

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes**

May 10, 2017

228 Texas Avenue, Suite A, New Boston, Texas 75570

MINUTES

I. Call to Order, Roll Call, and Establishment of Quorum and Certification of Notice

Pursuant to a notice posted on the District website on May 3, 2017, the Chair, Jim Green, President of the Board, called the meeting to order at 12:01 p.m.

Directors Present:

Jim Green, President
Marshall Wood, Vice President (present later in meeting)
Fred Milton, Treasurer
Kelly Mitchell, Secretary
Sean Rommel, Past President

Directors Absent:

None.

Administration Present:

Elizabeth Fazio Hale, Executive Director/ CEO
David Glass, General Counsel
Eli Hunt, Systems Manager
Becky Melton, Financial Director/HR Manager

Public Present:

Bart Brock, Legislative Staff, Representative Van Deaver
Lanny Buck, Engineer, KSA Engineers
Mike Burke, City Administrator, City of Wake Village
Mike Buttram, SRBA, Contract Staff and Self, Retired
Hal Harris, General Manager, Central Bowie County Water Supply Corporation
Scott Norton, Executive Director/CEO, TexAmericas Center
John Whitson, City Manager, City of Texarkana, TX

discussion, the proposals received the following scores: Holliday, Lemons & Cox, PC - 82 and Wilf & Henderson, PC 81.

The Board wished to further discuss the details of a potential contract for these non-audit accounting service in Executive Session at the end of the agenda.

No action taken, at this time. See end of agenda.

D. Discussion and possible action regarding the approval of a resolution authorizing the Executive Director/CEO, Elizabeth Fazio Hale, to execute an interlocal agreement and/or contract with Red River Army Depot for Analytical Services.

Liz Fazio Hale provided information that this is a contract for laboratory services that Riverbend cannot conduct themselves. We have this contract currently with the RRAD. The contracting requires an annual renewal. The cost from last year to this year is not changing, and it is the same contract as last year. The resolution is to allow the Executive Director/CEO to sign this contract and future contracts, so long as there is not an increase in costs from one year to the next above 20%.

Sean Rommel asked that the following language be added to the end of the resolution: "Authorizing the Executive Director/CEO to sign this contract and future contracts, so long as there is not an increase in costs from one year to the next above 20% and a new contract does not substantially alter the materiality of the contract."

A motion was made by **Kelly Mitchell** and seconded by **Fred Milton** to approve **Resolution 20170510-01**, as amended, authorizing the Executive Director/CEO, Elizabeth Fazio Hale, to execute an interlocal agreement and/or contract with the Red River Army Depot for Analytical Services. The motion was approved unanimously.

E. Discussion and possible action regarding approval of a resolution ratifying the action of the Executive Director/CEO, Elizabeth Fazio Hale, to enter into a contract with an engineering and/or consulting firm or individual for the purpose of conducting a regional water wholesale and retail rate study on behalf of the member entities.

Liz Fazio Hale provided information that in February, the Board authorized the Executive Director/CEO to amend the contract with Susan Roth and/or to enter into a new contract for services related to conducting a water rates study. Susan suggested hiring professionals with experience in rate study analysis. An RFP was prepared and properly published to provide notice. RFPs were due April 3, 2017 and three proposals were received as follows: Carollo, KSA, and NewGen Strategies. A committee of the Executive Director/CEO, Systems Manager, and Board Member Kelly Mitchell met to review discuss the projects. Based on that review and discussion, the proposals received the following scores: Carollo Engineers - 85, KSA - 60, NewGen Strategies - 95.

Sean Rommel asked that the following language be adjusted on the resolution: 1) a correction to the title of the resolution to accurately reflect its intent and 2) that any agreement or amendment must be reviewed and approved by general counsel.

A motion was made by **Sean Rommel** and seconded by **Fred Milton** to approve **RESO 20170510-02**, as amended, authorizing the Executive Director/CEO, Elizabeth Fazio Hale, to continue negotiations as set forth above and execute a water rates study and planning agreement with NewGen Strategies; or alternatively, to negotiate and enter into the same with Carollo Engineers under the same terms; or alternatively to negotiate and enter into the same with KSA under the same terms; and to negotiate any amendment for the additional services to the already existing agreement with Susan Roth Consulting. The combination of any agreements or amendments shall not exceed an amount of \$85,000 total for services in association with the water rates study and planning, absent further Resolution of this Board. Any agreement or amendment must be reviewed and approved by general counsel. The motion was approved unanimously.

F. Discussion and possible action regarding a Request for Proposals/ Bids for construction bids on a pump station and ground storage tanks project.

Eli Hunt, Systems Manager, provided information that the design for the pump station and 2 -1/2 million gallon tanks is nearing completion. It is time to ask for bids on construction of this project. The bid materials will be posted on our website and ads placed in the Texarkana Gazette, Clarksville Times, and Dallas Morning News. A mandatory pre-bid meeting will be held May 25, 2017 at Riverbend Main Offices, 228 A Texas Avenue, New Boston, Texas 75570.

A motion was made by **Sean Rommel** and seconded by **Marshall Wood** to issue the Request for Construction Bids of the pump station and 2 -1/1 million gallon ground water storage tanks and to place ads in the appropriate publications.

