

Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
July 19, 2022
3:00 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on July 19, 2022, 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 Manager
Crystal Ramsey, Administration Division Manager
Tim Chovanec, Attorney
Karry Liu, Rogue Water
Robert Spears, Hilltop Securities
Dan Mahoney, Hilltop Securities
Douglas Bradshaw, Citizen
Kristie Session, Citizen

President Henderson called the meeting to order at 3:02 p.m. and Mr. Smith gave the invocation.

Citizen Comments on Agenda Items

There were no comments.

Consent Agenda

1. Minutes of the June 21, 2022 Board of Directors Meeting
2. Financial Statement for June 2022
3. Freese & Nichols Contract Change Authorization Amendment #32

Director Clark asked that Item No. 3 be removed from the Consent Agenda and discussed separately.

Motion was made by Director Clark, seconded by Vice-President Dons to accept Items 1 & 2 of the Consent Agenda as presented.

Motion passed (5-0)

General Manager Reports and Updates

Mr. Smith gave a brief report on the following:

1. Active Capital Projects
2. Developments Under Contract
3. Developments (Proposed)
4. Miscellaneous
 - Leak Detection
 - Water Treatment Plant Filter Leak
 - TCEQ Texas Optimization Program

Request to Appear Before Board of Directors

1. Kristie Session – Concerns with increase to wastewater charges

Ms. Session addressed concerns that her wastewater charges were based solely on irrigation. She stated the house is vacant and she is only using water for irrigation purposes so her lawn doesn't die.

Vice-President Dons explained that her wastewater charges are calculated by winter / quarter averaging (WQA) and her winter months usage was relatively high for irrigation only. He suggested that she cut back during November, December, January, and February to help bring down the wastewater charge.

Ms. Session stated she hopes to have the house sold before the next WQA is calculated.

2. Douglas Bradshaw – Concerns with increase to wastewater charges

Mr. Bradshaw stated that after hearing how the wastewater charges are calculated, he has a better understanding of why his charges are as high as they are. He noted that he had replaced his Saint Augustine grass last fall and had to keep it watered even during the winter months. He stated he anticipates his bill to be lower next year.

New Business

1. Award Annual Requirement Contract For Grounds Maintenance / Landscaping

Mr. Smith stated that BWA maintains 24 sites that require regular landscape maintenance throughout the year. To minimize the cost to the Authority, requesting competitive bid proposals from qualified vendors is necessary.

BWA distributed a notice to bidders through QuestCDN, an online bid management system and placed it on the BWA website. Only one bid was received from Scotts Landscape Maintenance of Fort Worth.

The contract provides for an initial one (1) year term with up to four (4) additional one-year renewals.

After a brief discussion, motion was made by Secretary Whitehurst, second by Director Clark to approve the Annual Requirements Contract with Scott Landscape Maintenance, of Fort Worth for grounds maintenance and landscaping services in accordance with the bid submitted and authorize the General Manager to execute the Agreement.

Motion passed (5-0)

2. RESOLUTION 2022-05 AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR APPROVAL OF PROJECT AND BONDS

Mr. Smith gave a brief presentation on the 2022 Bond Application Proposal which include the following:

- 750-KW Permanent Generator at WTP
- 24-Inch Water Line in South Pressure Plane (Shady River to I-20)
- Basin 7 West Wastewater Rehabilitation Project -Engineering & Construction
- Basin 7 East Wastewater Rehabilitation Project – Engineering
- Basin 6 Wastewater Rehabilitation Project – Engineering & Construction

The total funding to be requested is:	\$9,698,292
Issuance / Non-construction costs is:	\$401,708
Estimate of Total Bond Series Amount:	\$10,100,000

After a brief discussion, motion was made by Director Hafer seconded by Director Clark to adopt Resolution 2022-05, authorizing the application to TCEQ for approval to utilize bond funds for upcoming capital project.

Motion passed (5-0)

3. Consider, Discuss And Possibly Approve Developer Authority Agreement No. 2022-5110 With Jackson – Shaw / Benbrook North, LP And Ridgemont Commercial Construction, Inc. For Construction Of Water & Wastewater Improvements To Serve Chisholm 20 Commerce Park.

Mr. Smith advised the Board that the Developer, along with the Contractor have submitted a Developer Authority Agreement for consideration. BWA has received and reviewed the plans, reports, specifications, and contract documents and find them to be in general compliance with BWA’s policies and procedures.

This project involves the construction of approximately 5,900 linear feet of 6 thru 8-inch public water main and less than 100 linear feet of public wastewater main.

Motion was made by Secretary Whitehurst, seconded by Director Clark to approve the DAA with Jackson Shaw / Benbrook North, LP and Ridgemont Commercial Construction, Inc for construction of water distribution and wastewater collection system improvements to serve the Chisholm 20 Commerce Park; and the corresponding Amendment No. 1 to the Agreement, providing for the maintenance bond to be furnished by the Contractor’s utility sub-contractor, Wildstone Construction.

Motion passed (5-0)

Item No. 3 Consider and Approve Freese & Nichols Contract Change Authorization – Amendment 32 that was removed from the Consent Agenda was brought back up for consideration and approval.

Mr. Smith stated this amendment falls in line with the previous amendments to the General Services Agreement. The scope of work typically included with the General Services include:

- Developer preliminary engineering/plat/plan reviews
- Developer construction plans/specification reviews
- General engineering services to be authorized by task order
- Developer plan review comment letters
- Other deliverables as authorized by task order

After a brief discussion, motion was made by Secretary Whitehurst, seconded by Director Hafer to approve the Contract Change Authorization, Amendment No. 32 with Freese & Nichols for the General Services Agreement.

Motion passed (5-0)

Public Comment

There were no public comments

Director / Staff Comment

Vice-President Dons asked staff if there had been many calls with regard to the WQA and rate increase? Ms. Ramsey replied that there had not been as many as anticipated; however, the customer service department has been doing a good job explaining it to anyone that has called.

President Henderson commended BWA for receiving the Texas Optimization Award again this year. In addition, she stated that she has completed the first FEMA training that had been discussed at a previous meeting with regard to the Mutual Aid Agreement.

President Henderson said while she was attending the ACE 22 Conference, she was continuously reminded of the need for communication to the citizens. She said she is proud of how BWA for the efforts made through the WaterSmart Portal, but customers must sign up to receive information. She asked staff to inquire about Social Media options where we could share the BWA story, support transparency, build trust, put out factual information and keep an open dialog with the citizens of Benbrook.

President Henderson closed the open meeting at 4:00 p.m.

Executive Session (4:01 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. BWA Bylaws
2. Any other item set forth in any section of this notice/agenda.

Reconvene Open Meeting (4:54 p.m.)

Take any action Necessary from Executive Session.

No formal action was taken.

There being no further business, the meeting adjourned at 4:55 p.m.

Board President

Date

Recording Secretary