



**Meeting Date:** March 30, 2023      **Agenda Type:** Consent Items for Action

**From:** Jesse Luna      **Reviewed by:** David Hubbard  
Purchasing Manager      Chief Administrative Officer

**Submitted by:** David Hubbard      **Approved by:** Ian Taylor  
Chief Administrative Officer      Chief Executive Officer

**RECOMMENDED ACTION:** Approve the Public Calamity Exemption Log from January 15, 2023, through February 15, 2023

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## BACKGROUND

In order for New Braunfels Utilities (“NBU”) to ensure its continued ability to provide water, wastewater, and electric services to its customers without disruption, the NBU Board of Trustees approved a Declaration of Emergency Event Relating to Supply Chain Disruptions Resulting from the Covid-19 Pandemic (the “Declaration”) on February 24, 2022. The Board extended the Declaration on March 31 and during every board meeting since then to date. During today’s Board of Trustees meeting, NBU staff is requesting the Board to extend the Declaration until April 27, 2023.

The Declaration makes the finding pursuant to Section 252.022(a)(1) of the Texas Local Government Code that a public calamity exists relating to supply chain disruptions resulting from the Covid-19 pandemic. This Section exempts municipalities, including municipally owned utilities like NBU, from the competitive procurement process for procurements due to a public calamity requiring the immediate appropriation of money to relieve the necessity of its residents or to preserve its property.

The NBU Purchasing Manager and the chief officer from the requesting department will determine if the requested expenditure qualifies for the Public Calamity exemption. The Purchasing Manager will prepare a consent agenda item to request approval of the public calamity expenditures that exceed \$250,000 at the next Board of Trustees’ meeting.

Listed below are the public calamity exemption purchases submitted to the Purchasing Manager for the period of January 15, 2023 through February 15, 2023.

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## FINANCIAL IMPACT

### Public calamity expenditures of more than \$250,000:

- None reported during this period

**LINK TO STRATEGIC PLAN**

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**Customers and Community**

**People and Culture**

**Stewardship**

**EXHIBITS**

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None