

**A RESOLUTION BY THE BOARD OF TRUSTEES OF THE NEW BRAUNFELS UTILITIES DISSOLVING THE RATE ADVISORY COMMITTEE, ESTABLISHING THE COMMUNITY ADVISORY PANEL, AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the New Braunfels Utilities (“NBU”) Board of Trustees (the “Board”) established the Rate Advisory Committee (the “RAC”) in April 2022 to provide feedback on NBU’s water, wastewater, and electric rate structures;

WHEREAS, the RAC’s feedback allowed NBU to maintain fair and equitable rates based on the cost to provide service to our various customer classes;

WHEREAS, NBU wishes to dissolve the Rate Advisory Committee and establish a Community Advisory Panel; and

WHEREAS, the Community Advisory Panel will provide public input on rates and other major initiatives related to the operations and financial stability of NBU, including the drought conservation plan and an integrated resource plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF NEW BRAUNFELS UTILITIES THAT:**

SECTION 1. The 2022-2023 Rate Advisory Committee is hereby dissolved and the eighteen members are released from serving on the Rate Advisory Committee, and that the Rate Advisory Committee Bylaws are hereby revoked.

SECTION 2. The Board approves the formation of a Community Advisory Panel as a forum for the community to provide diverse views and feedback on topics of significance related to NBU initiatives, including rates, the drought conservation plan, and an integrated resource plan.

SECTION 3. The recitals contained in the preamble hereof are found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board of Trustees.

SECTION 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board of Trustees hereby declares that this Resolution would have been enacted without such invalid provision.

R#2023-176

SECTION 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, AND ADOPTED, this the 31<sup>st</sup> day of August, 2023.

---

Judith Dykes-Hoffmann, President  
Board of Trustees New Braunfels Utilities

ATTEST:

---

Ryan Kelso  
Interim Chief Executive Officers  
Secretary to the Board of Trustees