

**NOTICE:** Governor Abbott has temporarily suspended certain requirements of the Open Meetings Act in response to the COVID-19 public health disaster. Specifically, governmental entities are permitted to meet by telephone or video conference provided the meetings are audible to members of the public and allow for two-way communication. The suspension of certain requirements of the Open Meetings Act is intended to reduce in-person meetings and the spread of COVID-19, while maintaining government transparency.

The NBU Board of Trustees' meeting scheduled for March 26, 2020, at 1:00 p.m. will be held by video conference. Members of the public may join the meeting from a computer, tablet, or smartphone at <https://global.gotomeeting.com/join/326908077>. Members of the public may also participate in the video conference by telephone at [+1 \(866\) 899-4679](tel:+18668994679). The Access Code for the video conference link and dial-in telephone number is 326-908-077. Both the link and telephone number are free of charge. Members of the public will be allowed to participate during the Public Comment period and discuss any item on the Agenda. Public comment will not be allowed during any other part of the meeting unless approved by the Board President.

A recording of the video conference will be made available to the public on NBU's website at <http://www.nbutexas.com/About-Us/Schedule-of-Meetings-and-Agendas> after the meeting.

### **AGENDA**

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

**B. Public Comment**

**C. Items from the Chair**

**D. Items from Staff**

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

**E. Consent Items for Action**

1. Approve Minutes of the NBU Regular Board Meeting of February 27, 2020
2. Approve the Change Order Log from January 15, 2020, through February 15, 2020
3. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2019, through February 15, 2020
4. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Jones & Carter, Inc. for the Sam C. McKenzie Water Reclamation Facility Expansion Preliminary Engineering Report Project
5. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Arcadis U.S. Inc., for the Edwards Aquifer Well Project

6. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Dannenbaum Engineering Company, LLC for the Design of the Saengerhalle Lift Station Expansion & Force Main Project
7. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Droptine Utility Construction, LLC for Manhole Rehabilitation
8. Authorize CEO to Negotiate and Execute a Lease Agreement with the City of New Braunfels for the Temporary Relocation of Fire Station #3 to the Headwaters at the Comal
9. Ratify CEO's Execution of a Professional Services Agreement with MindGrub Technologies, LLC, for the Purchase of Website Content Development, Migration, and Post Launch Support in the Amount of \$40,790
10. Authorize CEO to Negotiate and Execute a Professional Services Agreement with Shermco Industries, Inc. for Relay Maintenance and Acceptance Testing of Electric Relays and Substation Equipment

#### **F. Action Items**

1. Discuss and Consider Approval and Authorization to Select the Underwriting Team for the Series 2020 Bond Issuance
2. Discuss and Consider Adoption of Resolution #2020-135 Relating to the Issuance of the "City of New Braunfels, Texas Utility System Revenue Refunding and Improvement Bonds, Series 2020" and Resolving Other Matters Related Thereto
3. Discuss and Consider Ratifying Previous Purchases of Electric Meters and Water Communication Modules for both New Inventory Materials and Existing Customer Change-Outs in the Amount of \$1,918,959.65; Ratify Past Purchases of Software as a Service Fees in the Amount of \$2,014,550.00, for a Total Ratification Amount of \$3,933,509.65; Authorize the CEO to Negotiate and Execute a Contract with Anixter Inc. for Electric Meters and Water Communication Modules Inventory Materials; and Authorize the CEO to Negotiate and Execute a Contract with Anixter Inc. for Software as a Service Fees

#### **G. 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; Real Property  
(Section 551.071 and 551.072 – Texas Government Code)
  - a. Discussion Regarding the Lease, Value, Purchase, or Disposition of Real Property for Utility Purposes

3. Consultation with Attorney Regarding Pending or Contemplated Litigation and Other Matters Protected by Attorney Client Privilege  
(Section 551.071 – Texas Government Code)
  - a. Discussion Regarding a Utility Construction Cost Sharing Agreement for the Copper Ridge Subdivision among NBU, Southerland Communities NB Land Properties, Ltd., and Southerland Copper Ridge, LLC

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

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

### **I. 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 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 Main Plaza, New Braunfels, Texas, on the 20<sup>th</sup> day of March, 2020, 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