



NOTICE OF OPEN MEETING
AUGUST BOARD OF TRUSTEES MEETING
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130
August 27, 2026, at 1:00 PM
www.nbutexas.com

AGENDA **AMENDED**

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

NBU CEO Ryan Kelso

RECOGNITIONS

1. Recognition of Outgoing Community Advisory Panel ("CAP") Members, Bobby Avary, Stuart Blythin, Darren Hill, Jonathan Packer, Dr. Les Shephard, Chris Snider, and Julissa Vela

NBU EMPLOYEE RECOGNITIONS

1. Recognition of NBU Texas Lineman's Rodeo Participants

PUBLIC COMMENT

ITEMS FROM THE CHAIR

1. American Public Power Association Annual Conference Update
2. Texas Public Power Association Conference Update
3. Update from the CAP Board Committee Regarding CAP Member Appointments to Include CAP Vice-Chair, Future CAP Meeting Topics, and Future CAP Meeting Dates
4. Any Items Permitted Under Section 551.0415 of the Texas Government Code

ITEMS FROM STAFF

1. CEO's Update
 - a. Leadership Announcement of Position Change: Director of Financial Services Kimberly DaCosta
 - b. NBU Water Engineer Project Manager, Ashley Zimmermann, Presents at American Water Works Association Annual Conference
 - c. NBU Community Engagement Team Volunteers at Local Community Events and Participates in Community Career Fairs, Summer Camps, Job Fairs, and Expositions at Local School District Campuses
 - d. NBU Chief Financial Officer, Jessica Williams, Presents at Government Finance Officers Association Conference in Chicago
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- e. Tour of NBU Facilities with New Braunfels City Councilmember Toni Carter
 - f. NBU CEO Ryan Kelso Presents the Drought Contingency Plan to New Braunfels City Council
 - g. Headwaters Operations & Engagement Specialist, Kim Klausner, Accepted in the HOLT Values-Based Leadership™ Fellows Program through the San Antonio Area Foundation
 - h. NBU Director of Customer Solutions, Andrew Cummings, Presents at Texas Commission on Environmental Quality (TCEQ) Public Drinking Water Conference
 - i. NBU Hosts All-Employee Meeting
 - j. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code
- 2. Update to the CEO End of Year Performance Evaluation Process
 - 3. Financial Update and Report
 - 4. Fiscal Year 2026 End of Year Strategic Plan Update
 - 5. Monthly NBU Backup Operations Center and Headquarters Progress Update

CONSENT ITEMS FOR ACTION

- 1. Approve Minutes of the NBU Regular Board Meeting of June 25, 2026
- 2. Approve the Change Order Log from May 15, 2026, through July 15, 2026
- 3. Approve the Electric Line of Business Alternative Procurements from May 15, 2026, through July 15, 2026
- 4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2025, through July 15, 2026
- 5. Approve the Fiscal Year 2027 City Transfer
- 6. Appoint Bob King, Jimmy Owens, and Jerico McKennon to the NBU Community Advisory Panel and Appoint Marcie Rodriguez as CAP Vice Chair
- 7. Authorize the CEO or His Designee to Negotiate and Execute a Materials Agreement with Ferguson Enterprises LLC for the Purchase of Water Meters
- 8. Approve the NBU Mutual Aid Policy
- 9. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Guerra Underground LLC for the Construction of the Water and Sewer Infrastructure Replacement Project Located at Bridge Street, Butcher Street, Sunset Drive, and Hampshire Street

10. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with MGC Contractors, Inc. for the Construction of the FM 1101 Pump Station and Ground Storage Tank Project
11. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Keeley Construction Group, Inc. for the Construction of the Loop 337 Ground Storage Tank Improvements Project
12. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Common Street Relocation Project Located Along Common Street from North Liberty Avenue to Loop 337
13. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Water Tank Rehabilitation Phase 3 Project for the Mission Hills Ranch and Gruene Road Water Storage Tanks
14. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Downtown Water and Wastewater Improvements Project
15. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with R.L. Jones, LP for the Construction of the Water and Wastewater Infrastructure Replacement Package 2 Project Located at Simon Avenue, Seele Street, Samuels Avenue, Seele Alley, Hill Avenue, and Interstate Highway 35 Northbound Frontage Road
16. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for Preparation and Implementation of a Compliance Program Required by the U.S. Environmental Protection Agency Lead and Copper Rule Improvements
17. Adopt Resolution #R-2026-221 Recommending Acquisition, By Use of the Power of Eminent Domain, of a 0.7402-Acre Permanent Utility Easement Out of the A.M. Esnaurizar Survey, Abstract 98, Comal County, Texas, Being All of Lot 8, Block 4, Resubdivision of Villa Rio, According to the Plat of Record in Volume 129, Page 312, of the Deed Records of Comal County, Texas, Located at 470 Rio Drive, New Braunfels, Texas 78130, Assigned Comal Appraisal District Property ID 67480, Owned by The Villa Rio Subdivision Recreation Committee, Operated by the Spanish Colony Property Owners Association DBA Villa Rio Subdivision Recreation Committee, Which is Necessary to Advance and Achieve the Public Use of Expanding and Improving the New Braunfels Utilities' Sewer System to Meet Existing and Future Needs and Ensure Reliability
18. Adopt Resolution #R-2026-222 Authorizing and Approving (i) the Conveyance of a 0.196 Acre Permanent Easement and a 0.196 Acre Temporary Construction Easement to SJWTX, Inc., a Texas Corporation Doing Business as the Texas Water Company, Formerly Known as Canyon Lake Water Service Company, on a 4.030 Acre Tract of Real Property Conveyed to New Braunfels Utilities, in Document No. 200206040402, Real Property Records, Comal County, Texas, Also Known as the Highway 46 Substation Site; (ii) the CEO or His Designee to Execute Any and All Documents Necessary to Effectuate the Conveyance Thereof; and (iii) Other Matters in Connection Therewith

19. Authorize the CEO or His Designee to Negotiate and Execute a DIR Cooperative Agreement, DIR Contract No. DIR-CPO-5253, with Gartner, Inc., for IT Research and Advisory Subscription Services

PRESENTATION ITEMS

1. Presentation and Update on the City of New Braunfels Edwards Aquifer Habitat Conservation Plan (EAHCP) - Incidental Take Permit Renewal
2. Presentation from Gallup on the Fiscal Year 2026 Employee Engagement Survey Results
3. Presentation from the NBU Employee Experience Team on the Proposed NBU Employee Engagement Action Items Based on the Results from the Employee Engagement Survey
4. Presentation on Large Load Electric Projects and Regulatory Developments

ITEMS FOR FUTURE ACTION

1. Presentation on Amendments to Chapter 130, Article IV, Division 4, Section 130-187 of the New Braunfels Code of Ordinances Related to Establishing New Meter Connections
2. Presentation Regarding the Fiscal Year 2027 Strategic Plan

ACTION ITEMS

1. Discuss and Consider Future Topics for the Community Advisory Panel

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. Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, and/or Other Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code) pertaining to the following:
 - a. Discuss *New Braunfels Utilities v. TRC Engineers, Inc.*, Cause No. C2024-1980D (433rd District Court, Comal County, Texas)
 - b. Discuss Lease Agreement between NBU and JGC Tennis, Inc., and Related Matters

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 on a bulletin board at a place convenient to the public 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 **20th day of August 2026**, and remained posted continuously for at least three business days before the scheduled date of the meeting.



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