



NOTICE OF OPEN MEETING
SEPTEMBER BOARD OF TRUSTEES
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130
September 26, 2024, at 1:00 PM
www.nbutexas.com

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

Board President Wayne Peters

NBU EMPLOYEE RECOGNITIONS

1. Presentation of Service Pins
 - a. Recognizing Jeffrey Morriss for 20 Years of Service
 - b. Recognizing Robert Oliva for 25 Years of Service

PUBLIC COMMENT

ITEMS FROM THE CHAIR

1. Report from the Governance Committee
2. Items Permitted Under Section 551.0415 of the Texas Government Code

ITEMS FROM STAFF

1. CEO's Update
 - a. NBU's Mark Steelman Chosen for Leadership New Braunfels Class of 2025
 - b. NBU's Participation in the 2024 New Braunfels Chamber of Commerce Business Showcase
 - c. NBU Awarded the Government Finance Officers Certificate of Achievement for Financial Excellence in Financial Reporting
 - d. Leadership Announcements of Position Changes: Enterprise Communications Manager Becca Graham
 - e. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code
 2. Financial Update and Report
 3. Quarterly Investment Report
 4. Quarterly Update on the Headwaters at the Comal
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CONSENT ITEMS FOR ACTION

1. Approve Minutes of the NBU Regular Board Meeting of August 29, 2024
2. Approve the Change Order Log from July 15, 2024, through August 15, 2024
3. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2023, through August 15, 2024
4. Approve the Electric Line of Business Alternative Procurements from July 15, 2024, through August 15, 2024
5. Approve 2024 First Quarter Charge-Off Accounts
6. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Blastco Texas Inc. for the Construction of the County Line Standpipe Rehabilitation Project
7. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with CFG Industries, LLC for the Construction of the Loop 337 Ground Storage Tank Rehabilitation Project
8. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Senate Bill 3 Emergency Preparedness Plan Generators Phase 2 Project
9. Authorize the CEO or His Designee to Negotiate and Execute a Services and Goods Agreement with OPIN, LLC dba American FR and Safety, for a Web-Based Uniform Purchase Program
10. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Townsend Tree Service Company, LLC for Tree Trimming Services
11. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with E-Z Bel Construction, LLC for the Construction of the Union Avenue Water Replacement Project
12. Authorize the CEO or His Designee to Negotiate and Execute a Second Amended and Restated Utility Construction Cost Sharing Agreement Among New Braunfels Utilities, Southstar at Mayfair, LLC, MNB Real Estate Investments, LLC, Southstar at Mayfair Developer, LLC, and Beaverhead NB, LLC, Amending Provisions of the Amended and Restated Utility Construction Cost Sharing Agreement Dated December 14, 2023, Among the Same Parties

PRESENTATION ITEMS

1. Review and Discuss Proposed Revisions to the NBU Board Governance Policies
2. Presentation on the New Braunfels Utilities Aquifer Storage and Recovery Project

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 Offer, and/or Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code)
 - a. Discuss Legal Matters Relating to McKenzie Water Reclamation Facility and Gruene Wastewater Treatment Plant
 - b. Discuss Legal Matters Relating to *Campbellton Road, Ltd. v. City of San Antonio by and through the San Antonio Water System*, 688 S.W.3d 105 (Tex. 2024)
 - c. Discuss and Consider *Allison McCumbee vs. Shawn Benbrook and New Braunfels Utilities*, Comal County, 207th Judicial District Cause No. C2024-1273B
 - d. Discuss and Consider Items Related to Public Utility Commission of Texas Docket No. 56440, *Application of New Braunfels Utilities to Change Transmission Cost of Service and Wholesale Transmission Rates*, Including Litigation Status and Settlement Negotiations
2. Power Supply Resources – Competitive Matters (Section 551.086 – Texas Government Code)
 - a. Power Supply Update

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

ACTION ITEMS

1. Discuss and Consider Approving an Uncontested Stipulation and Settlement Agreement Among NBU, the Staff of the Public Utility Commission, and the Office of Public Utility Counsel to be Filed for Final Approval by the Public Utility Commission in Docket No. 56440 Relating to NBU's Application to Change its Transmission Cost of Service Rates

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 **20th day of September 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