



NOTICE OF OPEN MEETING
FEBRUARY BOARD OF TRUSTEES
NBU Board Room, 263 Main Plaza, New Braunfels, Texas 78130
February 26, 2026, at 1:00 PM
www.nbutexas.com

AGENDA

OPEN SESSION (1 HR 50 MIN)

CLOSED SESSION (1 HR 40 MIN + 5 MIN Recess)

TOTAL (3 HR 35 MIN)

CALL TO ORDER 1:00 pm

PLEDGE OF ALLEGIANCE AND INVOCATION (2 MINS) 1:00 pm

Mayor Neal Linnartz

PUBLIC COMMENT (5 MINS) 1:02 pm

ITEMS FROM THE CHAIR (3 MINS) 1:07 pm

1. American Public Power Association Legislative Rally Update – **WAYNE PETERS (3 MINS) 1:07 pm**
2. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code

ITEMS FROM STAFF (50 MIN) 1:10 pm

1. CEO's Update – **RYAN KELSO (5 MINS) 1:10 pm**
 - a. Community Engagement: Rain Barrel Workshop for the Comal Garden Club
 - b. NBU Monster Detective Program Presentation at Carl Schurz Elementary School
 - c. NBU Employee Chili Cookoff
 - d. Any Other Items Permitted Under Section 551.0415 of the Texas Government Code
 2. Financial Update and Report, Including an Update on the Impact Fee Program Effective February 1, 2023 (referred to as Program E) – **KIMBERLY DaCOSTA (10 MINS) 1:15 pm**
 3. Quarterly Investment Report – **JESSICA COLEMAN (5 MINS) 1:25 pm**
 4. Quarterly Drought Update Report – **JESSE LUNA (10 MINS) 1:30 pm**
 5. Quarterly Strategic Plan Update – Second Quarter of Fiscal Year 2026 – **DARRIN JENSEN (15 MINS) 1:40 pm**
 6. Monthly NBU Headquarters Progress Update – **JACOB TSCHOEPE (5 MINS) 1:55 pm**
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CONSENT ITEMS FOR ACTION – WAYNE PETERS (5 MINS) 2:00 pm

1. Approve Minutes of the NBU Regular Board Meeting of January 29, 2026
2. Approve the Electric Line of Business Alternative Procurements from December 15, 2025, through January 15, 2026
3. Approve the Change Order Log from December 15, 2025, through January 15, 2026
4. Approve the Reports for Water and Electric Engineering Contracts from August 1, 2025, through January 15, 2026
5. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Provenance Engineering, LLC, for the Design of the New Bretzke Pump Station and Bretzke-Hoffmann Transmission Pipeline Project
6. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with WSP USA Inc. for the Design of the Blieders Creek Interceptor Project
7. Authorize the CEO or His Designee to Negotiate and Execute a BuyBoard Cooperative Agreement, BuyBoard Contract No. 724-23, with Chastang Enterprises – Houston, LLC d/b/a Chastang Ford, LLC, for the Purchase of One (1) F250 4x4 Regular Cab Truck with Utility Bed and Five (5) F150 Supercab Trucks
8. Authorize the CEO or His Designee to Negotiate and Execute a Naming Rights and License Agreement among Elizabeth Bowerman, Headwaters at the Comal (“Headwaters”), and NBU, Naming the Gathering Room at the Headwaters at the Comal Site (the “Headwaters Site”) in Honor of the Blackwood Bowerman Family’s Charitable Gift to Headwaters
9. Authorize the CEO or His Designee to Negotiate and Execute a Naming Rights and License Agreement among the John L. Santikos Charitable Foundation, (the “Foundation”), Headwaters, and NBU, Recognizing a Charitable Gift from the Foundation to Headwaters with Signage on the Gathering Room Wall at the Headwaters Site
10. Authorize the CEO or His Designee to Negotiate and Execute a Naming Rights and License Agreement among J. Patrick Wiggins and Rebecca Wiggins (the “Wiggins Family”), Headwaters, and NBU, Recognizing a Charitable Gift from the Wiggins Family to Headwaters with Signage at the Entrance Gardens at the Headwaters Site
11. Authorize the CEO or His Designee to Negotiate and Execute a Professional Services Agreement with Square One Consultants, Inc. for Owner’s Representative and Project Management Services for the Headwaters at the Comal Phase 3 Project Consisting of Two Additional Buildings and Associated Landscaping and Other Improvements
12. Authorize the CEO or His Designee to Negotiate and Execute a First Amendment to the Professional Services Agreement with Guadalupe-Blanco River Authority for Water and Wastewater Laboratory Testing Services

