

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

1:00 P.M.

Thursday, January 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, Dawn Schriewer, Connie Lock, Rocio Gallegos, Mark Steelman, Sheila Lavender, David Hubbard

Bob Figuly, Rachel Leier, Nancy Pappas, Reagan Pena, Carlos Salas, Mike Short, John Warren, Jessica Coleman, Andrew Cummings, Becca Graham, Justin Green, David Guerrero, Jr., Bruce Haby, Kimberly Huffmann, Jeffrey Jones, Jesse Luna, Brent Lundmark, Chelsea Mikulencak, Jeffrey Morriss, Missy Quent, Justin Stroupe, Pamela Tarbox, Gregory Thomas, Jacob Tschoepe, Peter Vanderstoep, Kristi Villasana, Adam Willard

NBU CONSULTANTS

Dave Christiansen, P.E.

PLEDGE AND INVOCATION

Board Trustee Yvette Barrera Villanueva led the pledge of allegiance and offered the invocation.

NBU EMPLOYEE RECOGNITION

- 1. Presentation of Years of Service Pins to Employees John Espinoza (20 years) and John Krause (35 years)**

NBU Employee John Espinoza was recognized and presented with a service pin for 20 years of service with NBU, and NBU Employee John Krause was recognized and presented with a service pin for 35 years of service with NBU.

PUBLIC COMMENT

Wayne Rudolph, resident, addressed the board on impact fees for multi-family developments within the service area.

ITEMS FROM THE CHAIR

1. **NBU Board Committee Assignments**

Board President Wayne Peters provided to the Board the list of committee assignments. They include: Audit Committee (Wayne Peters, Stuart Blythin), Budget Committee (Judith Dykes-Hoffmann, Wayne Peters), Investment Committee (Judith Dykes-Hoffmann, Stuart Blythin), Legislative Committee (Wayne Peters, Yvette Villanueva Barrera), Public Information Act Committee (Yvette Barrera Villanueva, Stuart Blythin), Records Management Committee (Yvette Villanueva Barrera), Water Infrastructure Maintenance Committee (Stuart Blythin, Yvette Villanueva-Barrera), Ad hoc Community Advisory Panel Board Committee (Wayne Peters, Neal Linnartz, Chair of Community Advisory Panel), Ad hoc Facilities Master Plan Committee (Judith Dykes-Hoffmann, Wayne Peters), Ad hoc Governance Committee (Judith Dykes-Hoffmann, Wayne Peters), Headwaters at the Comal Non-Profit Board (Yvette Barrera-Villanueva, Judith Dykes-Hoffmann)

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. **Leadership Announcement of Position Changes: Data Strategy Manager Peter Vanderstoep and Power Supply Manager Kristi Villasana**

Peter Vanderstoep has been promoted to Data Strategy Manager. Peter began his career with New Braunfels Utilities as the Data Analytics Supervisor on May 2nd, 2023. Over these past two years, Peter has successfully led project implementations while coaching and mentoring his team.

Kristi Villasana has been promoted to Power Supply Manager. Kristi was hired by NBU in 2014 as an Administrative Assistant in Electric Engineering. In 2017, she transitioned into the role of HR Generalist II. In 2020, she moved into Power Supply as an Energy Analyst. By 2021, she transitioned to the Energy Market Regulatory Coordinator, her key focus became ERCOT policies and protocols. By 2023, she was promoted to Energy Analytics Supervisor. Now, in 2024, she will step into the role of Power Supply Manager.

b. **NBU's Response to the January 2025 Winter Storm**

On January 20th and 21st, winter storm Enzo blew into Texas and provided between .25 and .75 of an inch of snow in the New Braunfels region. NBU's Emergency Response Coordinator activated NBU's internal Incident Response Team (IRT) on Thursday, January 16th. During the event, NBU stayed in lockstep with the city's response, and while both the City and NBU delayed opening on January 21st, NBU was open and ready to serve our customers by 1 p.m. that afternoon.

The NBU Enterprise Communications team utilized social media channels, internal email, text messaging, and press releases to inform both internal and external audiences of NBU closure times, ways to pay, and when NBU would resume normal business

hours. We received immediate positive feedback from customers regarding the text functionality as an alert system. Each mode of communication was purposefully concise to avoid any confusion for employees and customers as to NBU's next steps.

