

Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
October 17, 2017
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on October 17, 2017 with the following Directors present:

President Dennis L. Lindgron
Vice-President Pat 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
Crystal Ramsey, Director of Administration
Mitch Richard, Mike Vecchio, Brad Hill, Isaac Kohley, Rick Belisle, Ben Brown,
Belinda Pattison and Larry Brinkley

Others Present:

Brian Newby, Attorney
Tim Chovanec, Attorney
Mason T. Miller, TCEQ Representative
Jessica Brown, Freese & Nichols
Tina Hanson
David Hafer

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 September 5, 2017
2. Minutes of the Regular Meeting September 19, 2017
3. Financial Statement for September 2017
 - 1) Revenues \$1,104,655.59
 - 2) Expenditures \$827,032.81
5. Disbursements for September 2017
 - 1) Deposits & Credits \$1,109,911.85
 - 2) Disbursements \$524,102.89

Motion was made by Director Clark, second by Director Cook to approve the consent agenda as presented.

Vote on motion.

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

Noes: None.

Motion carries.

TCEQ Presentation

1. Recognition of 10 Year Award for participation in the Texas Optimization Program (TOP)

Mr. Miller stated that the Texas Commission on Environmental Quality (TCEQ) recognizes Benbrook Water Authority Water Treatment Plant's commitment to the goals of the Texas Optimization Program and its efforts to improve the quality of drinking water it provides to its citizens. BWA has met the Texas Optimization Program's recognition criteria for 10 consecutive years and therefore the TCEQ issues a Recognition Award for the period of May 2007 through April 2017.

President Lindgron congratulated the Water Treatment Plant employees for their efforts in maintaining such high standards and being recognized by TCEQ. He noted that the Water Treatment Plant goes above and beyond normal expectations and he thanks each and every person for their hand in meeting the criteria for this award.

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
 - Villas at Boston Heights; Palomino Estates Phase III; and Sundown Drainage Improvements.
3. Capital Improvements / Renewals
 - Northwest Winscott Addition Sanitary Sewer; UPRR 12 inch Waterline Relocation; Boston Elevated Tank Rehabilitation; Mary's Creek Gabion Repair; Mary's Creek Waterline Crossing; Williams Road Pump Station Improvements; Western Hills Booster Pump Station; US377 Utility Adjustments; Aquifer Storage & Recovery; and 2016 Bond Issue Update

Secretary Whitehurst stepped down from his seat in order to address the board and staff as a citizen. He noted that the contractor working on Palomino III did work through a part of his property and did not put the property back as it was. He asked staff if they would look into it and get back to him.

Reports of Engineer

Freese & Nichols

Ms. Brown gave a brief report on the following projects.

1. General Engineering Services
2. Under Separate Contract
 - Ridglea Country Club Drive Water Line Project(SAPES 2011-112)
 - NW Winscott Addition (SAPES 2016-112)

Garver

A report was included in the packets for review.

- BWA 2016-111 UPPR Waterline Relocation

Unfinished Business

1. Consider, discuss and possibly approve an Authorization to repair the Gabion Slope Protection at Mary's Creek.

This item had been tabled at a previous meeting until staff could contact Representatives from Ridgley Country Club and discuss the possibility of cost sharing the project. Staff was successful in negotiations with Ridgley Country Club and they approved a contribution of 20% of the proposed repair cost which amounts to \$7,401.

After a brief discussion, motion was made by Secretary Whitehurst, second by Director Clark to authorize the General Manager or his designee to execute an agreement with Humphrey and Morton Construction Company for an estimated amount of \$37,005 to perform the repairs to the Gabion Slope Protection at Mary's Creek.

Vote on motion.

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

Noes: None.

Motion carries.

New Business

1. Consider / Review Authorization to Maintain TCDRS Plan Provisions for Plan Year 2018

Each year the Board is required to review the TCDRS plan and determine if it wishes to make changes to the plan. The current plan provisions are as follows:

Employee Deposit Rate:	7%
Employer Matching Rate:	150%
Retirement Eligibility:	Age 60 with 10 years of service Any age with 30 years of service Rule of 80 (age + years of service =80)

After a brief discussion, motion was made by Director Cook, second by Vice-President Dunkin to maintain the current provisions for TCDRS plan year 2018.

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 Resolution 2017-4, superseding 2016-8 adopting the Benbrook Water Authority Investment Policy and authorizing the designation of it Investment Officers.

Mr. Wasson advised the Board that BWA is required to review / update the Investment Policy each year. The policy must stay in compliance with the State of Texas Public Funds Investment Act. This will govern the investment actions, decisions and controls.

Motion was made by Secretary Whitehurst, second by Director Cook to approve Resolution 2017-4 as presented with current changes and to designate David Wasson, General Manager, David Smith, Assistant General Manager and Gail Jergins, Director of Finance as its Investment Officers.

Vote on motion.

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

Noes: None.

Motion carries.

3. Consider, discuss and possibly approve Memorandum of Understanding regarding Implementation of Water Main Adjustments at US 377 at Mercedes Street.

Staff has worked with its Engineer, Freese and Nichols, Inc. and TXDOT regarding the required additional adjustments needed and have drafted a memorandum of understanding regarding responsibility for design and construction costs. The draft agreement would provide documentation of TXDOT's intention to execute a change order to their contract with the roadway general contractor to perform the required utility adjustments. No funding from BWA would be required for the change order, and BWA would conduct quality assurance observations during construction.

After a brief discussion, motion was made by Director Clark, second by Director Cook to approve the execution of the memorandum of understanding between BWA and TXDOT for utility adjustments proposed at US 377 and Mercedes Street.

Vote on motion.

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

Noes: None.

Motion carries.

4. Consider, discuss and possibly approve the award of a Construction Contract for the Union Pacific Waterline Relocation Project (BWA 2016-111).

Bids for construction of the project received on June 1, 2017 were rejected by the Authority. Following modifications to the bid documents after the initial bid rejection, the project was re-advertised and five (5) bids were received on September 27, 2017. The apparent low bid of \$1,244,000 was submitted by Wildstone Construction, LLC.

After a brief discussion, motion was made by Secretary Whitehurst, second by Director Cook to award the Union Pacific Waterline Relocation Project (BWA 2016-111) to Wildstone Construction, LLC for a base bid amount of \$1,244,000.00.

Vote on motion.

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

Noes: None.

Motion carries.

Public Comment

There was no public comment.

Director / Staff Comment

There was no Director or Staff comment.

President Lindgron closed the open meeting at 3:05 p.m.

Executive Session

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

2. Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public official or employee.

Re-Convene Open Meeting (4:24 p.m.)

1. Take any necessary action from Executive Session

Motion was made by Secretary Whitehurst, second by Vice-President Dunkin to award the BWA Water Treatment Plant Personnel a one-time bonus in the amount of \$500 each for their efforts in meeting all the requirements in the TOP Program and receiving a recognition award from TCEQ for 10 consecutive years.

Vote on motion.

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

Noes: None.

Motion carries.

There being no further business, the meeting adjourned at 4:28 p.m.

Board President

Date

Recording Secretary