

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

**1:00 P.M.
THURSDAY, FEBRUARY 25, 2021
GOTOMEETING – VIDEO CONFERENCE**

Board President John Harrell opened the meeting at 1:00 pm. A quorum of the NBU Board was present.

PRESENT

Board President John Harrell, Board Vice President Judith Dykes-Hoffmann, Board Trustee Bob Gray, Board Trustee Wayne Peters, and Mayor Rusty Brockman

ABSENT

None

NBU PERSONNEL

Ian Taylor, Ryan Kelso, Dawn Schriewer, Connie Lock, Melissa Krause, Robin Britton, David Hubbard, and Laura Rivers

NBU CONSULTANTS

None

PLEDGE AND INVOCATION

Mayor Rusty Brockman led the pledge of allegiance and offered the invocation.

PUBLIC COMMENT

None

RECOGNITIONS

1. Employee Recognitions

CEO Ian Taylor recognized Justin Burkhardt for 20 years of dedicated service to New Braunfels Utilities.

ITEMS FROM THE CHAIR

The Board of Trustees expressed their gratitude to all NBU employees for their tireless efforts during the Winter Weather Event.

ITEMS FROM THE STAFF

1. Winter Weather Event

CEO Ian Taylor, COO Ryan Kelso, CFO Dawn Schriewer, and CAO David Hubbard provided an in-depth overview of the Winter Weather Event.

2. CEO'S Update

CEO Ian Taylor briefed the Board that this year's Kinderschuhe 5K Run and Walk will take place on Saturday, March 6, 2021, in Gruene, Texas.

3. Financial Update and Report

Accounting Manager Kimberly Huffman provided an update on the financial status of NBU. Ms. Huffman reviewed the financial and statistical reports for January 2021.

4. Quarterly Investment Report

Finance Manager John Warren reviewed the quarterly investment reports.

5. Review Actual Performance to COVID-19 Assumptions

CFO Dawn Schriewer reviewed actual performance to COVID-19 assumptions.

6. Monthly Update on Customer Accounts

Chief Financial Officer Dawn Schriewer updated the Board on the customer account balances.

CONSENT ITEMS FOR ACTION

Board Trustee Bob Gray made a motion and Board Trustee Wayne Peters seconded the motion to approve the Consent Items for Action as follows: #1, #2, #3, #4, #5, #6, #7, #8, #9, and #10. The vote was unanimous.

1. Approve Minutes of the NBU Regular Board Meeting of January 28, 2021
2. Approve 2020 Third Quarter Charge-Off Accounts
3. Approve the Change Order Log from December 15, 2020, through January 15, 2021
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2020, through January 15, 2021
5. Approve the Guadalupe Blanco River Authority Canyon Hydro Cost Reconciliation for Fiscal Year 2020
6. Authorize CEO or His Designee to Negotiate and Execute a Contract with Texas Electric Cooperatives, Inc. for the Purchase of Two Substation Power Transformers
7. Authorize CEO or His Designee to Negotiate and Execute a Construction Contract with Spiess Construction Inc. for the Construction of the Castell West Construction Project
8. Authorize CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Arcadis, Inc. for the Water Resource Plan Project
9. Authorize CEO or His Designee to Negotiate and Execute a Second Amendment to Work Authorization with Jones and Carter, Inc. for the North and South Kuehler Wastewater Treatment Plant Expansion Project
10. Authorize CEO or His Designee to Negotiate and Execute a Contract with Technology Management Concepts to Provide Maintenance Renewal and Consulting Services for NBU's Financial Systems

ACTION ITEMS

1. Discuss and Consider Adoption of Resolution #2021-144 Relating to the Issuance of Short-Term Obligations and Resolving Other Matters Incident and Related Thereto

Board Trustee Bob Gray made a motion and Board Vice President Judith Dykes-Hoffmann seconded the motion to adopt Resolution #2021-144 relating to the issuance of short-term obligations and resolving other matters incident and related thereto. The vote was unanimous.

PRESENTATION ITEMS

1. Presentation from Marmon Mok on NBU Headquarters

This item was postponed and will be rescheduled for a later date.

EXECUTIVE SESSION

Board President John Harrell recessed the Open Session at 2:58 pm and announced that the Board would go into an Executive Session Meeting. The Executive Session included Competitive Matters regarding Power Supply and Resource Strategies, and Attorney Client Privilege Consultation and Contemplated Litigation. The Executive Session was opened at 3:11 pm and closed at 4:54 pm.

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

ADJOURN

The Regular Session resumed at 4:55 pm. Board President John Harrell made a motion and Board Vice President Judith Dykes-Hoffmann seconded the motion to cooperate with the City of New Braunfels to file the necessary pleadings and take any additional action related to a declaratory judgment proceeding to determine whether certain language in the deed conveying to the City of New Braunfels the property commonly known as 413 Gruene Rd., New Braunfels, Texas 78130, constitutes a restrictive covenant, and to cooperate in the use of the power of eminent domain to condemn the restrictive covenant if necessary. The Property being also described as:

- 2.693 acre tract of land, situated in the Henry Foster Survey, Abstract No 154, Comal County, Texas, conveyed to the City of New Braunfels, recorded in Volume 192, Page 543, Deed Records, Comal County, Texas.

Such action to construct, utilize, and maintain a disaster recovery center, to advance and achieve the public use of servicing the people of New Braunfels and surrounding areas during a disaster. . The vote was unanimous.

There was no further business and Board President John Harrell adjourned the Board Meeting at 4:56 pm.

Attest:

John A. Harrell, President
Approved

Ian Taylor, Secretary of the Board
Chief Executive Officer

Date Approved: March 25, 2021