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Benbrook Water Authority
1121 Mercedes Street
Regular Meeting
July 16, 2019
2:30 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on July 16, 2019 with the following Directors present:

President Rick Whitehurst
Vice-President Patricia Dunkin
Director Robert Cook
Director David Hafer

Absent:

Secretary David Clark

Also Present:

David Smith, General Manager
Sheila Rushing, Recording Secretary
Gail Jergins, Director of Finance

Others Present:

Tim Chovanec, Attorney
Cathy Morris, Benbrook EDC
Rob Colilns, Bracewell, LLP
Laura Alexander, Hilltop Security
Adam Lancarte, Hilltop Security
Sylvette Moses, Customer
Curt Larsen, Customer

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 June 4, 2019
2. Minutes of the Regular Meeting June 18, 2019
3. Financial Statement for June 2019
 - Revenues \$1,219,896.83
 - Expenditures \$611,227.84
4. Disbursements for June 2019
 - Deposits & Credits \$1,175,527.54
 - Disbursements \$721,312.45

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

Vote on motion.

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

Noes: None.

Absent: Secretary Clark

Motion carries.

Request to appear before Board

1. Mark & Sylvette Moses – requesting water bill adjustment

Ms. Moses addressed the Board to discuss an abnormally high water bill. She stated that they had noticed some standing water in the front yard and called BWA to check for a leak. It was noted that the water leak was on the customer's line. She stated they called a plumber immediately and they determined the leak was on her service line. They had the line repaired; however, because of the amount of water that was lost due to the leak, they received a very high water bill. She stated she looked on the BWA Website and could not find a policy with regards to leaks or adjustments. She requested the Board grant an adjustment on the high water bill.

After much discussion, the Board explained that the customer is responsible for any water going through the meter and that by granting an adjustment, it would in turn cause other customers to pay for the lost water.

President Whitehurst stated that if the high water bill puts any sort of financial hardship on them, the BWA Staff will work out a payment plan that will fit in their budget.

Reports of Manager

1. Staff Reports
2. Development Update
3. Capital Improvements / Renewals
4. Miscellaneous
 - Staff training, BWA Personnel Handbook and BWA Policies and Procedures.

New Business

1. Consider, discuss and approve Resolution 2019-5, Resolution providing for the issuance of Waterworks and Sewer System Revenue Bonds, Series 2019; Prescribing the form of the Bonds; Awarding the sale there of; Approving the Official Statement; Approving an Engagement Letter, And enacting other provisions relating thereto.

The Authority submitted an application to the Texas Commission on Environmental Quality for approval of the issuance of revenue bonds in the amount of approximately \$7 million to fund upcoming capital projects. Staff has worked with Hilltop Securities and BWA's Bond Counsel to prepare the appropriate statements and notices and prepare for the receipt of bids and drafting of the Bond Resolution.

Motion was made by Vice-President Dunkin, second by Director Cook to approve Resolution 2019-5 as presented.

Vote on motion.

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

Noes: None.

Absent: Secretary Clark.

Motion carries.

2. Consider, Discuss and Possibly Approve Interlocal Agreement between Benbrook Water Authority and the City of Benbrook for Street Repair Services.

Benbrook Water Authority currently has an Interlocal agreement with the City of Benbrook for the repair of pavement following BWA repairs of water or wastewater mains or services. The agreement, which benefits the Authority by providing for the repair while reducing staff coordination time, requires the City to coordinate street repairs with its street repair Contractor. The current cost for repairs is \$8.91 per square foot.

The contract rate for 2019-2020 is proposed to remain the same as the current rate per the terms of this Interlocal Agreement. If executed by both parties, agreement will begin October 1, 2019 and end September 30, 2020.

Motion was made by Vice-President Dunkin, second by Director Hafer to approve the Interlocal Agreement between BWA and the City of Benbrook for Street Repairs as presented.

Vote on motion.

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

Noes: None.

Absent: Secretary Clark.

Motion carries.

3. Consider, Discuss and Possibly Approve Interlocal Agreement between Benbrook Water Authority and the City of Benbrook for Refuse and Stormwater Billing and Payment Collection Services.

President Whitehurst stated this item would be discussed in Executive Session.

4. Discuss and adopt Resolution 2019-6, Resolution Regarding November 5, 2019, Election of Directors – Order of Election.

Section 3 (c) of the Authority's Enabling Act and Sections 3.004 - .006 of the Texas Election Code require the BWA Board of Directors to order an election to be held on the uniform election date.

This Resolution provides for the order of the general election of Directors to be held on November 5, 2019 in accordance with the laws of the State of Texas.

Motion was made by Director Cook, second by Director Hafer to approve Resolution 2019-6 as presented.

Vote on motion.

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

Noes: None.

Absent: Secretary Clark.

Motion carries.

Public Comment

Cathy Morris with the Benbrook EDC, thanked the Board and BWA for their help in making it possible for Hoffbrau Steakhouse to locate to Benbrook. She stated the restaurant is now open for business.

Director / Staff Comment

There were no Director / Staff comments.

President Whitehurst closed the Open Meeting at 3:05 p.m.

Executive Session (3:09 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 (4:02 p.m.)

1. Take any necessary action from Executive Session

Motion was made by Vice-President Dunkin, second by Director Cook to approve the Interlocal Agreement between BWA and the City of Benbrook for the Refuse and Stormwater Billing and Payment Collection Services as presented.

Vote on motion.

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

Noes: None.

Absent: Secretary Clark

Motion carries.

There being no further business the meeting adjourned at 4:04 p.m.

Board President

Date

Recording Secretary