13. Authorize the CEO to Negotiate and Execute a Professional Services Agreement with Terreno Services, Inc. for Wireless Transmitter Leasing Program Consulting and Management Services

ACTION ITEMS (45 MIN) 2:05 pm

1. Discuss and Consider Approval of a Professional Services Agreement with Alliance for Cooperative Energy Services Power Marketing LLC for Thermal Generation Consulting Services – **KRISTI VILLASANA (15 MINS) 2:05 pm**
2. Discuss and Consider Receiving the Community Advisory Panel’s Report on Proposed Drought Contingency Plan – **JULIA HAYNES (10 MINS) 2:20 pm**
3. Discuss and Consider Adopting Resolution #R-2026-205 to Approve Proposed Amendments to Chapter 130, Article IV, Division 3, Division 5, Division 6, and Division 7 of the Code of Ordinances of the City of New Braunfels (I) Adjusting Residential and Landscape Irrigation Drought Surcharges, (II) Revising Drought Stage Designations and Triggers, (III) Clarifying Definitions and Other Provisions; and (IV) Resolving Other Matters Incident and Related Thereto, and to Authorize the CEO to Present the Amendments to the New Braunfels City Council for Consideration – **ANDREW CUMMINGS (20 MINS) 2:30 pm**

EXECUTIVE SESSION (1 HR 40 MIN + 5 MIN RECESS) 2:50 pm

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) **(35 MINS) 2:55 pm**
 - a. Energy Risk Management Policy
 - b. Power Supply Update
 - c. Discuss and Consider Edison Electric Institute (EEI) Resolution Allowing NBU to Enter into a Master Agreement Related to Power Supply Transactions
2. Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, and/or Other Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code) pertaining to the following: **(50 MINS) 3:30 pm**
 - a. Discuss *MMF NBTX LAND, LLC v. City of New Braunfels, New Braunfels Utilities, and Ryan Kelso, in his official capacity as Chief Executive Officer of New Braunfels Utilities*, No. C2025-1252D (433rd District Court, Comal County, Texas)
 - b. Discuss *New Braunfels Utilities v. TRC Engineers, Inc.*, Cause No. C2024-1980D (433rd District Court, Comal County, Texas)
3. Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, and/or Matters Protected by Attorney-Client Privilege (Section 551.071 – Texas Government Code); Real Property (Section 551.072 – Texas Government Code) **(15 MINS) 4:20 pm**

Discuss Legal Matters Relating to Potential Eminent Domain Action to Secure the Following Easements for the Western Downtown to Morningside Pressure Zone Conversion Project:

- a. a 0.005 Acre (220 sq. ft) Permanent Utility Easement and a 0.042 Acre (1,821 sq. ft) Temporary Construction Easement out of Lot 13, Pleasant View Subdivision in Comal County, Texas, according to the plat thereof recorded in Volume 4, Page 54, of the Map and Plat Records of Comal County, Texas, as conveyed to Leonardo Hernandez III, Herman G. Hernandez, Yvette Hernandez Rodriguez, Michael Hernandez and Yvonne Hernandez Garcia by Gift Deed recorded in Document No. 201706012849, Official Public Records, Comal County, Texas, as it may have been modified by Affidavit of Correction Concerning Instrument recorded in Document No. 202006016641, Official Public Records, Comal County Texas, also known as Comal County Parcel No. 44948

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

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE 4:35 pm

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 Relations Coordinator at least three (3) days prior to the scheduled meeting date at (830) 629-8400 or the NBU Main Office at 263 Main Plaza, New Braunfels, Texas, for additional information.

CERTIFICATE OF POSTING

I, Ryan Kelso, Secretary to the Board of Trustees, do hereby certify that this Notice of Meeting was posted on a bulletin board at a place convenient to the public at the City of New Braunfels City Hall, 550 Landa Street, New Braunfels, Texas; the New Braunfels Utilities Main Office, 263 Main Plaza, New Braunfels, Texas; and the New Braunfels Utilities Customer Solutions Center, 1488 South Seguin Avenue, New Braunfels, Texas, on the **20th day of February 2026**, and remained posted continuously for at least three business days before the scheduled date of the meeting.



Ryan Kelso, Chief Executive Officer
Secretary to the Board of Trustees