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**Meeting Date:** August 31, 2023      **Agenda Type:** Consent Items for Action

**From:** Adam Willard, P.E.      **Reviewed by:** Michael Short, P.E.  
Chief Engineer of Water      Director of Water Services and  
Systems      Compliance

**Submitted by:** Michael Short, P.E.      **Approved by:** Ryan Kelso  
Director of Water Services and      Interim Chief Executive Officer  
Compliance

**RECOMMENDED ACTION:** Authorize Interim CEO or His Designee to Approve Resolution #2023-175 Approving (I) the Acquisition of Permanent and Temporary Easements from Seraphim Partners, Ltd. For the Wood Meadows Water Line River Crossing Project, (II) Execution of Any and All Documents Necessary to Purchase Such Real Property Interest, and (III) Other Matters in Connection Therewith

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## **BACKGROUND**

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On March 19, 2019, New Braunfels Utilities (“NBU”) Board of Trustees approved a Professional Services Agreement with Freese and Nichols, Inc. for the design of the Wood Meadows Water Line River Crossing Project (the “Project”). This Project includes the installation of a new 16-inch water line that will cross underneath the Guadalupe River near Wood Meadows and a new 8-inch connection water line. The 16-inch water line will replace two existing water lines (8-inch and 12-inch) that are exposed at the bottom of the river and vulnerable and subject to damage/failure during flood events. The proposed new water lines will be constructed in new easements on the east and west sides of the Guadalupe River. The Project helps increase the reliability of NBU’s water system, as well as reduce operation and maintenance costs.

In order to construct the Project, NBU requires a 0.850-acre permanent utility easement and a 1.442-acre temporary construction easement. NBU has entered negotiations with Seraphim Partners Ltd, to acquire the permanent and temporary construction easements. NBU obtained an appraisal from Allen, Williford and Seale, Inc. (AWS), dated January 18, 2023, indicating that the value of the easements is \$415,791.

NBU and Seraphim Partners Ltd. have agreed that the terms and conditions of the easements are acceptable, and the value of the easements are to be the appraised value of \$415,719.

NBU staff requests that the Board of Trustees approve the purchase of the easements from Seraphim Partners Ltd. for the Project, approve and execute the Resolution, and execute all related closing documents.

This item is being presented to the Board of Trustees because the total amount of the easements exceeds \$250,000.

Upon completion of the purchase of the easements and final design, NBU staff will solicit a construction contract for the Project and anticipates bringing the construction contract to the Board for approval in Summer of 2026.

## **FINANCIAL IMPACT**

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The total financial impact for the easement with Seraphim Partners Ltd. is \$415,791, plus customary closing costs. The Project is budgeted within the fiscal year 2024 through fiscal year 2027 NBU Board approved Capital Improvements Projects Budget.

## **LINK TO STRATEGIC PLAN**

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**Customers and Community**

**Infrastructure and Technology**

**Stewardship**

## **EXHIBITS**

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1. Permanent and Temporary Easements Resolution with Seraphim Partners Ltd.
2. Appraisal from Allen, Williford and Seale, Inc.