Additionally, prior to the weather event, Customer Service team members proactively tested equipment at home, to ensure a functional remote work environment. The team proactively crafted messaging for the phone system IVR, text alerts, and signage at the Customer Solutions Center (CSC) for posting readiness. The Customer Service and Enterprise Communications teams worked together to ensure there was customer tone alignment throughout all communication channels. Additionally, disconnects for non-payment were paused and late fees were stopped to account for customers who were not able to make payment due to the delayed CSC opening and/or road conditions.

From an Operations perspective, NBU's winter readiness initiatives included insulating, protecting, and winterizing assets vulnerable to failure in freezing conditions. The utility also bolstered critical infrastructure by adding insulation, weatherproofing enclosures, and freeze protection measures to essential systems. Additionally, NBU prioritized tree trimming to mitigate the risk of ice-laden branches contacting power lines, a common cause of winter disruptions. We ensured our employees were fully equipped to work in severe weather for extended periods.

c. NBU Employee Holiday Party

On December 13th, NBU hosted its annual Holiday Party, bringing together over 400 employees and their spouses. Special thanks were given to the Events Committee and all who contributed time and energy to ensure every detail was perfect.

d. NBU Executive Strategic Retreat

On January 8th and 9th, the Executive and Director teams met to discuss staffing updates for the 2026 and 2027 fiscal years. Our teams worked diligently to make decisions that would be the most beneficial for NBU and the community. The finalized personnel decisions made will help NBU meet the strategic goals for both years.

e. Monster Detective Program Update

NBU has launched a new youth initiative called Monster Detective, a program created by Milepost in partnership with the American Public Power Association. Staff did a soft launch of the program at Morningside Elementary in December, engaging 250 students. The program is taught by NBU staff and is designed to teach third-graders about utility conservation, safety, and environmental stewardship. As "Monster Detectives," students learn to spot and tackle "energy-wasting monsters." Each session will feature hands-on activities, discussions, and take-home resources to promote conservation awareness among families.

f. 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. Power Stabilization Fund Update

Energy Risk Manager Missy Quent provided an update on the Power Stabilization Fund.

CONSENT ITEMS FOR ACTION

Board Vice President Judith Dykes-Hoffmann made a motion, and Trustee Yvette Barrera Villanueva seconded the motion to approve the Consent Items for Action as follows: #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, #18, #19, #20, and #21. The vote was unanimous.

1. Approve Minutes of the NBU Regular Board Meeting of December 12, 2024
2. Approve Minutes of the NBU Special Board Meeting of January 16, 2025
3. Approve the Change Order Log from November 15, 2024, through December 15, 2024
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2024, through December 15, 2024
5. Approve the Electric Line of Business Alternative Procurements from November 15, 2024, through December 15, 2024
6. Approve Proposed Revisions to the NBU Community Advisory Panel (“CAP”) Bylaws
7. Appoint Joe Castilleja and Julissa Vela to the CAP and Appoint Dr. Les Shepard as CAP Vice Chair
8. Approve Changes to the List of Authorized Representatives at TexPool and Authorize the Board President and CEO/Board Secretary to Execute Documentation in Connection Therewith
9. Adopt Resolution #2025-193 Approving Revisions to the Investment Policy and Other Matters in Connection Therewith
10. Approve Staff Recommendation to Reject All Proposals Submitted for RFP #24-0061 Relating to the Integrated Risk Management and Settlements Software Solicitation
11. Authorize the CEO or His Designee to Negotiate and Execute a Construction Contract with Cash Construction Company, Inc. for the Construction of the McKenzie Interceptor Upgrade Project
12. Authorize the CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Pawelek and Moy, Inc. for the Design of the Sewer Infrastructure Replacement Package Two Project for Four Construction Locations, Including

Landa Street, Fredericksburg Road, Sundance Parkway, and Elizabeth Avenue, New Braunfels, Texas

