

**MINUTES
NEW BRAUNFELS UTILITIES BOARD OF DIRECTORS
REGULAR BOARD MEETING**

**1:00 P.M.
Thursday, March 28, 2024
NBU Board Room
263 MAIN PLAZA, NEW BRAUNFELS, TEXAS 78130**

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

PRESENT

Board President Wayne Peters, Board Vice President Judith Dykes-Hoffmann, Board Trustee John Harrell, Board Trustee Yvette Barrera Villanueva and Mayor Neal Linnartz

ABSENT

None

NBU PERSONNEL

Dawn Schriewer, Connie Lock, David Hubbard, Greg Brown, and Laura Rivers

NBU CONSULTANTS

None

PLEDGE AND INVOCATION

Board President Wayne Peters led the pledge of allegiance and offered the invocation.

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

Chief Financial Officer Dawn Schriewer shared the vision of New Braunfels Utilities. This month the focus was on the NBU Vision. She highlighted two recent events that exemplify the NBU Vision, including staff participation in a Community Helper Day and the New Braunfels Food Bank's Back Pack drive.

PUBLIC COMMENT

Ron Schmidt, citizen, addressed the Board on the need for an easement to serve as a pathway for emergency vehicles or for emergency situations.

RECOGNITIONS

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

Chief of Staff Laura Rivers recognized staff who participated in this year’s Kinderschuhe 5K run event. New Braunfels Utilities (NBU) partnered with the Athletic Guild to raise funds for Communities in Schools, helping them purchase shoes for area children in need.

Representatives from the Athletic Guild, along with Communities in Schools staff, volunteers, and students, were present to receive a check for \$5000.

ITEMS FROM THE CHAIR

1. American Public Power Association (APPA) Legislative Rally Update

Board President Wayne Peters, Chief of Staff Laura Rivers, and Board Relations Coordinator Laura Ayala recently attended the American Public Power Association (APPA) Legislative Rally. Along with attending pre-conference seminars, Mr. Peters attended the Policy Makers Council meeting for a Legislative Overview and a presentation of proposed APPA resolutions. Additionally, they met with five Legislative staffs: (1) Senator Ted Cruz and his staff, (2) Senator John Cornyn's staff, (3) Representative Chip Roy's staff, (4) Representative Dan Crenshaw's staff, and (5) Representative Marc Veasey's staff. Discussions highlighted supply chain concerns, reducing financing costs for infrastructure investments, promoting affordable and reliable power and policies regarding Distributed Energy Resources (DERs), Federal policies related to Electric Vehicles (EVs), and strengthening partnerships for a secure grid.

2. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code

None

ITEMS FROM STAFF

1. CEO Update

CEO Ryan Kelso was absent from the meeting. Chief of Staff Laura Rivers presented updates on the following events that NBU staff participated in on his behalf:

a. Update on Electric Operations: Materials and Project Status Updates

New Braunfels Utilities has received several critical deliveries of materials, including transformers. As a result, our Electric Department's materials queue backlog for residential projects, including subdivisions & multi-family units, has been cleared and is now at zero once again.

Electric Operations is now focused on catching up with construction for seven (7) projects, with the most significant being Mayfair E-8 which had developer requirements complete November 13, 2023.

b. NBU Control Center Ribbon Cutting Ceremony

The previous console in the Control Center, a relic from the early 2000s, was long overdue for a replacement. Its deteriorating condition, inefficiency, and ergonomic hazards were a constant concern for our operators. The need for a new console had been a topic of discussion for over a decade, with numerous drawings and vendor research conducted. Finally, in late 2022, a design was crafted that met all our operators' requirements. The most crucial was the sit-stand option, allowing them to work comfortably during their 12-hour shifts. The new consoles also facilitate the addition of an extra workstation, making the room more spacious. Since their installation, the room's morale has significantly improved. We have received the following direct feedback:

“The Control Center is significantly more comfortable, professional, and an all-around better work environment with the renovations. Just wanted to say the improvements are definitely appreciated.”

