

Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
Remote Meeting
April 14, 2020
4:00 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on April 14, 2020 with the following Directors present:

President David W. Hafer (on site)
Vice President Nick Dons
Secretary Karen Henderson
Director Rick Whitehurst
Director David Clark

Also Present:

David Smith, General Manager (on site)
Sheila Rushing, Recording Secretary (on site)
Tim Chovanec

Others Present:

Jennifer Dons
Jim Wilson, City of Benbrook Councilmember

President Hafer called the meeting to order at 4:02 p.m. and gave the invocation.

Opening Remarks from President of the Board Regarding Remote Meeting Format

On March 16, 2020, Governor Greg Abbott granted the Office of the Attorney General's request to temporarily suspend a limited number of Texas open meetings statutes. This temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public to reduce in-person meetings.

In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. This temporary suspension will leave important open-meeting protections in place. Although the Directors are not all physically present at BWA today, a quorum of the Board is required and has been assembled via teleconference.

We are meeting by use of the Zoom software application which allows two-way communication for members of the Board of Directors and the public who wish to join us. Therefore, in compliance with the requirements of the temporary suspension--

- The Benbrook Water Authority posted written notice that

- gives the public a way to participate remotely, such as by a video conferencing method and voice conferencing via a dial-in telephone number
- includes an electronic copy of the agenda packet that Directors will consider at the meeting (The required notice and agenda packet were posted last Thursday, April 9th)
- BWA is providing a means for members of the public to participate and address the Board during the meeting
- BWA is providing the public access to a recording of the public portions of the meeting to anyone requesting it, as described in the meeting notice posted and published on our website.

Before we proceed with our meeting agenda, I will now provide information about how we will conduct this meeting and instructions on how you may participate.

1. The primary video to be displayed online today will be the presentation of today's agenda, which is the same display normally visible to those attending our meetings in person.
2. Video display of webcams of individual board members, participating remotely, may or may not be visible, depending on the individual Board member's settings.
3. When you joined today's meeting, you were placed in "listen-only" mode by default. This is a security measure to help ensure an orderly meeting and to prevent the potential for a phenomenon known as "Zoom Bombing" as well as other disruptions which might otherwise prevent the Board from completing the meeting. However, if you wish to address the Board regarding one of the items discussed today, you will be afforded the opportunity.
 - a. First, please provide your name if requested by the meeting host in the chat area, so that we may identify who is in attendance or who may be addressing the Board.
 - b. To speak, please click on the "raise hand" icon (which you may find under "participants" using the Zoom meeting app) which will let us know you would like to address the Board. At the appropriate time, you will be recognized to speak. You will likely be prompted to unmute the microphone on your computer before speaking.
 - c. You may also make a comment to the meeting host using the chat feature.
 - d. If appropriate, comments typed in the chat area, in lieu of utilizing the audio features available, which are relevant to items being considered today will be read aloud by me so that they may be documented in the audio recording of the meeting.

4. All other meeting procedures will adhere to BWA practice to the extent practicable.
5. Anyone calling in by telephone will be able to listen and comment. Callers will initially be placed in “listen-only” mode. A caller wanting to comment should enter *9 to raise or lower a hand. I will call on that person at the appropriate time and provide additional instructions on how to participate [*6 will toggle mute/unmute. *9 is used to raise/lower hand].
6. If you are encountering any difficulty hearing the proceedings, please use the chat feature on your computer or enter *9 on your phone. You may also call the BWA office to request assistance (817) 249-1250.

We will do our best to conduct business in an open and orderly manner. I ask for your patience as this is our first attempt, during the current crisis, to conduct a virtual meeting in this manner. We apologize in advance for any unforeseeable difficulties as we navigate unprecedented conditions.

If you have questions about these suspended laws, please call the Office of the Attorney General at 888.672.6787 or by email at TOMA@oag.texas.gov

Citizen Comments on any Agenda Item

There were no Citizen Comments.

Consent Agenda

1. Minutes of the Regular Meeting March 3, 2020
2. Minutes of the Regular Meeting March 17, 2020
3. Financial Statement for March 2020
 - 1) Revenues \$808,787.62
 - 2) Expenditures \$880,460.46
4. Disbursements for March 2020
 - 1) Deposits & Credits \$888,466.22
 - 2) Disbursements \$675,267.81

President Hafer stated he would like to have the minutes for March 3, 2020 removed from the consent agenda and considered separately.

Secretary Henderson noted that there is a typo on page 2 of the March 17th meeting minutes. The number 3 was left blank in Reports of Manager.

After a brief discussion motion was made by Vice-President Dons, second by Secretary Henderson to approve items 2, 3 and 4 of the Consent Agenda with the correction of the typo mentioned in the March 17, 2020 meeting minutes.

Vote on motion.

Ayes: Director Whitehurst, Vice-President Dons, President Hafer, Secretary Henderson and Director Clark.

Noes: None.

Motion carries.

Item 1 – Consider Minutes of the Regular Meeting March 3, 2020

President Hafer stated he removed this item because under Reports of Manager, Item 1, there had been discussion with Mr. Hinderaker, Assistant City Manager along with Mr. Smith and he would like to have that noted. The minutes as written only reflect discussions with Mr. Smith. In addition, he asked that Mr. Hinderaker's title be added to list of meeting attendees.

