

**Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
June 15, 2021
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on June 15, 2021, with the following Directors present:

President David W. Hafer
Vice-President Nick Dons
Secretary Karen Henderson
Director Rick Whitehurst

Absent:

Director David Clark

Also Present:

David Smith, General Manager
Sheila Rushing, Recording Secretary
Rhett Clark, Finance Manager
Tim Chovanec, Attorney
Margaret Somereve, TCAP
Jeremiah Jemente, Citizen

President Hafer called the meeting to order at 3:05 p.m. and gave the invocation.

Citizen Comments on any Agenda Item

There were no Citizen Comments.

Consent Agenda

1. Minutes of the Regular Meeting May 18, 2021
2. Financial Statement for May 2021

President Hafer asked if there were any objections to the Consent Agenda as presented and hearing no objections, the Consent Agenda was approved by unanimous consent.

Texas Coalition for Affordable Power

Margaret Somereve – Recognition of Founding Members

Ms. Somereve gave a brief presentation and noted that Benbrook Water Authority has participated in the Texas Coalition for Affordable Power (TCAP) from the start of the program and is considered a founding member. On behalf of the Board of Directors for the TCAP, she presented the Authority with a memorable token of their appreciation for continuing a membership in the program.

Reports of Manager

Mr. Smith gave a brief report and presentation on the following:

1. Miscellaneous
 - Basin 7 West Sanitary Evaluation
 - American Water Infrastructure Act of 2018 – Risk & Resiliency Assessment
2. Development Update
 - Whitestone Point
 - Whitestone Crest Phase 2
 - Whitestone Heights Phase 2
 - Brookside IV
 - Boulevard Office Park Addition
 - Victron Benbrook Addition
 - Basis Charter School
 - Creekside Apartments / Mercedes Street Bridge
3. Active Capital Project Updates
 - Basin 7 Central Wastewater Improvements
 - 2020 WL Renewals and Std. Specification & Detail Development

New Business

1. Consider, Discuss And Possibly Approve The Re-Appointments Of Marshall Carminati, Ronald Tamada And David Gattis To Capital Improvements Advisory Committee.

Mr. Smith stated there were three positions open and only 3 applications received. The applications received were from the persons that had previously served, and staff is recommending the Board re-appoint Mr. Carminati, Mr. Tamada and Mr. Gattis.

After a brief discussion, motion was made by Director Whitehurst, second by Vice-President Dons to re-appoint Mr. Carminati, Mr. Tamada and Mr. Gattis to the Capital Improvements Advisory Committee.

Motion passed (4-0)

2. Consider And Discuss The Possibility Of Changing The July 2021 Board Of Directors Meeting Schedule.

President Hafer stated that due to Holiday schedules, staff and or Board Members vacation schedules, he would suggest canceling the July 6th and July 20th Board Meeting dates and conducting one meeting on July 13th. He noted that a second meeting could be scheduled if necessary, at a later date.

After a brief discussion, motion was made by Vice-President Dons, second by Secretary Henderson to cancel the July 6th and July 20th meetings and conduct one meeting on July 13th with the understanding a second meeting will be scheduled if needed.

Motion passes (4-0)

3. Consider, Discuss And Possibly Approve Resolution 2021-2, A Resolution Approving The Addition Of The Basin 7 Central Wastewater Rehabilitation Project To The List Of Projects Eligible For Funding With Revenue Bonds Series 2019, Subject To Approval By The Texas Commission On Environmental Quality.

Mr. Smith advised the Board that in order to reallocate bond funds as recommended, TCEQ requires the Authority to adopt a resolution establishing the Authority's intent to modify the 2019 Bond program, subject to approval of TCEQ. This Resolution identifies and addresses this requirement.

After a brief discussion, motion was made by Secretary Henderson, second by Vice-President Dons to approve Resolution 2021-2, adding the Basin 7 Central Wastewater Rehabilitation Project to the list of projects eligible for funding with Revenue Bonds, Series 2019, subject to approval by the TCEQ.

Motion passed (4-0)

4. Consider, Discuss And Possibly Approve Revisions To The BWA Personnel Policies.

Mr. Smith stated that recognizing the need for periodic reviews and updates of policies are appropriate and necessary, BWA Management undertook the task of reviewing and recommending changes to the Authority's Personnel Policies which have been reviewed and discussed with the Board of Directors during Board work sessions in April and May 2021.

Motion was made by Secretary Henderson, second by Vice-President Dons to approve the revisions to the BWA Personnel Policy as presented.

Motion passed (4-0)

5. Consider, Discuss And Possibly Approve A Professional Services Agreement With Garver For Pump Performance Testing Services.

BWA has negotiate a Professional Services Agreement with Garver to conduct the required pump testing, which will involve collection of existing data, pump performance testing, and preparation of technical memoranda which will be invaluable to the Authority in future project planning. Field testing of 19 high service pumps is proposed. Services will be provided on an hourly basis, in accordance with the Engineer's fee schedule, not to exceed \$26,083.

After a brief discussion, motion was made by Director Whitehurst, second by Secretary

Henderson to approve the Professional Services Agreement with Garver for Pump Performance Testing services as presented.

Motion passed (4-0)

6. Consider, Discuss And Possibly Approve Second Amendment To Tower / Ground Lease Agreement With Verizon For Site No. 193041 at Chapin Road.

Mr. Smith stated this amendment involves the addition of 3 new antennae. Freese & Nichols approved the equipment additions and BWA negotiated a rent increase of \$1,200 per year. The annual escalator is 3% per year.

Motion was made by Director Whitehurst, second by Vice-President Dons to approve the second amendment with Verizon for Site No. 193041 at Chapin Road as presented and authorize the General Manager to execute the document.

Motion passed (4-0)

Public Comment

Mr. Jemente of 1200 Cozby St. W. advised the Board of a potential pressure problem in his area. He stated that he had a plumber, along with a BWA Representative test his pressure at his house and it averages 25 psi which is not enough pressure for his appliances and such to work properly. He asked staff to investigate the reason for the low pressure.

President Hafer thanked Mr. Jemente for taking time to make the Board aware of the issue and noted that staff would check on the issue and get back to him afterwards.

Director / Staff Comment

There were no comments.

President Hafer closed the open meeting at 3:42 p.m.

Executive Session (3:43 p.m.)

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

Reconvene Open Meeting (5:01 p.m.)

Take any action Necessary from Executive Session.

No formal action was taken.

There being no further business, the meeting adjourned at 5:02 p.m.

Board President

Date

Recording Secretary

The Board conducted a work session beginning at 4:11 p.m.