



**NOTICE OF OPEN MEETING**  
**DECEMBER BOARD OF TRUSTEES**  
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130  
December 12, 2024, at 1:00 PM  
[www.nbutexas.com](http://www.nbutexas.com)

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## AGENDA

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE AND INVOCATION

Board Vice President Dr. Judith Dykes-Hoffmann

### PUBLIC COMMENT

### ITEMS FROM THE CHAIR

1. Introduction of Newly Appointed New Braunfels Utilities (“NBU”) Board Member Stuart Blythin
2. NBU Board Committee Assignments
3. NBU Board of Trustees Board Calendar Dates for Board Meetings, Board Strategic Workshops, Community Advisory Panel Meetings and Industry Conference Dates
4. Election of Officers for the NBU Board of Trustees for the Office of Vice President
5. Report from the Audit Committee
6. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code

### ITEMS FROM STAFF

1. CEO's Update
    - a. NBU Celebrated One Million Man Hours with No Lost Time Incidents
    - b. NBU Ethics Week
    - c. Veteran's Day Celebration/Luncheon
    - d. Texas Aquatic Plant Management Society of Texas Event Hosted by Headwaters
    - e. Hill Country Alliance's and City of Boerne's Leadership Tour of One Water
    - f. Annual City of New Braunfels Holiday Tree Lighting
    - g. Texas Chapter Public Risk Management Association (“PRIMA”) 2024 Risk Management Achievement Award for NBU Risk Management Program
    - h. NBU and New Braunfels Food Bank Joint Food Drive Partnership & Thanksgiving Meal Distribution Event
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- i. Wassailfest Celebration
  - j. Headwaters at the Comal Annual Luminaria Event
  - k. NBU Opens Customer Solutions Center Located at 1488 South Seguin, New Braunfels, Texas, 78130
  - l. Leadership Announcement of Position Change: Director of Technology Carlos Salas
  - m. 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. Quarterly Investment Report
  4. Quarterly Capital Update
  5. Drought Update Report

#### **CONSENT ITEMS FOR ACTION**

1. Approve Minutes of the NBU Regular Board Meeting of October 31, 2024
2. Approve Minutes of the NBU Special Board Meeting of December 5, 2024
3. Approve the Change Order Log from September 15, 2024, through November 15, 2024
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2024, through November 15, 2024
5. Approve the Electric Line of Business Alternative Procurements from September 15, 2024, through November 15, 2024
6. Approve the Guadalupe Blanco River Authority Canyon Hydroelectric Cost Reconciliation for Fiscal Year 2024
7. Approve 2024 Second Quarter Charge-Off Accounts
8. Approve Staff Recommendation to Reject All Proposals Submitted for the RFP #25-0005, Gruene Road Sewer Main Rehabilitation/Relocation Solicitation
9. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Water and Wastewater Master Plan Project
10. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Well 6 and Loop GST Improvements Project
11. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with CP&Y, Inc. dba STV Infrastructure for the Design of the Barbarosa Waterline Project

12. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with E-Z Bel Construction, LLC, for the Construction of the Landa Street and Elm Street Water Line Improvements Project
13. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Capital Excavation Company for the Construction of the Goodwin/Conrads Adjustments Project Joint Bid with the City of New Braunfels
14. Authorize the CEO or His Designee to Negotiate and Execute a First Amendment to the Professional Services Agreement with Quiddity Engineering, LLC, for the Design of the Western Downtown to Morningside Pressure Zone Conversion Project
15. Authorize the CEO or His Designee to Execute a Professional Services Agreement with Burns & McDonnell Engineering Company, Inc. for Substation Construction Management Services for the Breaker and a Half Upgrades at the Henne Substation
16. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with Doggett Freightliner of South Texas, LLC for the Purchase of One (1) Freightliner Sewer Equipment 900 ECO 12-Yard Combo Unit
17. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with Holt Texas, Ltd. for the Purchase of Two (2) Caterpillar Backhoe Loaders, One (1) Model 420 C4EX and One (1) Model 420 C4SX
18. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with Navistar, Inc. dba International Trucks for the Purchase of Three (3) Dump Trucks and Three (3) Service Trucks
19. Authorize the CEO to Negotiate and Execute a Materials and Ongoing Services Agreement with Anixter, Inc. for the Purchase of Itron Network Integrated Devices, Software Tools, and Software as a Service
20. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with Waypoint Business Solutions, LLC for the Replacement of Servers Within the Consolidated VxRail Cluster

## **ACTION ITEMS**

1. Discuss and Consider Approval of the NBU Annual Comprehensive Financial Report and Red Flag and Cybersecurity Incidents Report
2. Discuss Report Relating to the Proposed Integrated Resource Plan for Power Supply Resources for NBU and Consider Approving Proposed Action Plan
3. Discuss and Consider Approval of Guidelines for the Community Advisory Panel (the “CAP”) to Contemplate in Developing Recommendations for the Rate Plan Design Process for Water, Wastewater, and Electric Rates
4. Discuss and Consider Adoption of Resolution #2024-191 Approving the First Amendment to Revolving Credit Agreement and the Second Amendment to Note Purchase Agreement with

JPMorgan Chase Bank, National Association in Connection with the "City of New Braunfels, Texas Utility System Commercial Paper Notes, Series 2019A and Series 2019B," and Resolving Other Matters Incident and Related Thereto, Including the First Amendment to Fee Letter Related Thereto

5. Discuss and Consider Adoption of Resolution #2024-192 Approving the Second Amendment to Note Purchase Agreement (Taxable Notes) With JPMorgan Chase Bank, National Association in Connection with the "City of New Braunfels, Texas Utility System Program Notes, Taxable Series 2021," and Resolving Other Matters Incident and Related Thereto, Including the First Amendment to Fee Letter Related Thereto
6. Authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 1 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

## **PRESENTATION ITEMS**

1. Construction Update and Transition Plan for NBU Customer Solutions Center located at 1488 South Seguin, New Braunfels, Texas

## **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

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, and New Braunfels Utilities Main Office, 263 Main Plaza, New Braunfels, Texas, on the **6th day of December 2024**, and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.



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