The rest of the Board agreed with Mr. Hafer and the change was noted.

Motion was made by Vice-President Dons, second by Secretary Henderson to approve the Minutes of the March 3, 2020 meeting as amended.

Vote on motion.

Ayes: Vice-President Dons, President Hafer, Secretary Henderson, Director Clark and Director Whitehurst.

Noes: None.

Motion carries.

Reports of Manager

Mr. Smith gave a brief report on the following:

1. COVID-19
 - o BWA has paid significant attention regarding the ongoing COVID-19 pandemic and continues to monitor various orders issued impacting BWA.
2. Capital Improvements Advisory Committee
 - o The first scheduled meeting has been postponed until the Stay at Home Order has been lifted.
3. 2019 Annual Audit Report
 - o The final report is planned to be presented to the Board at the May 5, 2020 meeting.
4. Personnel Policies

- Staff intends to present this at a future meeting; preferably when all members can be physically present.
- 5. AWWA Annual Conference and Exposition (Update)
 - The conference has been officially cancelled.
- 6. Board Meeting Schedule
 - At the present time, there is no new business to consider for the April 21st Board Meeting, and the stay at home order is likely to still be in effect. The Board may wish to cancel this meeting and conduct the next meeting on May 5, 2020.

After a brief discussion, motion was made by Secretary Henderson, second by Director Clark to cancel the April 21, 2020 Board Meeting and conduct the next regular meeting on May 5, 2020.

Vote on motion.

Ayes: President Hafer, Secretary Henderson, Director Clark, Director Whitehurst, and Vice-President Dons.

Noes: None.

Motion carries.

New Business

1. Consider, Discuss and Possibly Approve Annual Requirements Contract for Supply of Aluminum Sulfate Hydrate (Alum).

This item is for the consideration to approve an annual requirements contract for the supply of Aluminum Sulfate Hydrate (Alum) with Chameleon Industries, Inc. of Mesquite, Texas.

A notice to bidders was published in the local newspaper beginning March 5, 2020 as required and listed on the BWA website. The invitation, along with the product and bid specifications, were also widely distributed to potential bidders through an online bid management system (QuestCDN).

BWA received one bid, from Chameleon Industries, Inc. of Mesquite, Texas. The bid was evaluated and confirmed to be in accordance with the bid specifications. This contract provides for an initial one (1) year term, with up to four (4) additional one-year renewals, subject to mutual agreement between the vendor and Authority.

Financial Impact

The estimated quantity for Alum is 310 tons, at a unit price of \$240.50 making the total \$74,555.00 The unit price bid reflects a 1.75% reduction in the previous contract rate, for an estimated annual savings of \$1,326.

After a brief discussion, motion was made by Director Clark, second by Vice-President Dons to approve the Annual Requirements contract with Chameleon Industries, Inc. for supply of Alum in accordance with the bid submitted and authorize the General Manager to execute the Agreement.

Vote on motion.

Ayes: Secretary Henderson, Director Clark, Director Whitehurst, Vice-President Dons, and President Hafer.

Noes: None.

Motion carries.

2. Consider, Discuss and Possibly Approve Annual Requirements Contract of Flocculent Polymer

This item is for the consideration to approve an annual requirements contract for the supply of Flocculent Polymer with Chameleon Industries, Inc. of Mesquite, Texas.

A notice to bidders was published in the local newspaper beginning March 5, 2020 as required and listed on the BWA website. The invitation, along with the product and bid specifications, were also widely distributed to potential bidders through an online bid management system (QuestCDN).

BWA received one bid, from Chameleon Industries, Inc. of Mesquite, Texas. The bid was evaluated and confirmed to be in accordance with the bid specifications. This contract provides for an initial one (1) year term, with up to four (4) additional one-year renewals, subject to mutual agreement between the vendor and Authority.

Financial Impact

The estimated quantity for Flocculent Polymer is 16.5 tons, at a unit price of \$1,070.00 making the total \$17,655.

After a brief discussion, motion was made by Vice-President Dons, second by Director Clark to approve the Annual Requirements Contract with Chameleon Industries, Ins., for supply of Flocculent Polymer in accordance with the bid submitted and authorize the General Manager to execute the agreement.

Ayes: Director Clark, Director Whitehurst, Vice-President Dons, President Hafer, and Secretary Henderson.

Noes: None.

Motion carries.

Public Comment

There were no Public comments.

Director / Staff Comment

Secretary Henderson asked Staff to provide an update on the progress of the Rogue Water LLC agreement.

President Hafer stated he likes the new format of the Staff Reports and appreciates that the reports were attached to the Agenda on the website for citizens to see.

Director Whitehurst stated he appreciates that Staff no longer has each Engineer present at the meetings to give an update. He stated he likes having the updates given in the Reports of Manager.

Vice-President Dons asked Staff if there were any stalled or delayed projects due to COVID-19. Mr. Smith noted that he was unaware of any; however, if there were any, it would most likely be the Sewer Rehabilitation Project and the need to access customers back yards.

There was no need for Executive Session therefore it was cancelled.

There being no further business, the meeting adjourned at 4:45 p.m.

Board President

Date

Recording Secretary