

**Benbrook Water Authority  
Board of Directors Regular Meeting  
1121 Mercedes Street  
Benbrook, TX 76126  
February 7, 2023  
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on February 7, 2023 with the following Directors present:

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

Also Present:

David Smith, General Manager  
Sheila Rushing, Recording Secretary  
Rhett Clark, Finance Division Manager  
Tim Chovanec, Attorney

President Henderson called the meeting to order at 3:00 p.m. and Mr. Smith gave the invocation.

**Citizen Comments on Agenda Items**

There were no comments.

**Consent Agenda**

1. Minutes of the January 17, 2023 Board of Directors Special Meeting
2. December 2022 Financial Summary

Motion was made by Director Clark, seconded by Secretary Whitehurst to accept the Consent Agenda as presented.

Motion passed (5-0)

**General Manager's Report and Updates**

Mr. Smith gave a brief update on the following:

1. Office closures during the week of January 30, 2023, due to icy conditions.
2. Reminder notice mailed to customers with regards to procedures followed during extreme cold weather conditions.
3. Basin 7 advertising schedule.

## **New Business**

1. Consider Amendment No. 1 to Standard Agreement for Professional Engineering Services with Freese & Nichols for Project No. 2022-114.

Mr. Smith stated that this project originally included the construction of over 7,800 linear feet of various water mains ranging in size from 9 inch to 16 inch in South Benbrook. BWA was recently informed that the two parties planning the development had been terminated. This resulted in the need to reconsider the 12 inch waterline alignment across the property. IN addition, following the completion of the alignment evaluation, it was determined that the upsizing of approximately 700 linear feet of water main from 8 inches to 12 inches in diameter would be necessary.

These two modifications to the scope of service will require additional survey services and coordination between the Engineer and Surveyor. The additional fees proposed by Amendment No. 1 total \$28,710 with a total not to exceed fees of \$431,739.

After a brief discussion, motion was made by Director Clark, seconded by Secretary Whitehurst to approve Amendment No. 1 for SAPES, Project No. 2022-114 as presented and discussed.

Motion passed (5-0).

2. Resolution 2023-01, a Resolution by the Board of Directors of the Benbrook Water Authority Reducing to Written Form the Contract of Employment of the Authority's Manager.

President Henderson stated this item would be removed and discussed in Executive Session and considered after reconvening the open meeting.

## **Public Comment**

There were no public comments.

## **Director / Staff Comment**

Vice-President Dons stated he was glad to hear there were no prolonging problems during the icy weather event.

President Henderson stated she was thankful that BWA mailed the letter with regards to procedures followed during extreme cold weather events. The timing was perfect.

President Henderson closed the open meeting at 3:12 p.m.

**Executive Session (3:12 p.m.)**

Conduct Closed Executive Session Pursuant to Chapter 551, Government Code, for: consultation with the BWA attorney regarding pending or contemplated litigation, settlement offers, or other attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); or deliberation regarding security devices (§551.076).

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

**Reconvene Open Meeting (4:02 p.m.)**

Take any action Necessary from Executive Session.

Motion was made by Director Hafer, seconded by Secretary Whitehurst to approve Resolution 2023-01, A Resolution By The Board Of Directors Of The Benbrook Water Authority Reducing To Written Form The Contract Of Employment Of The Authority's Manager.

Motion passed (5-0)

There being no further business, the meeting adjourned at 4:02 p.m.

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Board President

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Date

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Recording Secretary