

**NOTICE OF OPEN MEETING**  
**Board of Trustees**

December 13, 2018

12:00 Noon

**A. Pledge of Allegiance and Invocation** – Board Trustee Bob Gray

**B. Public Comment**

**C. Employee Recognitions**

**D. Items from the Chair**

1. NBU Board Committee Assignments
2. Report from the NBU Public Information Act Committee and Possible Action

**E. Consent Items for Action**

1. Approve Minutes of the NBU Regular Board Meeting of October 25, 2018
2. Approve 2018 First Quarter Charge-Off Accounts
3. Authorize CEO to Negotiate and Execute a Permanent 1.765 Acre Easement on NBU's Weltner Road Substation Property to LCRA TSC
4. Approve Resolution #2018-124 by the Board of Trustees of NBU Authorizing the Use of the End User Exception from Mandatory Clearing of Derivatives under the Dodd-Frank Act and Other Matters in Connection Therewith
5. Authorize CEO to Negotiate and Execute a Master Services Agreement Task Order with Arcadis, Inc. for the Aquifer Storage and Recovery, Phase 3A Project
6. Authorize CEO to Negotiate and Execute Contract Amendments with M & S Engineering for the Alves Lane Improvements Project
7. Authorize CEO to (i) Negotiate and Execute a Construction Manager at Risk Contract Agreement with Pesado Construction Company for the Surface Water Treatment Plant High Service Pump #4 & Water Line Connections Project and (ii) Authorize a Purchase Order with Pump Solutions, Inc. for Long Lead Delivery Items for the Project
8. Approve Transfer of Previously Approved Funds in the Amount of \$25,000 from NBU to Headwaters at the Comal for Archaeology Outreach Expenses
9. Authorize CEO to Negotiate and Execute a Cooperative "Piggy-Back" Agreement for Fuel Card Services and Fuel Supply with FleetCor Technologies Operating Company, LLC
10. Authorize CEO to Negotiate and Execute an Agreement for Onsite Fuel Services with Suncoast

**F. Items from Staff**

1. CEO's Update
2. Financial Update and Report with Quarterly Investment and Capital Reports

## **G. Action Items**

1. Consideration and Acceptance of the NBU Comprehensive Annual Financial and Red Flag Incident Reports for FY 2018
  - a. Report from Auditor, Kyle Bennwitz of Baker Tilly
  - b. Report from NBU Audit Committee

## **H. Presentation Items**

1. Presentation on Headwaters Archaeology
2. Presentation on NBU Learning and Development Program

## **I. 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. Attorney Client Privilege Consultation  
(Section 551.071 – Texas Government Code)  
*Consultation with Attorney Regarding Contemplated Litigation and Other Matters Protected by Attorney Client Privilege*
  - a. Discussion regarding the lease, purchase, or disposition of real property for utility purposes
3. Real Property  
(Section 551.072 – Texas Government Code)
  - a. Discussion regarding the lease, purchase, or disposition of real property for utility purposes

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

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

## **K. 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 7<sup>th</sup> day of December, 2018, 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