

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

1:00 P.M.

Thursday, October 30, 2025

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 Yvette Barrera Villanueva, Board Trustee Stuart Blythin, and Mayor Neal Linnartz

ABSENT

None

NBU PERSONNEL

Ryan Kelso, Ragan Dickens, Greg Brown, Jessica Williams, Connie Lock, Mark Steelman, Andrew Cummings

Adriana Sanchez, Ashley VanBooven, Carlos Salas, Darrin Jensen, Jason Theurer, John Warren, Julia Haynes, Justin Green, Mike Short, Rachel Leier, Reagan Pena, Joe Vargas, Adam Willard, Anna Johnson, Beth Perez, Billy Shearer, Bruce Haby, David Guerrero Jr., Doug Clifton, Gregory Thomas, Jacob Tschoepe, James Rammel, Jenna Mathis, Jesse Luna, Jessica Coleman, Jessica Green, Justin Stroup, Kimberly DaCosta, Kristi Villasana, Larry Aguilar, Missy Quent, Peter Vanderstoep

NBU CONSULTANTS

Ashley Dierker

PLEDGE AND INVOCATION

Mayor Neal Linnartz led the pledge of allegiance and offered the invocation.

PUBLIC COMMENT

There were no public comment requests.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 1:04 pm and announced that the Board would go into an Executive Session meeting. The Executive Session included 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: Discuss Legal Matters Related to Impact Fee Appeal Filed by MMF NBTXLAND, LLC Pertaining to Property Described as a 60.489 Acre Tract of Land out of the A.M. Esnaurizar

Survey No. 1, Abstract No. 98, Comal County, Texas; Being that same Land Called 60.51 Acres, Recorded in Document No. 202306000483, Official Public Records, Comal County, Texas.

The Executive Session was opened at 1:05 pm and closed at 1:42 pm.

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE

The Regular Session resumed at 1:45 p.m. Only the matters cited above, and no others, were discussed, and no votes were taken in Executive Session.

HEARING

- 1. Hold a Public Hearing and Consider an Impact Fee Appeal Filed by MMF NBTXLAND, LLC Pertaining to Property Described as a 60.489 Acre Tract of Land out of the A.M. Esnaurizar Survey No. 1, Abstract No. 98, Comal County, Texas; Being that same Land Called 60.51 Acres, Recorded in Document No. 202306000483, Official Public Records, Comal County, Texas**

Board President Wayne Peters presided over the hearing in response to the impact fee appeal filed by Shannon Mattingly of the Drennar Group regarding the McWhinney/Ploetz New Braunfels Development. The applicant was provided twenty (20) minutes to present its arguments in support of the appeal. NBU was provided twenty (20) minutes to present its arguments in support of the original decision.

Shannon Mattingly addressed the board on behalf of the applicant.

***The board recessed at 2:06 pm and reconvened at 2:13 pm.**

Ashley Dierker addressed the board on behalf of NBU.

The applicant was allowed to present additional arguments in rebuttal, and NBU was allowed to provide closing remarks.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 2:47 p.m. and announced that the Board would go into an Executive Session meeting. The Executive Session included 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: Discuss Legal Matters Related to Impact Fee Appeal Filed by MMF NBTXLAND, LLC Pertaining to Property Described as a 60.489 Acre Tract of Land out of the A.M. Esnaurizar Survey No. 1, Abstract No. 98, Comal County, Texas; Being that same Land Called 60.51 Acres, Recorded in Document No. 202306000483, Official Public Records, Comal County, Texas

The Executive Session was opened at 2:48 pm and closed at 3:09 pm.

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE

The Regular Session resumed at 3:09 pm. Only the matters cited above, and no others, were discussed, and no votes were taken in Executive Session.

The following action was taken relating to the Executive Session as described above.

Mayor Neal Linnartz made the motion, and Board Trustee Yvette Barrera Villanueva seconded the motion to deny the Impact Fee Appeal Filed by MMF NBTXLAND, LLC Pertaining to Property Described as a 60.489 Acre Tract of Land out of the A.M. Esnaurizar Survey No. 1, Abstract No. 98, Comal County, Texas; Being that same Land Called 60.51 Acres, Recorded in Document No. 202306000483, Official Public Records, Comal County, Texas, in its entirety. The vote was unanimous.

ITEMS FROM THE CHAIR

1. Review of the NBU 2026 Board Meeting Calendar

A copy of the 2026 NBU Board Meeting dates were provided to the board for review.

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

No additional comments were made.

ITEMS FROM STAFF

1. CEO Update

CEO Ryan Kelso presented updates on the following events that NBU staff participated in:

a. Community Outreach Events: Meet the Trucks, Comal County Fair, Rain Barrel Workshop, National Night Out, Dos Rios Watershed Cleanup, and Monster Detective Kindergarten Program Kick-Off

Meet the Trucks

Our Electric Operations team and their bucket truck joined the City of New Braunfels Meet the Truck event, where community members were invited to get up close and personal with the big trucks that make our city go.

Comal County Fair

NBU joined in the fun during the Comal County Fair. Two of our trucks participated in the parade, and our Conservation Team partnered with the Comal County Fair Association to present a special program about the Edwards Aquifer to students in kindergarten through 4th grade.

Rain Barrel Workshop

Our Conservation Team partnered with the Headwaters at the Comal, Westside Community Center, and the New Braunfels Public Library to present a DIY Rain Barrel workshop. Conservation staff demonstrated and led participants through the steps of creating their own rain barrel.

National Night Out

NBU partnered with the New Braunfels Police Department to host a booth for National Night Out at the Westside Community Center. Representatives from Conservation, Customer Service, and Water Treatment and Compliance informed the community of ways to pay, billing assistance, assessment offerings, and rebates offered by NBU.

