

Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
March 19, 2019
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on March 19, 2019 with the following Directors present:

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

Also Present:

David Smith, General Manager
Sheila Rushing, Recording Secretary

Others Present:

Tim Chovanec, Attorney
Marshall Plunk, Alan Plummer Associates

President Whitehurst called the meeting to order at 2:31 p.m. and Secretary Clark gave the invocation.

Consent Agenda

1. Minutes of the Regular Meeting February 5, 2019
2. Minutes of the Special Meeting February 12, 2019
3. Minutes of the Regular Meeting February 19, 2019
4. Financial Statement for February 2019
 - Revenues \$755,802.58
 - Expenditures \$876,564.84
5. Disbursements for February 2019
 - Deposits & Credits \$439,205.51
 - Disbursements \$918,683.09

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

Vote on motion.

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

Noes: None.

Motion carries.

Reports of Manager

Mr. Smith gave a brief report on the following:

1. Staff Reports
2. Development Updates
 - Footworks; Brookside IV; Aura Benbrook; and Vista Way Extension
3. Capital Improvements
 - Northwest Winscott Addition Sanitary Sewer; Williams Road Pump Station Improvements; Western Hills Booster Pump Station; Operations Building Sanitary Sewer Evaluation Survey & Improvements; Pre-Oxidation Channel Improvements; Disinfection Evaluation; UPRR 12 inch Waterline Relocation; and 2016 Bond Issue Update
4. Miscellaneous Items
 - BWA Open House; Future Bonds; and Retirement Reception

New Business

1. Consider, discuss and possibly take action on changing the dates of the regularly scheduled April 2019 Board of Directors meetings (April 2 and/or April 16).

Mr. Smith advised the Board that two Board members and various BWA Staff plan to attend the Texas Water Conference, which begins the evening of Tuesday April 2, 2019. Due to anticipated absences and the likelihood no new business items will be pending, the Board may consider postponing or cancelling the April 2 regular meeting or making other changes to the April Board meeting schedule.

After a brief discussion, motion was made by Secretary Clark, second by Director Hafer to cancel the April 2, 2019 regularly scheduled Board of Directors meeting and leave the April 16th meeting as planned.

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 SAPES BWA 2019-114 for Alternative Disinfection Evaluation with Alan Plummer Associates.

Staff has negotiated a Standard Agreement for Professional Engineering Services (SAPES) with Alan Plummer Associates of Fort Worth, Texas for the Alternative Disinfection Evaluation. Services for this project will be provided for a fee not to exceed \$49,640.

The Engineer carries insurance consistent with the needs of the project and also in accordance with the terms of SAPES with the exception that professional liability insurance limits currently carried by the Engineer \$2 million per occurrence with \$3 million aggregate limit. SAPES normally requires a \$2 million per occurrence with \$4 million aggregate limit. Staff recommends that a reduced aggregate limit of \$3 million for professional liability be authorized for this project.

After a brief discussion, motion was made by Vice-President Dunkin, second by Director Cook to approve SAPES BWA 2019-114 with Alan Plummer Associates as presented including the professional liability exception and authorize the General Manager to execute the agreement.

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 Developer Authority Agreement 2019-5110 with Phoenix Realty Investments, LLC for Brookside IV Development.

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

Public Comment

There were no public comments.

Director / Staff Comment

There were no Director / Staff comments.

President Whitehurst closed the open meeting at 2:58 p.m.

Executive Session (3:00 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 (4:15 p.m.)

1. Take any necessary action from Executive Session

Motion was made by Director Hafer, second by Vice-President Dunkin to table / delay until the April 16, 2019 Board of Directors Meeting, Item 3, approving the Developer Authority Agreement 2019-5110 with Phoenix Realty Investments, LLC for Brookside IV Development due to inaccurate and incomplete information.

Vote on motion.

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

Noes: None.

Motion carries.

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

Board President

Date

Recording Secretary