



NOTICE OF OPEN MEETING
JANUARY BOARD OF TRUSTEES
GoToMeeting - <https://global.gotomeeting.com/join/529546853>
January 28, 2021 at 1:00 PM
www.nbutexas.com

AMENDED

AGENDA

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 January 28, 2021, 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/529546853>. Members of the public may also participate in the video conference by telephone at (866) 899-4679. The Access Code for the video conference link and dial-in telephone number is 529-546-853. 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.

PLEDGE OF ALLEGIANCE AND INVOCATION

Board Vice President Judith Dykes-Hoffmann

PUBLIC COMMENT

RECOGNITIONS

1. Employee Recognitons

ITEMS FROM THE CHAIR

1. Report from Board Investment Committee

ITEMS FROM STAFF

1. CEO's Update
 2. Financial Update and Report
 3. Monthly Update on Customer Accounts
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CONSENT ITEMS FOR ACTION

1. Approve Minutes of the NBU Regular Board Meeting of December 10, 2020
2. Approve Minutes of the NBU Special Board Meeting of January 14, 2021
3. Approve the Change Order Log from October 15, 2020, through December 15, 2020
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2020, through December 15, 2020
5. Authorize CEO or His Designee to Execute a Bank Depository Services Agreement and a Security Agreement with Frost Bank for Bank Depository Services
6. Approve the Texas Local Government Investment Pool Resolution Amending the List of Authorized Representatives Permitted to Conduct NBU Business and Authorize the NBU Board President and NBU Board Secretary to Execute Documentation in Connection Therewith
7. Authorize CEO or His Designee to Negotiate and Execute a Construction Contract with D. Guerra Construction LLC for the Construction of the Well 4 Discharge Line Project
8. Authorize CEO or His Designee to Negotiate and Execute a Construction Contract with MGC Contractors, Inc. for the Construction of the 3.0 Million Gallon Bretzke Elevated Storage Tank and 24-inch Bretzke Waterline Project Package 1
9. Authorize CEO or His Designee to Negotiate and Execute a Construction Contract with Nelson Lewis, Inc. for the Construction of the 3.0 Million Gallon Bretzke Elevated Storage Tank and 24-inch Bretzke Waterline Project Package 2
10. Authorize CEO or His Designee to Negotiate and Execute an Access Easement Agreement with Hollmig Family Partnership, LTD. for the Kuehler Wastewater Treatment Plant Access Road on Courtyard Drive
11. Authorize CEO or His Designee to Negotiate and Execute a Construction Contract with Pesado Construction Company for the Construction of the Saengerhalle Lift Station and Force Main Improvements Project
12. Authorize CEO or His Designee to Negotiate and Execute Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the IH-35 24-inch Water Line Downtown Project

ACTION ITEMS

1. Discuss and Consider the Revocation and Reclassification of Certain New Braunfels Utilities (“NBU”) Board Approved Policies

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. Deliberate issues regarding economic development negotiations, including but not limited to:
(Section 551.0087 – Texas Government Code)
 - a. General Land Office / Southstar Development
3. Consultation with Attorney Regarding Matters Protected by Attorney Client Privilege
(Section 551.071 – Texas Government Code)
 - a. Discuss Future Management and Operations Plan for the Headwaters at the Comal
4. 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 the Utility Construction Cost Sharing Agreement for the Copper Ridge Subdivision and related amendments and modifications, all among NBU, Southerland Communities NB Land Properties, Ltd., and Southerland Copper Ridge, LLC
5. Consultation with Attorney Regarding Pending or Contemplated Litigation and Other Matters Protected by Attorney Client Privilege; Personnel Matters
(Section 551.071 – Texas Government Code; Section 551.074 – Texas Government Code)
 - a. Deliberate Plan and Strategy for Implementation of Executive Agreement for Chief Executive Officer

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

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE

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 **25th day of January, 2021**, 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