nonprofit organizations every five years and to

consider other recommendations of the Sunset Commission. The GBRA Ad-Hoc Committee is proposing adoption of Board Policy – 510 to create guiding principles governing GBRA’s relationships with environmental and water resource nonprofit organizations. Director Meador did not participate in the proposed item. Upon Motion by Director Cyrier, seconded by Director Cohoon, the remaining members of the Board unanimously approved Action Item 13 approving the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit Organizations.

Next, the Chairman called for **Action Item 14 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to repair Western Canyon raw water pumping system components.** David Harris, Executive Manager of Operations, is seeking authorization to contract for the repair of Pump #4 at the Western Canyon raw water pump station that is not performing at the level required to meet the needs of the plant. The estimate for repairs to the pump and motor and reinstallation of the pump is approximately \$125,000. Upon Motion by Director Cohoon, seconded by Director Carbonara, the Board unanimously approved Action Item 14 authorizing the General Manager/CEO to negotiate and execute a contract to repair Western Canyon raw water pumping system components.

Next, the Chairman called for **Action Item 15 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement with Hays County related to the Hillside Terrace Pipeline Relocation Project.** Mikk Griffin, Project Engineer, is seeking authorization to negotiate a reimbursement agreement with Hays County. Hays County is currently designing the widening of Hillside Terrace Road, which will require the relocation of GBRA’s pipeline. The Reimbursement Agreement specifies that Hays

County will be responsible for 100% of the project cost, and GBRA will be responsible for managing the relocation construction. Upon Motion by Director Ehrig, seconded by Director Carbonara, the Board unanimously approved Action Item 15 authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement with Hays County related to the Hillside Terrace Pipeline Relocation Project.

Next, 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 selection of a general contractor for the Hillside Terrace Pipeline Relocation Project.** Mikk Griffin, Project Engineer, is seeking authorization to negotiate for the selection of a general contractor by means of a Competitive Sealed Proposal process and execute a contract with the highest ranked bidder for the Hillside Terrace Pipeline Relocation Project. Upon Motion by Director Blaschke, seconded by Director Meador, 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 selection of a general contractor for the Hillside Terrace Pipeline Relocation Project.

The Chairman then called for **Discussion Item 17 - Discussion regarding consideration of award of an agreement between the Guadalupe-Blanco River Authority and a management consulting firm to provide services to conduct an annual evaluation of the performance of the General Manager/CEO.** Vanessa Guerrero, Executive Manager of Administration, briefed the Board on contracting with a management consulting firm to conduct

an annual evaluation of the performance of the General Manager/CEO. The Administration department obtained proposals from three qualified firms to perform such an evaluation.

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.** 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 Reservoir. Canyon Reservoir elevation was at 887.73 feet as of February 18, 2024. The J-17 Index Well level was at 644.1 feet as of February 18, 2024. Comal Springs was flowing around 177 cfs as of February 19, 2024.

There being no further business to be brought before the Board, the open meeting was recessed at 11:18 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:36 a.m. pursuant to Chapter 551, Texas Government Code.


The open meeting reconvened at 11:53 a.m.

Chairman Patillo appointed Director Cohoon as Chairman, and Directors Old and Ehrig as members, of an ad-hoc committee to evaluate and make a recommendation to the Board for the hiring of a consultant to conduct an annual evaluation of the performance of the General Manager/CEO. The three proposals discussed in Discussion Item 17 will be available to each Director regardless of whether they serve on the ad-hoc committee.

There being no further business to be brought before the Board, the meeting was adjourned at 11:54 a.m. subject to a call by the Chairman.



Chairman



Secretary/Treasurer