



# New Braunfels Utilities

## NOTICE OF OPEN MEETING

263 Main Plaza  
New Braunfels, Texas 78130  
[www.nbutexas.com](http://www.nbutexas.com)

### Board of Trustees

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August 31, 2017

12:00 Noon

NBU Board Room

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**A. Invocation and Pledge of Allegiance** – Board Trustee Judith Dykes-Hoffmann

**B. Public Comment**

**C. Items from the Chair**

**D. Consent Items for Action**

1. Approve Minutes of the Regular Board Meeting of June 29, 2017
2. Authorize CEO to Execute a Professional Services Contract with Freese and Nichols to Provide Construction Administrative Services as a Client Representative for the Construction of the Gruene WRF
3. Authorize CEO to Execute a Professional Services Contract with Freese and Nichols for the Engineering Design of the Country Hills and Bretzke Lane Ground Storage Tanks
4. Authorize CEO to Execute an Amendment to the Construction Manager at Risk (CMAR) Contract with MGC Contractors to Install a Waste Water Lift Station, Force Main and Membrane Building at a Guaranteed Maximum Price for the Trinity Well Field Treatment System
5. Authorize CEO to Execute a Professional Services Contract with Arcadis to Provide a 2018 Water Resource Plan
6. Authorize CEO to Execute a Professional Services Contract with Freese and Nichols for the Engineering Analysis of the Water Distribution System to Accommodate the ASR
7. Authorize CEO to Execute a Contract Amendment with Texas Meter and Device Company LLC to Install Electric Meters
8. Authorize Changes to the List of Authorized Representatives to Request Distributions from the New Braunfels Area Community Foundation (NBACF) for the Headwaters at the Comal Special Project Fund

## **E. Items from Staff**

1. CEO's Update
2. Financial Update and Report with Quarterly Investment and Capital Reports
3. Update on the Aquifer Storage & Recovery (ASR) Project

## **F. Action Items**

1. Discuss and Consider Approval of the City Transfer Payable in FY2018
2. Discuss and Consider Approval to Increase the Overall Budget Amount for Phase I of the Headwaters by \$100,000
3. Discuss and Consider Approval of Resolution #2017-114 to Increase NBU's Matching Contributions of Employees' TMRs Contributions
4. Discuss and Consider Approval of the Fiscal Year 2017 Performance Measure Results and Awards
5. Discuss and Consider Authorizing the Fiscal Year 2018 Performance Measure Program
6. Discuss and Consider Authorizing the CEO to Execute and Modify a Construction Manager at Risk (CMAR) Contract and Related Documents with MGC Contractors to Install the Copper Ridge Ground Storage Tank and Water Line Extension Project
7. Discuss and Consider Authorizing the CEO to Execute a Professional Services Contract with Freese and Nichols for Final Design, Bid and Construction Phase Services for the Copper Ridge Ground Storage Tank and Water Line Extension Project
8. Discuss and Consider Authorizing the CEO to Enter into a Memorandum of Understanding with Guadalupe-Blanco River Authority (GBRA) to Provide GBRA with Sewer Service

## **G. Presentation Items**

1. Presentation and Update on the Transmission Cost of Service (TCOS)

## **H. Executive Session**

The Board of Trustees may recess into Executive Session for any purpose permitted by the Texas Open Meetings Act, including but not limited to:

1. Power Supply Resources – Competitive Matters  
(Section 551.086 – Texas Government Code)

2. Consultation with Attorney Regarding Contemplated Litigation and Other Matters Protected by Attorney Client Privilege – Pending Litigation  
(Section 551.071 – Texas Government Code)
  - a) *Allstate Vehicle and Property Insurance Company as subrogee of Cinderella Brown vs. New Braunfels Utilities*
  - b) *City of New Braunfels via Board of Trustees of New Braunfels Utilities vs. Joyce T. Weltner Living Trust*
  - c) *Lower Colorado River Authority vs. New Braunfels Utilities*
3. Attorney Client Privilege Consultation  
(Section 551.071 – Texas Government Code)
4. Real Property  
(Section 551.071 – Texas Government Code)
5. Personnel Matters – CEO Evaluation  
(Section 551.074 – Texas Government Code)

The Board of Trustees upon reconvening in Open Session will discuss and consider any action if necessary regarding closed session item.

**I. Reconvene into Open Session and Take Any Necessary Action Relating to the Executive Session as Described Above**

**J. Adjourn**

If you require assistance in participating at a public meeting due to a disability as defined under the Americans with Disabilities Act, reasonable assistance, adaptations or accommodations will be provided upon request. Please contact the Board's Executive Assistant at least three (3) days prior to the scheduled meeting date, at (830) 629-8400, or NBU Main Office at 263 East Main Plaza, New Braunfels, Texas, for additional information.

CERTIFICATE OF POSTING

I, Ian Taylor, Secretary to the Board of Trustees, do hereby certify that this Notice of Meeting was posted at the City of New Braunfels City Hall, 550 Landa Street, New Braunfels, Texas, and New Braunfels Utilities Main Office, 263 E. Main Plaza, New Braunfels, Texas, on the 25<sup>th</sup> day of August, 2017, and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

  
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Ian Taylor, Chief Executive Officer  
Secretary to the Board of Trustees