On February 28th, we held a grand re-opening of the Control Center to celebrate the much-deserved upgrades to the workstations.

c. Customer Service Real-Time Survey

Coming in FY25 and in an effort to provide a better Customer Experience, New Braunfels Utilities is moving to a Real-Time Survey for customers. Customers will have the opportunity to answer a short survey after interacting with NBU. The results will be available immediately via a dashboard and reported on more frequently to enable us to make any necessary changes/improvements before the customers' next encounter.

d. NBU Leadership Team Participation in Project Management Professional Bootcamp Training Update

The Business Planning team worked with The Project Management Academy to provide two independent trainings designed to increase awareness about the project management process and the benefits that companies world-wide are realizing by formalizing it. The first course was the four-day Project Management Professional boot camp, which is an in-depth dive into project management designed to set up an attendee to be able to take the PMP certification exam. The second was the two-day Project Management Workshop, which is an introduction to project management and its associated processes and provides an opportunity to work with other workshop members on practical applications. These trainings should benefit staff as formal project management is adopted company-wide to be able to use a common lexicon, increase communication, and increase efficiency.

e. Update on the Participating Solar Contracting Program

New Braunfels Utilities launched its new Participating Solar Contractor Program on March 1, 2024. Aimed at revolutionizing how individuals and businesses harness the power of solar energy in our region, this program represents a significant leap forward in NBU's commitment to customer-first support and resilient energy services. This new program emphasizes education around solar energy, a standard code of conduct for solar contractors, and additional NBU personnel to help streamline the process for all parties involved in the solar energy pipeline. If you have any questions about the program, please contact Adriane Tschoepe in the Conservation and Customer Solutions department. Here's to a cleaner and brighter future ahead!

f. Leadership Announcements: Jacob Cleland was announced as the newest addition to our leadership team. Jacob started with NBU on December 1, 2020, as the Communications & External Affairs Intern and was promoted to Communications & External Affairs Coordinator in January 2021, until September 2023, in his most recent role as Senior Communications Specialist, then Interim Communications & External Affairs Interim Manager this past February.

g. Any other items permitted under Section 55.0415 of the Texas Government Code: No additional items were discussed. *no discussion under this item

2. Financial Update and Report

Accounting Manager Kimberly Huffman provided an update on the financial status of NBU.

3. Discuss NBU Outage Notification Protocols

Chief of Staff Laura Rivers presented information on the NBU Outage Notification Protocols. Information shared includes an overview of communication goals, possible causes of electric outages and water main breaks, an outage response timeline, target audience notifications, types of outages, NBU Protocols, Water Line Main Break Restoration, Key Account Enhanced Outage Communications, Protocol for Additional Priority Communications, and Technology Opportunities on the Horizon.

CONSENT ITEMS FOR ACTION

Board Trustee John Harrell made a motion, and Mayor Neal Linnartz seconded the motion to approve the Consent Items for Action as follows: #1, #2, #3, #4, #5, #6, and #7. The vote was unanimous.

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**
Mayor Neal Linnartz made a motion, and Board Trustee John Harrell seconded the motion to approve the 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. The vote was unanimous.

2. Discuss and Consider Approving the Updated NBU Five-Year Water Conservation Plan as Required by the Texas Commission on Environmental Quality (TCEQ)

Board Trustee John Harrell made a motion, and Board Trustee Yvette Barrera Villanueva seconded the motion to approve the updated NBU Five-Year Water Conservation Plan as Required by the Texas Commission on Environmental Quality. The vote was unanimous.

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

Board Trustee John Harrell made a motion, and Board Trustee Yvette Barrera Villanueva seconded the motion to approve the 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. The vote was unanimous

PRESENTATION ITEMS

1. Presentation on the Future Population Growth and Economic Outlook in the Texas Area from Real Estate Research Firm, Zonda Intelligence Corp

Bryan Glasshagel, Zonda Intelligence Corp, presented a New Braunfels Housing Market Update. The presentation included information on the mortgage rate and homeowner backdrop, the local area economy, housing demand, and housing supply.

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

Laura Rivers presented information on the transfer of the NBU property located at 263 Main Plaza, New Braunfels, Texas to the City of New Braunfels.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 2:48 pm and announced that the Board would go into an Executive Session meeting. The Executive Session included Power Supply Resources – Competitive Matters; Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offer, and/or Matters Protected by Attorney Client Privilege: Discuss the Pending Litigation Styled *Skyblue Utilities, Inc. v. New Braunfels Utilities*, Comal County, 433rd Judicial District Cause No. 2024-0253D, Discuss Legal Matters Related to the Texas Open Meetings Act

The Executive Session was opened at 2:57 pm and closed at 3:55 pm.

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 3:55 p.m.

Attest:

*Wayne Peters, President
Approved*

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

Date Approved: April 25, 2024