

MINUTES
NEW BRAUNFELS UTILITIES
AUGUST BOARD OF TRUSTEES MEETING

NBU BOARD ROOM
263 MAIN PLAZA, NEW BRAUNFELS, TEXAS 78130
THURSDAY, AUGUST 27, 2026, AT 1:00 PM

Board President Wayne Peters opened the meeting at 1:00 pm. A quorum of the NBU Board was present.

PRESENT

Board President Wayne Peters, Board Trustee Stuart Blythin, Board Trustee Yvette Barrera Villanueva, and Mayor Michael French

ABSENT

Board Vice President Judith Dykes-Hoffmann

NBU PERSONNEL

Ryan Kelso, Ragan Dickens, Greg Brown, Jessica Williams, Connie Lock, Rocio G. Hilliard, Mark Steelman, David Hubbard, Amanda Collins, Rebekah Llamas
Adriana Sanchez, Carlos Salas, Darrin Jensen, Jason Theurer, John Warren, Julia Haynes, Kimberly DaCosta, Justin Green, Mike Short, Rachel Leier, Reagan Pena, Will Riley, Adam Williard, Anna Melton, Azura Kerr, Brandon Thomas, Brent Lundmark, Bruce Haby, Daniel Mendez, David Guerrero, Jr., Doug Clifton, Jacob Tschoepe, Jason Rammel, Jeffrey Morriss, Jenna Mathis, Jesse Luna, Jessica Coleman, Jessica Green, Justin Stroup, Katie Storey, Kristi Villasana, Mike Penschorn, Missy Quent, Nicole Wesley, Peter Vanderstoep, Robert Aleman

NBU CONSULTANTS

None

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

NBU CEO Ryan Kelso led the Pledge of Allegiance and offered the invocation.

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**
CEO Ryan Kelso recognized members who previously served on the Community Advisory Panel. CAP members who were present are Bobby Avary, Stuart Blythin, and Jonathan Packer.

NBU EMPLOYEE RECOGNITIONS

1. **Recognition of NBU Texas Lineman's Rodeo Participants**
CEO Ryan Kelso recognized NBU Electric Journeymen, Apprentices, and BBQ Teams who participated in the Texas Lineman's Rodeo. NBU was represented by Journeymen: Karson Pennick, Nate Wallsmith, Austin Klaerner, Bradley Dietert, Chris Gavigan, Ty McFarlin, Klayton Rothrock,

Brenner Magott, and Chance Miller; Apprentices: Bradley Spencer, Matt De La Riva, Tyler Robinson, Cole Jurgajtis, Jacob Ridge, and Lane Dietert; and Barbeque teams made up of Randy Willard, Kristen Anderson, George Herrera, Javier Nieto, Elliot Girard, and Ryan Korhorst.

Additional recognition was extended to volunteer judges Steve Thies, Nick Woods, John Espinoza, Michael Najera, and Cace Lawless; Justin Green and Coby Henk for preparing our competitors for the event, and to organizers Keith Marsh, Mike Hardick, and Genevieve Morales.

PUBLIC COMMENT

Kevin Sullivan, resident, addressed the Board on considering three additional technical enhancements to customer portals for better

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

Leadership Announcement of Position Change: Director of Financial Services Kimberly DaCosta

NBU Water Engineer Project Manager, Ashley Zimmermann, Presents at American Water Works Association Annual Conference

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

NBU Chief Financial Officer, Jessica Williams, Presents at Government Finance Officers Association Conference in Chicago

Tour of NBU Facilities with New Braunfels City Councilmember Toni Carter

NBU CEO Ryan Kelso Presents the Drought Contingency Plan to New Braunfels City Council

Headwaters Operations & Engagement Specialist, Kim Klausner, Accepted in the HOLT Values-Based Leadership™ Fellows Program through the San Antonio Area Foundation

NBU Director of Customer Solutions, Andrew Cummings, Presents at Texas Commission on Environmental Quality (TCEQ) Public Drinking Water Conference

NBU Hosts All-Employee Meeting

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

Board President Wayne Peters recessed the Open Session at 3:46 pm and announced that the Board would go into an Executive Session meeting. 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 Executive Session was opened at 3:52 pm and closed at 4:02 pm.

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

There was no further business, and Board President Wayne Peters adjourned the meeting at 4:03 p.m.

Wayne Peters, President

Approved

Attest:

*Ryan Kelso, Secretary of the Board
Chief Executive Officer*

Date Approved: September 22, 2026