13. Authorize the CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Saengerhalle North Interceptor Project
14. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Alan Plummer and Associates, Inc. for the Design of the Goodwin Lane Water Main Project
15. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the I-35 Interceptor Upgrade Project
16. Authorize the CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Freese and Nichols, Inc. for the Design of the Trinity Water Treatment Plant and Pump Station Expansion Project
17. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Arcadis, U.S., Inc. for the Design of the Highway 46 Water Line (Mission) Phase 2 Project
18. Authorize the CEO or His Designee to Approve Additional Construction Contract Contingency with Pesado Construction Company in the Amount of \$209,730.00 for the Construction of the Solms Lift Station Expansion Project.
19. Ratify a Construction Contract with Pesado Construction Company Executed by the CEO for the Emergency Repair of a Break in the Solms Force Main
20. Authorize the CEO or His Designee to Negotiate and Execute an Interlocal Purchasing Agreement with the City of Kyle to Contract Directly with OPIN, LLC dba American FR and Safety for Use of Web-Based Uniform Purchase Program
21. Authorize the CEO or His Designee to Execute AIA Document A133 - Guaranteed Maximum Price Amendment No. 5 with Thos. S. Byrne, Inc. for the Headwaters at the Comal Master Plan, Phase 2 for the Klingemann Parking Lot

ACTION ITEMS

- 1. Discuss and Consider Approval of the NBU Strategic Plan and Annual Priorities for Fiscal Year 2026 and Fiscal Year 2027**

Trustee Stuart Blythin made a motion, and Mayor Neal Linnartz seconded the motion to approve the NBU Strategic Plan and Annual Priorities for Fiscal Year 2026 and Fiscal Year 2027. The vote was unanimous.

- 2. Authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 2 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Electrical Gear and Generator**

Mayor Neal Linnartz made a motion, and Board Vice President Judith Dykes-Hoffmann seconded the motion to authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 2 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Electrical Gear and Generator. The vote was unanimous.

- 3. Authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 3 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Site Package One, Site Utilities, Texas Department of Transportation Improvements, and Demolition**

Mayor Neal Linnartz made a motion, and Trustee Yvette Barrera Villanueva seconded the motion to authorize the CEO or His Designee to Negotiate and Execute AIA Document A133—Guaranteed Maximum Price Amendment No. 3 with SpawGlass Contractors, Inc., for the New Braunfels Utilities Headquarters Facility Project Located on a 76-acre Tract of Property at the Intersection of Engel Road and IH-35 for Site Package One, Site Utilities, Texas Department of Transportation Improvements, and Demolition. The vote was unanimous.

- 4. Discuss and Consider Adoption of Resolution #2025-194 of the Board of Trustees of New Braunfels Utilities Recommending and Requesting that the New Braunfels City Council Take Certain Actions with Respect to an Application to the Texas Water Development Board’s Lead Service Line Replacement Program; Finding the Resolution to Have Been Considered Pursuant to the Laws Governing Open Meetings; Providing a Severability Clause; Establishing an Effective Date; and Other Matters in Connection Therewith**

Mayor Neal Linnartz made a motion, and Trustee Stuart Blythin seconded the motion to adopt Resolution #2025-194 of the Board of Trustees of New Braunfels Utilities Recommending and Requesting that the New Braunfels City Council Take Certain Actions with Respect to an Application to the Texas Water Development Board’s Lead Service Line Replacement Program; Finding the Resolution to Have Been Considered Pursuant to the Laws Governing Open Meetings; Providing a Severability Clause; Establishing an Effective Date; and Other Matters in Connection Therewith. The vote was unanimous.

PRESENTATION ITEMS

- 1. Presentation on Remapping the Area Bounded by NBU's Certificate of Convenience and Necessity and Service Territory for Water and Wastewater**

Mike Short introduced Dave Christiansen, who, with Freese and Nichols, presented information on NBU’s Certificate of Convenience and Necessity (“CCN”) and Service Area Policy.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 2:22 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 Offer, and/or Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code: a. Discuss Legal Matters Relating to Gonzales Carrizo Water Supply Project; b. Discuss Proposed High-Density Multifamily Developments Platted as Minor Plat; and Personnel Matters – CEO Semi-Annual Evaluation (Section 551.074 – Texas Government Code)

The Executive Session was opened at 2:30 pm and closed at 5:00 pm.

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

ADJOURN

There was no further business, and Board President Wayne Peters adjourned the meeting at 5:00 p.m.

Attest:

Wayne Peters, President
Approved

Ryan Kelso, Secretary of the Board
Chief Executive Officer

Date Approved: February 27, 2025