



NOTICE OF OPEN MEETING
MARCH BOARD OF TRUSTEES
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130
March 28, 2024 at 1:00 PM
www.nbutexas.com

AGENDA

AMENDED

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

Board President Wayne Peters

NBU VISION: Be a Trusted Community Partner Dedicated to Excellence in Service

Dawn Schriewer, Chief Financial Officer

PUBLIC COMMENT

RECOGNITIONS

1. New Braunfels Utilities ("NBU") Kinderschuhe 5K Check Presentation to Communities in School of South Central Texas

ITEMS FROM THE CHAIR

1. American Public Power Association (APPA) Legislative Rally Update
2. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code

ITEMS FROM STAFF

1. CEO's Update
 - a. Update on Electric Operations: Materials and Project Status Updates
 - b. NBU Control Center Ribbon Cutting Ceremony
 - c. Customer Service Real-Time Survey
 - d. NBU Leadership Team Participation in Project Management Professional Bootcamp Training Update
 - e. Update on the Participating Solar Contracting Program
 - f. Leadership Announcements: Jacob Cleland named Interim Communications Manager
 - g. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code
 2. Financial Update and Report
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3. Discuss NBU Outage Notification Protocols

CONSENT ITEMS FOR ACTION

1. Approve Minutes of the NBU Regular Board Meeting of February 29, 2024
2. Approve the Change Order Log from January 15, 2024, through February 15, 2024
3. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2023, through February 15, 2024
4. Approve the Electric Line of Business Alternative Procurements from January 15, 2024, through February 15, 2024
5. Authorize CEO or His Designee to Negotiate and Execute a First Amendment to the Professional Services Agreement for Construction Management and Inspections for the FM 306 Pump Station & Discharge Line Project with Freese and Nichols, Inc.
6. Authorize CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Gruene Wastewater and Inverted Siphon Improvements as part of the Gruene Road Sewer Main Rehabilitation/Relocation Project
7. Authorize CEO or His Designee to Negotiate and Execute a Materials Agreement for Annual Steel Pole Purchases with KBS Electrical Distributors

ACTION ITEMS

1. Discuss and Consider Authorizing CEO or His Designee to Negotiate and Execute a Treated Water Sharing Agreement with Guadalupe Blanco River Authority for the Resale of Water from the Gonzales Carrizo Water Supply Project on a Temporary Basis
2. Discuss and Consider Approving the Updated NBU Five-Year Water Conservation Plan as Required by the Texas Commission on Environmental Quality (TCEQ)
3. Discuss and Consider Authorizing CEO or His Designee to Negotiate and Execute an AIA Standard Form of Agreement Between Owner and Construction Manager as Constructor with SpawGlass, Contractors, Inc. for the Construction of the Proposed NBU Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35

PRESENTATION ITEMS

1. Presentation on the Future Population Growth and Economic Outlook in the Texas Area from Real Estate Research Firm, Zonda Intelligence Corporation
2. Presentation Regarding the Transfer of Real Property Located at 263 Main Plaza, New Braunfels, Texas (the "Property") from NBU to the City of New Braunfels (the "City") and Lease of the Property from the City to NBU

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, and/or Matters Protected by Attorney Client Privilege
(Section 551.071 – Texas Government Code)
 - a. Discuss the Pending Litigation Styled *Skyblue Utilities, Inc. v. New Braunfels Utilities*, Comal County, 433rd Judicial District Cause No. 2024-0253D
 - b. Discuss Legal Matters Related to the Texas Open Meetings Act

The Board of Trustees upon reconvening in Open Session, will discuss and consider any action, if necessary, 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 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 **22nd day of March 2024**, 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