

Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
January 9, 2018
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on January 9, 2018 with the following Directors present:

President Rick Whitehurst
Vice-President Pat Dunkin
Secretary David Clark
Director David Hafer

Absent:

Director Robert Cook

Also Present:

David Wasson, General Manager
David Smith, Assistant General Manager
Jessica Williams, Recording Secretary
Paul McDowell, Field Superintendent

Others Present:

Brian Newby, Attorney
Tim Chovanec, Attorney
Kent Williams
Linda Palmer
Robert Palmer

President Whitehurst called the meeting to order at 2:30 p.m. and Mr. Wasson gave the invocation.

New Business

1. Consider, Discuss and Possibly Approve Developer – Authority Agreement with PB Ventanna 1, LLC for the Water and Sanitary Sewer Improvements Associated with the Jerry Dunn Parkway Extension. The DAA # is BWA2018-5110.

Mr. Smith advised the board that although the plans and specifications for proposed improvements are generally in conformance with BWA requirements, Staff has identified several areas where it appears the obligations of the Engineer (as described in their contract with the Developer) during construction of the project are not consistent with BWA Policies and Procedures. These obligations are generally associated with responsibilities for construction supervision, releasing ownership of documents to BWA, as well as

insurance and indemnification requirements. BWA Staff provided comments on these provisions, as well as minor comments on the engineering report submitted by the Developer's Engineer. The Developer and Engineer are in the process of addressing and/or responding to BWA comments. Staff recommends the Board table this item in order to provide the Developer sufficient time to address staffs comments regarding compliance with BWA Policy and Procedures.

Motion was made by Vice-President Dunkin, second by Director Clark to table New Business Item 1 in order to give the Developer time to comply with BWA Policy and Procedures.

Vote on motion.

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

Noes: None.

Absent: Director Cook.

Public Comment

There was no public comment.

Director / Staff Comment

There was no Director / Staff Comment.

President Whitehurst closed the open meeting at 2:40 p.m.

Executive Session (2:45 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
2. Section 551.074, to Discuss Personnel
 - Manager's Contract
 -

Re-Convene Open Meeting (3:44 p.m.)

1. Take any action necessary from Executive Session.

There was no formal action taken.

There being no further business, the meeting adjourned at 3:45 p.m.

Board President

Date

Recording Secretary