



**BENBROOK WATER AUTHORITY**

**Board of Directors Meeting  
1121 Mercedes Street  
Benbrook, TX 76126  
March 2, 2021  
3:00 p.m.**

1. Call To Order
2. Invocation
3. Citizen Comment On Any Agenda Item
4. Consent Agenda
  - Items listed under Consent Agenda are considered routine and are enacted under one motion. The exception to this rule is that a Board Member, Citizen or General Manager may request one or more items to be removed from the Consent Agenda for separate discussion and action.
  - 4.I. Minutes From February 2, 2021 Regular Board Meeting
  - 4.II. Financial Statement For January 2021
    - Documents:
      - [JANUARY 2021 FINANCIAL SUMMARY.PDF](#)
5. Reports Of Manager
  - 5.I. Operations Update
    - February Severe Weather Event
    - Van Deman Sanitary Sewer
  - 5.II. Development Update
    - Whitestone Point
    - Boulevard Office Park Addition
    - Brookside IV
    - Whitestone Heights Phase 2
    - Whitestone Crest Phase 2
  - 5.III. Capital Project Updates (Active)
    - 2020 Sanitary Sewer Renewals
    - 2020 Waterline Renewals and Std. Specification & Detail Development
  - 5.IV. Future Capital Projects
  - 5.V. Miscellaneous
    - Sanitary Sewer Overflow Initiative
    - Water & Sewer Rates
6. Reports Of Sledge Law Group PLLC
  - 6.I. Discussion Of Water Rights Certificate Of Adjudication No. 08-3365

6.II. Legislative Updates

7. New Business

- 7.I. Consider, Discuss And Possibly Approve Developer-Authority Agreement With SW Blvd., LLC And Excel Coring And Concrete Cutting, Inc. And Corresponding Amendment No. 1 For The Boulevard Office Park Development (Project No. 2020-5140).

Documents:

[DAA SR 2020-5140.PDF](#)

8. Public Comment

All persons wishing to provide public comment should complete a public comment information form and submit it to the General Manager before the meeting.

Documents:

[PUBLIC COMMENT FORM.PDF](#)

9. Director / Staff Comment

Announcements from Board Members and / or Staff; there will be no discussion or formal action taken on these items.

10. Consider And Discuss Upcoming Meeting Schedules

11. Executive Session

Conduct Closed Executive Session Pursuant to Government Code Section 551.071, to consult with the BWA Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, or on Matters in Which the Duty of the Attorney to the BWA under the Texas Disciplinary rules of Professional Conduct Clearly Conflicts with Chapter 551 Government Code.

Any other item set forth in any section of this notice / agenda

Section 551.072, to discuss real estate / real property transaction

12. Re-Convene In Open Meeting

Take any Action Necessary from Executive Session

13. Adjournment

14. Work Session

Discussion of current / future agenda items

**This facility is wheelchair accessible. For accommodations or to inform us of inaccessibility to this meeting, please call 817-249-1250. For sign interpretative services, please call 48 hours in advance.**



# 2021 Financial Summary

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## Financial Statement for January 2021<sup>(1)</sup>

1. Total Operating Revenues	\$776,440
2. <u>Total Operating Expenditures</u>	<u>\$645,567</u>
3. Monthly Operating Net	\$130,874

## Year to Date (YTD) Financial Statement<sup>(1)</sup>

1. Total Operating Revenues	\$776,440
2. <u>Total Operating Expenditures</u>	<u>\$645,567</u>
3. YTD Operating Net	\$130,874

## Consolidate Cash Summary<sup>(1)</sup>

### Restricted & Unrestricted Cash – Non-bond Fund Accounts

1. Beginning Balance	\$10,088,882
2. Ending Balance	\$10,367,841

### Bond Funds

1. Beginning Balance	\$10,679,370
2. Ending Balance	\$10,592,076

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<sup>(1)</sup> As of 1/31/2021  
Prepared 2/11/2021

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**Meeting Date**

March 2, 2021

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**New Business Item #1**

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## **Subject**

Boulevard Office Park Addition  
Agreement No. 2020-5140

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## **Recommendation**

Staff recommends the Board of Directors approve the following:

1. Developer-Authority Agreement with SW Boulevard, LLC and Excel Coring and Concrete Cutting, Inc. for the construction of water and wastewater improvements to serve the Boulevard Office Park Development.
  2. The corresponding Amendment No. 1 to the Agreement, providing for the Authority's participation in funding the extension of water mains beyond what would have otherwise been required for the development; and
  3. A variance to the BWA's Policies & Procedures for this project, accepting the insurance coverage limits currently in place which the Developer's Engineer provided.
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## **Background/Analysis**

This project involves the construction of approximately 620 linear feet of 6-inch water mains and 482 linear feet of wastewater mains and related appurtenances to serve the Boulevard Office Park Development, consisting of 4-commerical lots and 1 residential lot (Approx. 3 acres total). The project is located generally north of Legend Rd. and south of Southwest Blvd. (behind/adjacent to Sam's Club). A location map of the project area is shown on Figure 1 on the following page.

The SW Blvd. LLC and its contractor, Excel Coring & Concrete Cutting, Inc. have submitted a Developer-Authority Agreement for consideration by the Authority. Additionally, BWA has received and reviewed the plans, reports, specifications, and contract documents prepared by the Developer's Engineer and have confirmed the submittals are in general conformance with BWA's Policies and Procedures, with the following exception. The Engineer has requested a variance to BWA's Policies and Procedures to accept its current professional liability insurance coverage limits (\$1M) in lieu of the \$2M limit currently required. Due to the relatively small size of the project, BWA Staff and BWA's Attorney have reviewed the request and recommend approval of this variance.

The BWA Water System currently has two dead-end water mains adjacent to the project site. To adequately serve the project, only a small extension of one of these water mains would be required. However, consistent with TCEQ's design criteria for public water systems, and to improve water quality in the area, BWA desires the construction of a "looped-system" by extending the dead-end water mains through the development so that they connect. The Developer's Engineer has submitted a request for BWA to consider contributing to the construction cost of that portion of the project requiring connection of the two water mains. More specifically, the request is to reimburse the Developer for the difference in cost between what would otherwise have been required for the Development (56 feet of 6-inch water main) and what is required to construct the looped system (620 feet of 6-inch water main). Staff have reviewed the request and the bid data provided for the project and have determined that the net difference between the actual project cost and that which would have otherwise been required in accordance with BWA's Policies & Procedures is \$24,405.30.

# Staff Report

If this Developer-Authority Agreement and corresponding Amendment is approved as presented, once the construction of all water and wastewater improvements are completed by the Developer, conveyed to, and accepted by BWA, the Authority would reimburse the Developer \$24,405.30 as described herein and listed below.

## Financial Impact

Funding is available from the Capital Project Construction Reserve Fund Account.

Table 1 – Project Cost Summary

	Description	Total Cost
<b>A</b>	Total Cost – Water/Wastewater Improvements	\$ 166,894.00
<b>C</b>	Total Cost of Water/Wastewater Improvements without Extension	\$ 137,644.00
<b>D</b>	Cost of Extension (Variance)	\$ 29,250.00
<b>E</b>	Observation Fee 5% (A x 0.05)	\$ 8,344.70
<b>F</b>	Additional Engineering for Extension	\$ 3,500.00
<b>G</b>	BWA Contribution (D-E+F)	\$ 24,405.30

Figure 1 – Location Map



