



NOTICE OF OPEN MEETING
JANUARY BOARD OF TRUSTEES
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130
January 30, 2025, at 1:00 PM
www.nbutexas.com

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

Board Trustee Yvette Villanueva Barrera

NBU EMPLOYEE RECOGNITIONS

1. Presentation of Years of Service Pins to Employees John Espinosa (20 years) and John Krause (35 years)

PUBLIC COMMENT

ITEMS FROM THE CHAIR

1. NBU Board Committee Assignments
2. Any Items Permitted Under Section 551.0415 of the Texas Government Code

ITEMS FROM STAFF

1. CEO's Update
 - a. Leadership Announcement of Position Changes: Data Strategy Manager Peter Vanderstoep and Power Supply Manager Kristi Villasana
 - b. NBU's Response to the January 2025 Winter Storm
 - c. NBU Employee Holiday Party
 - d. NBU Executive Strategic Retreat
 - e. Monster Detective Program Update
 - f. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code
 2. Financial Update and Report, Including an Update on the Impact Fee Program Effective February 1, 2023 (referred to as Program E)
 3. Power Stabilization Fund Update
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CONSENT ITEMS FOR ACTION

1. Approve Minutes of the NBU Regular Board Meeting of December 12, 2024
2. Approve Minutes of the NBU Special Board Meeting of January 16, 2025
3. Approve the Change Order Log from November 15, 2024, through December 15, 2024
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2024, through December 15, 2024
5. Approve the Electric Line of Business Alternative Procurements from November 15, 2024, through December 15, 2024
6. Approve Proposed Revisions to the NBU Community Advisory Panel (“CAP”) Bylaws
7. Appoint Joe Castilleja and Julissa Vela to the CAP and Appoint Dr. Les Shepard as CAP Vice Chair
8. Approve Changes to the List of Authorized Representatives at TexPool and Authorize the Board President and CEO/Board Secretary to Execute Documentation in Connection Therewith
9. Adopt Resolution #2025-193 Approving Revisions to the Investment Policy and Other Matters in Connection Therewith
10. Approve Staff Recommendation to Reject All Proposals Submitted for RFP #24-0061 Relating to the Integrated Risk Management and Settlements Software Solicitation
11. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Cash Construction Company, Inc. for the Construction of the McKenzie Interceptor Upgrade Project
12. Authorize the CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Pawelek and Moy, Inc. for the Design of the Sewer Infrastructure Replacement Package Two Project for Four Construction Locations, Including Landa Street, Fredericksburg Road, Sundance Parkway, and Elizabeth Avenue, New Braunfels, Texas
13. Authorize the CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Saengerhalle North Interceptor Project
14. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Alan Plummer and Associates, Inc. for the Design of the Goodwin Lane Water Main Project
15. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the I-35 Interceptor Upgrade Project

16. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Trinity Water Treatment Plant and Pump Station Expansion Project
17. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Arcadis, U.S., Inc. for the Design of the Highway 46 Water Line (Mission) Phase 2 Project
18. Authorize the CEO or His Designee to Approve Additional Construction Contract Contingency with Pesado Construction Company in the Amount of \$209,730.00 for the Construction of the Solms Lift Station Expansion Project.
19. Ratify a Construction Contract with Pesado Construction Company Executed by the CEO for the Emergency Repair of a Break in the Solms Force Main
20. Authorize the CEO or His Designee to Negotiate and Execute an Interlocal Purchasing Agreement with the City of Kyle to Contract Directly with OPIN, LLC dba American FR and Safety for Use of Web-Based Uniform Purchase Program
21. Authorize the CEO or His Designee to Execute AIA Document A133 - Guaranteed Maximum Price Amendment No. 5 with Thos. S. Byrne, Inc. for the Headwaters at the Comal Master Plan, Phase 2 for the Klingemann Parking Lot

ACTION ITEMS

1. Discuss and Consider Approval of the NBU Strategic Plan and Annual Priorities for Fiscal Year 2026 and Fiscal Year 2027
2. Authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 2 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Electrical Gear and Generator
3. Authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 3 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Site Package One, Site Utilities, Texas Department of Transportation Improvements, and Demolition
4. Discuss and Consider Adoption of Resolution #2025-194 of the Board of Trustees of New Braunfels Utilities Recommending and Requesting that the New Braunfels City Council Take Certain Actions with Respect to an Application to the Texas Water Development Board’s Lead Service Line Replacement Program; Finding the Resolution to Have Been Considered Pursuant to the Laws Governing Open Meetings; Providing a Severability Clause; Establishing an Effective Date; and Other Matters in Connection Therewith

PRESENTATION ITEMS

1. Presentation on Remapping the Area Bounded by NBU's Certificate of Convenience and Necessity and Service Territory for Water and Wastewater

EXECUTIVE SESSION

The Board of Trustees may recess into Executive Session for any purpose permitted by the Texas Open Meetings Act, including but not limited to:

1. Power Supply Resources – Competitive Matters
(Section 551.086 – Texas Government Code)
2. Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offer, or Other Matters Protected by Attorney-Client Privilege
(Section 551.071 – Texas Government Code)
 - a. Discuss Legal Matters Relating to Gonzales Carrizo Water Supply Project
 - b. Discuss Proposed High-Density Multifamily Developments Platted as Minor Plat
3. Personnel Matters – CEO Semi-Annual Evaluation
(Section 551.074 – Texas Government Code)

The Board of Trustees, upon reconvening in Open Session, will discuss and consider any necessary action regarding closed session items.

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE

ADJOURN

If you require assistance in participating at a public meeting due to a disability as defined under the Americans with Disabilities Act, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the Board Relations Coordinator at least three (3) days prior to the scheduled meeting date at (830) 629-8400 or the NBU Main Office at 263 Main Plaza, New Braunfels, Texas, for additional information.

CERTIFICATE OF POSTING

I, Ryan Kelso, Secretary to the Board of Trustees, do hereby certify that this Notice of Meeting was posted at the City of New Braunfels City Hall, 550 Landa Street, New Braunfels, Texas, the New Braunfels Utilities Main Office, 263 Main Plaza, New Braunfels, Texas, and the New Braunfels Utilities Customer Solutions Center, 1488 South Seguin Avenue, New Braunfels, Texas on the on the **24th day of January 2025**, and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.



Ryan Kelso, Chief Executive Officer
Secretary to the Board of Trustees