

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

**1:00 P.M.
Thursday, February 29, 2024
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 John Harrell, and Mayor Neal Linnartz

ABSENT

Board Trustee Yvette Villanueva Barrera

NBU PERSONNEL

Ryan Kelso, Dawn Schriewer, Connie Lock, David Hubbard, Greg Brown, and Laura Rivers

NBU CONSULTANTS

None

PLEDGE AND INVOCATION

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

NBU MISSION, VISION, AND CORE VALUES STATEMENT

Chief of Staff Laura Rivers shared the mission, vision, and core values of New Braunfels Utilities. This month the focus was on the NBU Mission.

PUBLIC COMMENT

Ron Schmidt, citizen, addressed the Board on the need for an easement to serve as a pathway for emergency vehicles or for emergency situations.

NBU EMPLOYEE RECOGNITIONS

1. Presentation of Service Pins

- a. Recognizing Kurt Knettel, Henry Luna, and Greg Williams for 20 Years of Service

CEO Ryan Kelso recognized Kurt Knettel, Henry Luna, and Greg Williams with 20 years of dedicated service to New Braunfels Utilities.

- b. Recognizing Chris Kusak and Jesse Rosales for 35 Years of Service

CEO Ryan Kelso recognized Chris Kusak and Jesse Rosales with 35 years of dedicated service to New Braunfels Utilities.

ITEMS FROM THE CHAIR

Board President Wayne Peters shared a reminder that early voting has opened.

ITEMS FROM STAFF

1. CEO Update

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

- a. NBU Awarded Employer of the Year by the International Right of Way Association (IRWA): NBU received an Employer of the Year award from the International Right of Way Association (IRWA). The award is given to recognize companies that actively support their employees as IRWA members. NBU has demonstrated a commitment to the continuing education and training of its employees by allowing its staff to attend IRWA educational courses and participate in chapter events. The award recognizes NBU's 100% staff participation as members of the local IRWA chapter.
- b. Youth Leadership New Braunfels Visits NBU: On February 6, NBU hosted 27 members of the Youth Leadership New Braunfels program. During their visit, NBU leaders spoke with the cohort about choosing a career in government, reviewed the safety aspects of electricity, and even provided an arc welding demo for the youth leaders.
- c. Leadership New Braunfels Visits NBU: On February 13, NBU hosted members of the Leadership New Braunfels program. During their visit, the state of NBU presentation was share, the group toured the newly renovated Control Center and they got to see an arcing demonstration and discussion on electrical safety.
- d. CEO Roadshow: Hunter's Creek Homeowner Association: On February 13, CEO Kelso met with the Hunter's Creek Homeowners Association to discuss rates, NBU's competitiveness, and projects in their part of town.
- e. CEO Roadshow: New Braunfels Realtors Group – Corridor Title: On February 22, CEO Kelso presented on rate increases and growth to Corridor Title.
- f. Customer Satisfaction Survey Window Opens: The 2024 Customer Satisfaction survey opened on February 26th and will close on March 25th. The survey evaluates community satisfaction with NBU's utility services. The outcomes will be used to drive enhancements and will be accessible digitally to all customers. Additionally, some customers will receive phone calls from GreatBlue Research. This survey is in line with NBU's strategic goals for FY 2024
- g. NBU Partners with Communities in Schools (CIS) of South Texas to sponsor the Kinderschuhe 5k: NBU and CIS of South Texas will host the 20th Kinderschuhe 5K Run and Walk. Proceeds from the race are used to provide new shoes for kids served by CIS.
- h. Leadership Announcements/New Hires: Chelsea Mikulencak has joined NBU as the Senior Associate Attorney.

i. Any other items permitted under Section 55.0415 of the Texas Government Code: No additional items were discussed. *no discussion under this item

2. Financial Update and Report

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

3. Quarterly Investment Report

Finance Manager John Warren updated the board on the quarterly Investment Report.

4. Report on NBU Executive Strategic Planning Workshop

CEO Ryan Kelso presented information on the NBU Executive Strategic Planning Workshop. The four-day workshop was used to discuss the future of NBU. Discussions included levels of service and key performance indicators, personnel requests for FY 2025, reorganization and restructuring to help align resources and areas of the company, focus on customer service across the company, and develop a plan to address gaps in those services.

CONSENT ITEMS FOR ACTION

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

1. Approve Minutes of the NBU Regular Board Meeting of January 25, 2024
2. Approve the Change Order Log from December 15, 2023, through January 15, 2024
3. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2023, through January 15, 2024
4. Approve the Electric Line of Business Alternative Procurements from December 15, 2023, through January 15, 2024
5. Approve 2023 Third Quarter Charge-Off Accounts
6. Authorize CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Titan Utility Services, LLC, for the Inspection, Testing, and Documentation of Electrical Tools and Equipment
7. Authorize CEO or His Designee to Negotiate and Execute a Professional Service Agreement with the San Antonio Food Bank d/b/a New Braunfels Food Bank for the Utility Bill Assistance Program
8. Authorize CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Xylem Dewatering Solutions, Inc. d/b/a Wachs Water Services for Fire Hydrant Inspection, Maintenance, and Flow Testing
9. Authorize CEO or His Designee to Negotiate and Execute an AIA Design Build Amendment to the AIA Agreement with SpawGlass Contractors, Inc., for the New Braunfels Utilities Annex Facility Renovation Design Build Guaranteed Maximum Price

10. Approve the Appointment of Dawn Schriewer as President of the Headwaters at the Comal Board of Directors

ITEMS FOR FUTURE ACTION

1. **Review and Discuss the Proposed Five-Year Water Conservation Plan**

Sarah Richards presented information on the proposed five-year conservation plan that is to be reviewed and approved by the NBU Board of Trustees and the New Braunfels City Council. This is required by the Texas Commission on Environmental Quality (TCEQ), Texas Administrative Code, Title 30, Part 1 TCEQ, Chapter 288 Water Conservation Plans. Currently, there are no changes being proposed to the current Water Conservation Plan within city ordinance Chapter 130 – Utilities, Article IV. – Water Service, Division 5.- Water Conservation and Critical Period Management Plan.

EXECUTIVE SESSION

Board President Wayne Peters recessed the Open Session at 2:25 pm and announced that the Board would go into an Executive Session meeting. The Executive Session included Power Supply Resources – Competitive Matters: Power Supply Update, Discuss, and Consider Edison Electric Institute (EEI) Resolution allowing NBU to enter into a Master Agreement Related to Power Supply Transactions; Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offer, and/or Matters Protected by Attorney Client Privilege: Legal Matters Relating to McKenzie Water Reclamation Facility and Gruene Wastewater Treatment Plant; Discuss Legal Issues Relating to the Proposed Sale of 263 Main Plaza; Discuss the Pending Litigation Styled *Skyblue Utilities, Inc. v. New Braunfels Utilities*, Comal County, 433rd Judicial District Cause No. 2024-0253D; Personnel Matters – Discuss the appointment, employment, evaluation, and duties of the CEO.

The Executive Session was opened at 2:32 pm and closed at 4:28 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 4:28 p.m.

Attest:

*Wayne Peters, President
Approved*

*Ryan Kelso, Secretary of the Board
Chief Executive Officer*

Date Approved: March 28, 2024