

Board of Trustees

October 31, 2019

2:00 p.m.

A. Pledge of Allegiance and Invocation – Board President John Harrell

B. Public Comment

C. Employee Recognitions

D. Items from the Chair

1. NBU Board Meeting Calendar
2. Election of Officers for the NBU Board of Trustees for the Offices of President, Vice President, and Secretary
3. Report from Investment Committee
4. Report from Audit Committee

E. Items from Staff

1. CEO's Update
2. Financial Update and Report

F. Consent Items for Action

1. Approve Minutes of the NBU Regular Board Meeting of September 26, 2019
2. Approve the Change Order Log from August 15, 2019 through September 15, 2019
3. Approve 2019 First Quarter Charge-Off Accounts
4. Authorize Proposed Changes to the New Braunfels Utilities Investment Policy and Financial Policy
5. Authorize the Purchase of a Wastewater Easement from Seraphim Partners, Ltd. for the North Kuehler 42-Inch Interceptor Project
6. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Greenstone Electric Services for Tree Trimming Services
7. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Moeller Ingalls, LLC for the Western Downtown to Morningside Pressure Zone Conversion Project
8. Authorize CEO to Negotiate and Execute a Construction Contract Agreement with Pesado Construction Company for the Construction of the San Antonio Street, Phase II Project and Waive Requirement for Reimbursement from the City of New Braunfels
9. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Risk and Resiliency Plan Project
10. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Alan Plummer and Associates, Inc. for the McQueeney Road Parallel Water Line Project

11. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Alan Plummer and Associates, Inc. for the Surface Water Treatment Plant Downtown Discharge Line Project
12. Authorize CEO to Negotiate and Execute an Amendment to Professional Services Agreement with Freese and Nichols, Inc. for the North Kuehler 30-inch and 33-inch Interceptor Upgrade Projects
13. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Merrick & Company for the Solms Pump Station and Ground Storage Tank Project
14. Authorize CEO to Negotiate and Execute a Work Authorization with Jones and Carter, Inc. for the North and South Kuehler Wastewater Treatment Plant Expansion Access Road
15. Authorize CEO to Negotiate and Execute Guaranteed Maximum Price Amendment #2 and #3 with Pesado Construction Company for the Water Plant Pump #5 Project
16. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Merrick & Company for the Solms Wastewater Lift Station Improvement Project
17. Authorize CEO to Negotiate and Execute an Amendment #2 to the Professional Services Agreement with Moeller Ingalls, LLC, DBA Moeller & Associates for the North Kuehler 42” Interceptor Upgrade Project
18. Authorize CEO to Negotiate and Execute Construction Contract Change Order No. 5 with Atlas Construction on the Gruene Water Reclamation Facility Interceptor Project and Obtain Approval of Additional Construction Contract Contingency in the amount of \$250,000

G. Action Items

1. Discuss and Consider Authorizing Proposed Changes to the NBU Purchasing Policy Amending the NBU Board Authority Levels for Professional Engineering Services

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 Matters Protected by Attorney Client Privilege
(Section 551.071 – Texas Government Code)
 - a. Discussion Regarding the Lease, Value, Purchase, or Disposition of Real Property for Utility Purposes
 - b. Discussion Regarding Water Infrastructure Maintenance
3. Consultation with Attorney Regarding Pending or Contemplated Litigation and Other Matters Protected by Attorney Client Privilege
(Section 551.071 – Texas Government Code)
 - a. Consultation with Attorneys Regarding Advice on Legal Matters Pertaining to Pending or Contemplated Litigation or Settlement Offer with Archer Western Regarding Construction Work at the Sam C. McKenzie Water Reclamation Facility

4. Real Property

(Section 551.072 – Texas Government Code)

- a. Discussion Regarding the Lease, Value, Purchase, or Disposition of Real Property for Utility Purposes

5. Security Devices or Security Audits

(Section 551.089 – Texas Government Code)

- a. Discussion Regarding Security Assessments or Deployments Relating to Information Resources Technology, Certain Network Security Information, or the Deployment and/or Implementation of Critical Infrastructure

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 25th day of October, 2019, and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.



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