Dos Rios Watershed Cleanup

NBU team members volunteered for the City-hosted litter cleanup event in an effort to reduce the litter in our creeks and rivers and to raise awareness of the importance of keeping our water resources clean and healthy.

Monster Detective Kindergarten Program Kick-off

The NBU Conservation kicked off our Monster Detective Program Series by presenting the Monster Detective Collective educational program to Kindergarten children at Memorial Elementary School. The lesson focused on light energy. This was the first presentation of many that our Conservation Team will conduct around the community this school year.

b. NBU Participates with the New Braunfels Chamber of Commerce on Intercity Visit to Lawrence and Topeka, Kansas

The New Braunfels Chamber hosted the 2025 Intercity Trip to Lawrence and Topeka, Kansas, connecting local business and community leaders. NBU was represented by Chief Operations Officer Mark Steelman and Board of Trustees President Wayne Peters.

c. CEO Roadshow: New Braunfels Jaycees

CEO Ryan Kelso presented the State of NBU and provided an update on the new NBU Headquarters at the September New Braunfels Jaycees meeting.

d. United Way Employee Giving Campaign Results

This year, NBU had 278 team members participate in our annual United Way Campaign, and through their generous donations, we were able to pledge \$55,018.82 to the United Way of Comal County.

e. NBU Hosts Employee Health Fair

NBU hosted its Annual Health Fair, bringing together 53 vendors representing a wide range of local wellness companies. With an impressive 78% employee participation rate, this year's event was a tremendous success, promoting health, wellness, and community across our organization.

f. NBU Leadership Team Participates in Annual Strategic Planning Sessions

The NBU leadership team participated in a strategic planning session to share and review ideas on what the mission, vision, and core values for NBU should look like moving forward.

g. NBU Observes Customer Service Week/Customer Service Planning Session

NBU recognized and celebrated the Customer Service team in observance of Customer Service Week. Our Customer Service leadership team planned a full week of appreciation to thank the NBU frontline teams for their unwavering commitment.

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

*No additional items were discussed.

2. Financial Update and Report

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

3. Quarterly Capital Update – Fourth Quarter of Fiscal Year 2025

Program Portfolio Manager Jacob Tschoepe provided an update on the FY25 Fourth Quarter Capital Update.

4. Monthly NBU Headquarters Progress Update

Program Portfolio Manager Jacob Tschoepe provided an update on the progress of the NBU Headquarters project.

5. Integrated Resource Plan (“IRP”) Update

Power Supply Manager Kristi Villasana provided an update on the projected timeline for the IRP action plan.

CONSENT ITEMS FOR ACTION

Board Trustee Stuart Blythin made a motion, and Board Vice President Judith Dykes-Hoffmann seconded the motion to approve the Consent Items for Action as follows: #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12, and #13. The vote was unanimous.

1. Approve Minutes of the NBU Regular Board Meeting of September 25, 2025
2. Approve the Change Order Log from August 15, 2025, through September 15, 2025
3. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2025, through September 15, 2025
4. Approve the Electric Line of Business Alternative Procurements from August 15, 2025, through September 15, 2025
5. Reject All Proposals Submitted for RFP #25-0109, Sewer Infrastructure Package 2, Phase 1, a Project Located Generally Along Landa Street from near Dry Comal Creek to Fredericksburg Road and along Fredericksburg Road from Landa Street to Wood Road
6. Reject All Proposals Submitted for RFP #25-0088, Freiheit Control House and Breaker Additions Construction

7. Approve Proposed Revisions to the NBU Community Advisory Panel Bylaws
8. Approve Resolution Amending Authorized Representatives of NBU for Texas Local Government Investment Pool Transactions
9. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Allbrite Constructors of Texas, Inc. for the Construction of the Broken and Critical Valve Replacements Project for the Installation, Removal, and/or Replacement of Water Valves
10. Authorize the CEO or His Designee to Negotiate Renewal of the Administrative Services Agreement with BlueCross and BlueShield of Texas for Calendar Year 2026 and to Take All Reasonable Actions in Connection Therewith
11. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with GTS Technology Solutions, Inc. for Splunk Cloud and Security Subscriptions
12. Authorize the CEO or His Designee to Negotiate and Execute a Cooperative Agreement with iSphere Innovation Partners LLC for Technology and Security Consulting Services
13. Authorize the CEO or His Designee to Negotiate and Execute a Vendor Agreement with Azteca Systems, LLC for Cityworks Asset Management Software

PRESENTATION ITEMS

1. One Water Program – 2025 Annual Report

Robin Gary presented the annual report on One Water New Braunfels. One Water is a collaboration between NBU, the city of New Braunfels, and the Guadalupe-Blanco River Authority. It is an integrated planning and implementation approach to managing water resources. The five key goals, year 2 projects, successes, and productivity, and year 3 priorities were shared with the Board.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 4:08 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 Offers, and/or Other Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code) Pertaining to the Following: Discuss Settlement of Pending Litigation Styled *Allison McCumbee v. New Braunfels Utilities*, No. C2024-1273B (207th District Court, Comal County, Texas)

The Executive Session was opened at 4:11 pm and closed at 4:19 pm.

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE

The Regular Session resumed at 4:21 p.m. Only the matters cited above, and no others, were discussed. The board voted on the competitive matter listed on the agenda, but no other votes were taken in Executive Session.

ADJOURN

There was no further business, and Board President Wayne Peters adjourned the meeting at 4:21 p.m.

Attest:

Wayne Peters, President
Approved

Ryan Kelso, Secretary of the Board
Chief Executive Officer

Date Approved: December 18, 2025