

**Benbrook Water Authority**  
**1121 Mercedes Street**  
**Regular Meeting**  
**February 21, 2017**  
**5:30 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on February 21, 2017 with the following Directors present:

President Dennis G. Lindgron  
Vice President Patricia Dunkin  
Secretary Rick Whitehurst  
Director Robert Cook  
Director David Clark

Also Present:

David Wasson, General Manager  
David Smith, Assistant General Manager  
Sheila Rushing, Recording Secretary  
Jessica Williams, Assistant Recording Secretary

Others Present:

Brian Sledge, Attorney  
Lindsey Smith, Sledgelaw  
Eric Stewart, AT&T Representative  
Tina Hanson, Garver  
Dan Tulley

President Lindgron called the meeting to order at 5:30 p.m. and Secretary Whitehurst gave the invocation.

**Consent Agenda**

1. Minutes of the Regular Meeting January 10, 2017
2. Minutes of the Regular Meeting January 24, 2017
3. Financial Statement for January 2017
  - 1) Revenues \$825,093.44
  - 2) Expenditures \$564,773.95
4. Disbursements for January 2017
  - 1) Deposits & Credits \$942,170.76
  - 2) Disbursements \$682,803.52

Motion was made by Secretary Whitehurst, second by Vice-President Dunkin to approve the consent agenda as presented.

Vote on motion.

Ayes: Director Cook, Secretary Whitehurst, President Lindgron, and Vice-President Dunkin,

Noes: None.

Absent: Director Clark

Motion carries.

### **Reports of Attorney Brian Sledge, Sledgelaw Group, PLLC**

1. Receive briefing and legal analysis of legislation relevant to BWA in the 85<sup>th</sup> Regular Session of the Texas Legislature and consider, discuss and possibly take action to direct the BWA attorney to take certain actions in supporting, monitoring or opposing legislation.

Mr. Sledge advised the board that he would discuss this item in executive session.

### **Reports of Manager**

Mr. Wasson gave a brief report on the following:

1. Staff Reports
  - Included in Board packets for review and discussion.
2. Development Updates
  - Whitestone Crest; Villas at Boston Heights; Vista Way Extension; Benbrook Field Drive
3. Capital Improvements / Renewals
  - Northwest Winscott Addition Sanitary Sewer; Mary's Creek Waterline Crossing; 2016 Bond Issue Update; and UPRR 12 inch Waterline Relocation

### **Reports of Engineer**

#### **Freese & Nichols**

A status report was included in the packets for the Boards review:

1. General Engineering Services
  - Provided data and fire flow mapping to submit to the City of Benbrook for the ISO rating evaluation.
2. Under Separate Contract
  - Ridglea Country Club Drive Water Line Project( SAPES 2011-112)
  - Water / Wastewater Master Plan and Impact Fee Study (SAPES 2015-112)
  - NW Winscott Addition (SAPES 2016-112)
  - Chlorine Dioxide Procurement Assistance (SAPES 2016-116)

**Garver**

Ms. Hanson gave a brief update on the status of the following project:

- BWA 2016-111 UPPR Waterline Relocation

**Unfinished Business**

1. Consider, Discuss and Possibly Approve Amendment No. 4 with AT&T for Tower / Ground Lease Agreement at 305 Sexton.

After a brief discussion, motion was made by Director Cook, second by Director Clark to approve the Amendment No. 4 with AT&T for the Tower / Ground Lease Agreement at 305 Sexton as presented and to authorize the General Manager or his designee to execute the documents.

Vote on motion.

Ayes: Secretary Whitehurst, President Lindgron, Vice-President Dunkin, Director Clark and Director Cook.

Noes: None.

**New Business**

Motion carries.

1. Consider, Discuss and Possibly Approve Interlocal Agreement Between BWA and The City of Benbrook for the Benbrook Field Project.

After a brief discussion, motion was made by Secretary Whitehurst, second by Director Clark to approve the Interlocal Agreement between BWA and the City of Benbrook for the Benbrook Field Project as presented.

Vote on motion.

Ayes: President Lindgron, Vice-President Dunkin, Director Clark, Director Cook and Secretary Whitehurst.

Noes: None.

Motion carries.

2. Consider, Discuss and Possibly Approve Amendment No. 4 with AT&T for Tower / Ground Lease Agreement at 9113 Chapin Road.

After some discussion, motion was made by Secretary Whitehurst, second by Director Cook to approve the Amendment No. 4 with AT&T for the Tower / Ground Lease Agreement at 9113 Chapin as presented and to authorize the General Manager or his designee to execute the documents.

Vote on motion.

Ayes: President Lindgron, Vice-President Dunkin, Director Clark, Director Cook, and Secretary Whitehurst.

Noes: None.

Motion carries.

3. Consider, Discuss and Possibly Approve Amendment No. 5 with AT&T for the Tower / Ground Lease Agreement at 8100 Beechwood Drive.

After some discussion, motion was made by Secretary Whitehurst, second by Director Clark to approve the Amendment No. 5 with AT&T for the Tower / Ground Lease Agreement at 8100 Beechwood as presented and to authorize the General Manager or his designee to execute the documents.

### **Public Comment**

There was no public comment.

President Lindgron closed the open meeting at 5:48 p.m.

### **Executive Session (5:49 p.m.)**

1. 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

### **Re-Convene Open Session (7:12 p.m.)**

1. Take any necessary action from Executive Session

Motion was made by Secretary Whitehurst, second by Vice-President Dunkin to direct Attorney to act in accordance with advice given in Executive Session.

Vote on motion.

Ayes: Director Cook, Secretary Whitehurst, President Lindgron, Vice-President Dunkin, and Director Clark.

Noes: None.

Motion carries.

There being no further business the meeting adjourned at 7:13 p.m.

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Board President

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Date

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Recording Secretary