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Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
May 15, 2018
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on May 15, 2018 with the following Directors present:

President Rick Whitehurst
Vice President Patricia Dunkin
Secretary David Clark
Director Robert Cook
Director David Hafer

Also Present:

David Wasson, General Manager
David Smith, Assistant General Manager
Sheila Rushing, Recording Secretary
Willie Sutton, Director of Operations
Crystal Ramsey, Director of Administration
Mitch Richard, Chief Operator
John Cook

Others Present:

Aaron Conine, Freese & Nichols
Tina Hanson, Garver
Tim Chovanec, Attorney
Chris Brown, Cantey Hanger
Cathy Morris, Benbrook EDC
Hillary Cromer, Benbrook EDC

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

Consent Agenda

1. Minutes of the Regular Meeting April 3, 2018
2. Minutes of the Regular Meeting April 17, 2018
3. Financial Statement for April 2018
 - 1) Revenues \$917,808.18
 - 2) Expenditures \$797,416.80
4. Disbursements for April 2018
 - 1) Deposits & Credits \$763,352.44
 - 2) Disbursements \$878,053.35

Motion was made by Secretary Clark, second by Director Cook to approve the Consent Agenda as presented.

Vote on motion.

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

Noes: None.

Absent: Director Hafer

Motion carries.

Request to Appear Before Board

1. J.D. Brown – discuss miscellaneous policies in force

President Whitehurst reminded Mr. Brown that he has 5 minutes to make his presentation to the board as stated on the form he filled out to appear.

Mr. Brown started off by noting that he lives on Amory and throughout his residency on that street, there have been many water main breaks and he thanked BWA crews for repairing them in a timely and sufficient manner.

He expressed his concerns about the way BWA bills for sewer charges. He believes there is a better way to calculate the sewer charges rather than using the same consumption as the water usage.

In addition, he expressed his concerns that BWA does the billing for the City of Benbrook for the storm drain charges. He believes the City of Benbrook is making BWA a Tax Collector by having BWA add this charge to the Water Bill.

President Whitehurst noted that there is a CAP placed on the sewer charges whereas the water portion of the bill does not have a CAP. He noted that there is only one meter that measures the amount of flow that goes through the meter and it would be impossible to determine exactly what amount of water was used for normal water use and what was used for sewer only. By having a maximum or CAP fee on sewer, BWA believes this is a fair and just way to charge for sewer consumption.

President Whitehurst explained that BWA has an Interlocal Agreement with the City of Benbrook to bill for certain services. The City pays BWA for this service.

Vice-President Dunkin noted that she believes by BWA working with the City of Benbrook to bill these services on the water bill, it in turn saves the Citizens of Benbrook money. If the City had to pay full price and send out separate bills, they would have to pass that cost on to the Citizens.

Mr. Brown thanked the board for allowing him to address his issues but stated he did not believe 5 minutes was a sufficient amount of time to speak.

President Whitehurst thanked Mr. Brown for addressing the Board and noted that if he had any other comments or issues, staff would be willing to discuss his concerns in further depth.

Reports of Manager

1. Staff Reports
2. Development Updates
 - Jerry Dunn Parkway Extension
3. Capital Improvements
 - Northwest Winscott Addition Sanitary Sewer; UPRR 123 inch Waterline Relocation; Williams Road Pump Station Improvements; Wester Hills Booster Pump Station; and 2016 Bond Issue Update
4. Other Items
 - Leadership Development

Mr. Wasson gave a brief presentation on the Water Treatment Plant Staffing and explained that currently, the plant is in need of 2 ½ new positions. He noted that over the course of the next few years, several people will most likely retire and it is important to bring someone on board so that they can gain the knowledge and experience needed to replace the positions once they become available.

There was some discussion, and the Board in its entirety directed staff to hire the necessary personnel in order to be prepared as positions become available.

Mr. Smith gave a brief presentation on Potential Enhanced Retirement Benefits that is intended to strengthen the Authority's organization, furthering its long range goals related to leadership and employee development.

Mr. Smith discussed the probability of offering an insurance package to employees eligible for retirement before the age 65; at which time they would become eligible for Medicare. He discussed cost assumptions for offering COBRA coverage along with other options. He talked about the pros and cons of each scenario and the board directed Mr. Smith to move forward with researching an Enhanced Retirement Benefit Package and once complete, bring back a recommendation to the Board.

Reports of Engineer

Freese & Nichols

Aaron Conine gave a brief update on the following:

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

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

- BWA 2016-111 UPPR Waterline Relocation

New Business

1. Consider, Discuss and Possibly Award the Contract for the Construction of the Western Hills Booster Pump Station.

Mr. Smith noted that staff is recommending tabling this item until further notice.

Motion was made by Vice-President Dunkin, second by Secretary Clark to table item 1, considering the award of contract for the Construction of the Western Hills Booster Pump Station.

Vote on motion.

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

Noes: None.

Motion carries.

2. Consider, Discuss and Possibly Approve Amendment No. 6 to SAPES Project No. 2016-111 with Garver for Additional Construction Phase Engineering Services.

Mr. Wasson noted that as the construction has progressed, it is apparent that the contractor will require up to seven months from the contract start date to complete the project. Although this is in accordance with the time of construction permitted under the current construction contract, the schedule is beyond what has been provided for in the SAPES. Accordingly, BWA has requested and received a proposal from GARVER, LLC to extend the engineering services through the end of the construction phase.

After a brief discussion, motion was made by Secretary Clark, second by Director Cook to approve the Amendment No. 6 to SAPES Project No. 2016-111 with Garver, LLC as presented and not to exceed \$22,240 and authorize the General Manager or his designee to execute the documents.

Vote on motion.

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

Noes: None.

Motion carries.

3. Consider, Discuss and Possibly Approve Changing the Date of the June 19, 2018 Regularly Scheduled Board Meeting.

Mr. Wasson noted that the AWWA Conference falls the week of June 11, 2018 and this is the week that the agenda and board packets would normally be prepared. Several key staff members will be attending the conference and staff is recommending that the Board move the meeting back a week to June 26, 2018 in order to give staff ample time to prepare for the meeting.

After some discussion, motion was made by Director Hafer to cancel the June 19th board meeting.

There was no second and the motion died.

Motion was made by Vice-President Dunkin, second by Director Cook to change the June 19, 2018 meeting date to June 26, 2018.

Vote on motion.

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

Noes: Director Hafer.

Motion carries.

4. Consider, Discuss and Possibly Accept Proposal from Falkenberg Construction for Miscellaneous Security Improvements.

President Whitehurst noted that this item would be discussed in Executive Session.

Public Comment

No comments.

Director / Staff Comment

Director Hafer noted that he would very much appreciate the meetings starting at 2:30 p.m. as opposed to several minutes before 2:30.

President Whitehurst directed staff to purchase a new atomic clock for the board room so that the time will be correct.

President Whitehurst closed the open meeting at 3:24 p.m.

Executive Session (3:25 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 (4:06 p.m.)

1. Take any necessary action from Executive Session

Motion was made by Secretary Clark, second by Director Cook to accept the proposal from Falkenberg Construction for the Miscellaneous Security Improvements and not to exceed \$70,000 and authorize the General Manager or his designee to execute the necessary contracts for the project.

Vote on motion.

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

Noes: None.

Motion carries.

There being no further business the meeting adjourned at 4:11 p.m.

Board President

Date

Recording Secretary