

## Legislation Details (With Text)

<b>File #:</b>	21-506	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	5/13/2021	<b>In control:</b>	City Council
<b>On agenda:</b>	6/14/2021	<b>Final action:</b>	
<b>Title:</b>	Discuss and consider approval of an ordinance authorizing the issuance of “City of New Braunfels, Texas, Utility System Revenue Refunding Bonds, Series 2021, pledging the net revenues of the City’s Waterworks, Sanitary Sewer and Electric Light and Power Systems to the payment of the principal of and interest on said bonds; enacting provisions incident and related to the sale and issuance of said Bonds to authorized City and Systems officials and providing an effective date.		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. NBU Rev Ref 2021 - CC for Bond Ordinance, 2. NBU Rev Ref 2021 - CPA Certificate, 3. NBU Rev Ref 2021 - General Certificate, 4. NBU Rev Ref 2021 - Ordinance - parameters, 5. NBU Rev Ref 2021 - PAR Agreement, 6. NBU Rev Ref 2021 - Pricing Certificate, 7. NBU Rev Ref 2021 - Sig No Lit Certificate

Date	Ver.	Action By	Action	Result
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**PRESENTER:**

Dawn Schriewer, Chief Financial Officer, New Braunfels Utilities (NBU)

**SUBJECT:**

Discuss and consider approval of an ordinance authorizing the issuance of “City of New Braunfels, Texas, Utility System Revenue Refunding Bonds, Series 2021, pledging the net revenues of the City’s Waterworks, Sanitary Sewer and Electric Light and Power Systems to the payment of the principal of and interest on said bonds; enacting provisions incident and related to the sale and issuance of said Bonds to authorized City and Systems officials and providing an effective date.

**DEPARTMENT:** New Braunfels Utilities (NBU)

**COUNCIL DISTRICTS IMPACTED:** All districts

**BACKGROUND INFORMATION:**

The New Braunfels Utilities (“NBU”) Board of Trustees, in its June 25, 2020 Board Meeting, reviewed and approved NBU’s Fiscal Year 2021 Budget and Five Year Financial and Operating Plan through Fiscal Year 2025. At the joint NBU and City Council workshop on October 5, 2020, NBU staff reviewed and discussed this plan with the City Council. In order to accomplish the operating and capital goals set out in the plan, it required a comprehensive strategy of obtaining appropriate (i) rates and (iii) short-term and/or long-term financings. The first goal of obtaining the necessary rates was accomplished on October 26, 2020 when the City Council approved a three-year rate plan for water, wastewater, and electric services. This agenda item is in regard to the

second part of this comprehensive strategy - the bond financing requirements necessary to complete the capital projects included in the plan.

The Series 2021 bond issuance includes the refunding of up to \$74.75 million in commercial paper notes. NBU staff has determined that refunding the outstanding commercial paper notes will provide the necessary capacity to fund the planned capital expenditures. The refunding of the outstanding commercial paper notes adheres to NBU's Financial Policy, which states that NBU will refund the outstanding commercial paper notes with long-term debt once the authorized commercial paper amount is fully utilized or if it is determined that market conditions are no longer favorable for the issuance and remarketing of commercial paper notes. The refunding of the commercial paper notes will allow NBU to again utilize the \$75 million in commercial paper capacity and to continue to benefit from access to funds at the usually lower short-term interest repayment rates associated with a commercial paper program.

The NBU Board of Trustees, at its May 25, 2021 Board Meeting, authorized NBU staff, financial advisor and bond counsel to begin the bond offering process and preparation of documents relating to the issuance of up to \$74.75 million in revenue refunding bonds.

The City is a qualified issuer under Government Code Chapter 1371 which allows the delegation of the authority by the City Council to finalize the bond transaction within certain parameters. Section 1207.007 of the Government Code allows for the parameter delegation of the refunding component of the bond issue. The approval to issue bonds under these authorities would set certain parameters, such as (i) the maximum original principal amount of \$74,750,000, (ii) a maximum maturity date that would not exceed July 1, 2051, and (iii) a coupon interest rate that would not exceed 6%. If all of these parameters are met, then the ultimate final approval of pricing would be delegated to certain appointed officials, such as the City Manager and CEO of NBU. This process eliminates the strict deadline (timeline) of having to coordinate pricing to the date of a City Council meeting. This gives the City and NBU the flexibility to time its actions in the market by adjusting the pricing in response to potential positive market developments or to avoid adverse market developments. The City Manager would be fully advised once the financing is completed. This approach also has the advantage of not requiring an additional separate City Council meeting to approve the bond issue. This parameter bond process has been successfully utilized in prior NBU bond offerings and provides flexibility and the opportunity to achieve the best pricing of the bonds.

**ISSUE:**

N/A

**FISCAL IMPACT:**

There is no direct impact to the City of New Braunfels from the issuance of the bonds described above.

**RECOMMENDATION:**

NBU staff recommend approval of the ordinance.