

Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
June 18, 2019
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on June 18, 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
Crystal Ramsey, Director of Administration
Gail Jergins, Director of Finance

Others Present:

Tim Chovanec, Attorney
Cathy Morris, Benbrook EDC
Hillary Cromer, Benbrook EDC
Eric Nelson, Tricon Commercial
David Moore, Foot Works
Whitney Moore, Foot Works
Carolyn Lausch
Nick Holmes

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

Consent Agenda

1. Minutes of the Regular Meeting May 7, 2019
2. Minutes of the Regular Meeting May 21, 2019
3. Financial Statement for May 2019
 - Revenues \$796,366.98
 - Expenditures \$1,300,358.11
3. Disbursements for May 2019
 - Deposits & Credits \$619,481.14
 - Disbursements \$1,521,448.36

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, Secretary Clark and Director Hafer.

Noes: None.

Abstain: President Whitehurst

Motion carries.

Request to appear before Board

1. Caroline A. Lausch – requesting reimbursement to repair water line at meter connection.

Ms. Lausch stated she lives at 1013 Wade Hampton and recently had to call a plumber out to fix a leak on her service line and connection which she believes is due to reconstruction done on Wade Hampton Street. She stated it is her belief that poor workmanship and or materials were used during the course of the project. In turn, she believes this is what caused the problem on her line and connection and believes BWA should pay for the repair.

In addition, she brought in the old materials to show the Board what was replaced and noted that she has a video of the repairs made as well.

Motion was made by Director Cook, second by Secretary Clark to table this item until further investigation.

Vote on motion.

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

Noes: None.

Abstain: Vice-President Dunkin.

Motion carries.

President Whitehurst thanked Ms. Lausch for addressing the Board and directed Staff to do some research on the history of this address and make a determination if it is in fact something caused by BWA and let Ms. Lausch know the findings and determination of their decision.

Reports of Manager

1. Staff Reports

There was no discussion with regards to the Staff Reports.

New Business

1. Consider, Discuss and Possibly Approve a Variance Request for the Engineer's Insurance Limits for 220 LF of Sanitary Sewer to serve proposed Footworks Dance Studio located at 9191 Vista Way, Benbrook, TX.

There was some discussion with regards to the size and cost of the project and President Whitehurst stated this item will be discussed further in Executive Session.

2. Consider, Discuss and Approve Resolution 2019-4, Approving Preliminary Action in Connection with the Proposed Issuance of Benbrook Water Authority Waterworks and Sewer System Revenue Bonds, Series 2019 and Directing Publication of Notice of Sale of Bonds.

Staff is working to procure revenue bonds to fund upcoming capital projects. In order to continue with this process so that funds are available by late summer 2019, authorization by resolution of the preparation of the Notice of Sale and Preliminary Official Statement as well as the publication of the Notice of Sale is required.

After a brief discussion, motion was made by Vice-President Dunkin, second by Director Cook to approve Resolution 2019-4 as presented.

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 First Amendment with Verizon for Tower/Ground Lease Agreement at 9113 Chapin Rd.

This equipment upgrade primarily involves both a fiber line install on the ground and equipment additions to the tower. The fiber line install requires a new line to be run on BWA property.

The negotiated rent increase for the additional equipment and new fiber line is \$4,350.00 per year for a total new rent amount of \$42,542.40, with a 3% annual increase in rent.

After a brief discussion, motion was made by Vice-President Dunkin, second by Secretary Clark to approve the First Amendment with Verizon for the Tower / Ground Lease Agreement at 9113 Chapin Road as presented.

Vote on motion.

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

Noes: None.

Motion carries.

Public Comment

There were no public comments.

Director / Staff Comment

There were no Director / Staff comments.

President Whitehurst closed the Open Meeting at 2:54 p.m.

Executive Session (2:55 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 In Open Meeting (3:22 p.m.)

1. Take any necessary action from Executive Session

Motion was made by Director Hafer, second by Secretary Clark to approve the variance request for the Engineer's Insurance Limits for 220 LF of Sanitary Sewer to serve Footworks Dance Studio due to the size and scope of the project and minimal risks to the BWA system.

Vote on motion.

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

Noes: None.

Abstain: President Whitehurst.

Motion carries.

There being no further business the meeting adjourned at 3:25 p.m.

Board President

Date

Recording Secretary