

**Benbrook Water Authority  
Board of Directors Regular Meeting  
1121 Mercedes Street  
Benbrook, TX 76126  
February 21, 2023  
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on February 21, 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  
Kristen Fancher, Attorney  
Brian Sledge, Attorney

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

**Citizen Comments on Agenda Items**

There were no comments.

**Consent Agenda**

1. Minutes of the February 7, 2023 Board of Directors Special Meeting
2. January 2023 Financial Summary
3. Re-appointment of Capital Improvements Advisory Committee Members – Marshall Carminati, Ronald Tamada and David Gattis

Motion was made by Director Clark, seconded by Vice-President Dons 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. Development
  - a. Under Contract
  - b. Recently Completed
2. Capital Improvements
  - a. Under Contract
  - b. Future Improvements

### **Fancher Legal, PLLC**

1. Tower / Ground Lease Agreements

President Henderson stated that this item would be discussed in Executive Session.

### **Reports of Sledge Law Group**

1. Legislative Updates

President Henderson stated that this item would be discussed in Executive Session.

### **Public Comment**

There were no public comments.

### **Director / Staff Comment**

There were no Director / Staff comments.

President Henderson closed the open meeting at 3:07 p.m.

### **Executive Session (3:07 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 (5:38 p.m.)**

Take any action Necessary from Executive Session.

No formal action was taken.

There being no further business, the meeting adjourned at 5:38 p.m.

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Board President

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Date

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Recording Secretary