G. Discussion and possible action regarding approval of a resolution approving an updated Conservation Plan.

Liz Fazio Hale provided information that the District is required to submit a Conservation Plan annually to the Texas Water Development Board (in order to qualify for low financing). We have not updated our Conservation Plan since acquiring the Wet Utilities. Eli Hunt, Systems Manager, is working on this for our next meeting.

No action taken.

H. Discussion and possible action regarding approval of a resolution approving a Memorandum of Understanding between Riverbend Water Resources District and Central Bowie County Water Supply Corporation to collectively work together in providing and preserving ample sources of water supply today and in the future.

Liz Fazio Hale provided information that the Central Bowie County Water Board of Directors met in a regular monthly meeting on May 2, 2017. The meeting met all

requirements of the Texas Open Meetings Act. The posted notice included an agenda item: Consider and take action on MOU with Riverbend Water Resources District. Directors present included Harrell Hignight, Jack Braley, Tom Coleman, Burl Minter, Winfred Thompson, Todd Erwin, Harry Sandford, and Grady Epperson. During the meeting, Director Tom Coleman made a motion to approve and execute MOU. Motion was seconded by Director Grady Epperson. Motion carried. The vote was 8 Aye, 0 Nay, 0 Abstained.

Hal Harris, CBCWSC General Manager, thanked Liz Fazio Hale and Fred Milton for attending the meeting.

A motion was made by **Marshall Wood** and seconded by **Fred Milton** to approve **RESO 20170510-03**, approving a Memorandum of Understanding between Riverbend Water Resources District and Central Bowie County Water Supply Corporation to collectively work together in providing and preserving ample sources of water supply today and in the future. The motion was approved unanimously.

I. Discussion and possible action regarding approval of a joint resolution supporting the role of Riverbend Water Resource District in implementation of the Ultimate Rule Curve and as the entity to seek future water rights in Lake Wright Patman Reservoir on behalf of the City of Texarkana, Texas.

Liz Fazio Hale provided information that this is the same resolution that has been on the Riverbend agenda for many months. On April 10, 2017 the item was laid out at the City Council of Texarkana regular meeting. On April 24, 2017, the City Council of Texarkana held a public hearing on the matter and unanimously approved this joint resolution.

Liz Fazio Hale recommends approving this joint resolution with Texarkana, Texas and then asking the other Member Entities to pass resolutions, as well. Once all resolutions have been adopted, Riverbend will pass an additional resolution which will serve as an umbrella for all of the resolutions on this topic.

A motion was made by **Sean Rommel** and seconded by **Marshall Wood** to approve **RESO 20170510-04**, approving a Joint Resolution with the City of Texarkana, Texas supporting the role of Riverbend Water Resources District in implementation of the Ultimate Rule Curve and as the entity to seek future water rights in Lake Wright Patman Reservoir on behalf of the City of Texarkana, Texas. The motion was approved unanimously.

J. Discussion and possible action regarding approval of a template resolution supporting the role of Riverbend Water Resource District in implementation of the Ultimate Rule Curve and as the entity to seek future water rights in Lake Wright Patman Reservoir on behalf of all Member Entities.

Liz Fazio Hale provided information on a template resolution for all other member entities to pass within their respective cities/organizations. This is significantly similar (near identical) to the joint resolution with Texarkana but references a “_____” for each municipality/entity to insert their name and references rights on behalf of member entities.

A motion was made by **Marshall Wood** and seconded by **Fred Milton** to approve a template resolution supporting the role of Riverbend Water Resource District in implementation of the Ultimate Rule Curve and as the entity to seek future water rights in Lake Wright Patman Reservoir on behalf of all Member Entities. The motion was approved unanimously.

K. Discussion and possible action regarding Lake Wright Patman and various regional water issues, including activities in the Arkansas and Texas Legislatures.

Liz Fazio Hale provided information on various ongoing activities with the US Army Corps of Engineers, particularly with respect to the implementation of the Ultimate Rule Curve (or “permanent contract”).

Liz Fazio Hale SRBA Sunset legislation has moved through the House. It is likely to be heard in the Senate Committee next week.

No action taken.

L. Discussion and possible action regarding the purchase of TAC East Infrastructure.

Liz Fazio Hale provided a formal letter to Mr. John Whitson, City Manager of Texarkana, Texas at his request. The letter formally asks that Riverbend be allowed to acquire through purchase the TAC East infrastructure.

A motion was made by **Sean Rommel** and seconded by **Fred Milton** to execute and send a formal letter of request that is acceptable to the John Whitson, City Manager of City of Texarkana. The motion was approved unanimously.

M. Discussion and possible action regarding June 2017 Riverbend Open House.

Liz Fazio Hale provided information that an Open House was held last June for the Community to visit our new location. She recommends this as an annual event in June. This year, we could hold the Open House in conjunction with our Regular Meeting scheduled for Wed., June 14, 2017 11:00am-3:00pm.

A motion was made by **Kelly Mitchell** and seconded by **Fred Milton** to approve an Open House from 11:00am-3:00pm on the same day as the District's Regular Meeting day of June 14, 2017. The motion was approved unanimously.

V. Reports

A. Board Members

Jim Green provided a personal statement that appreciated everyone's thoughts and prayers during his recent illness.

B. Executive Director/CEO

Ongoing Projects:

- i. STAR ("Stakeholder Technical Analysis Review Committee") Extension -
 - Ready to appoint this Committee with those who have showed interest and do not otherwise have any conflict of interest: Possibly, Paula Tidwell, Mike Burke, Mike Buttram, etc.
- ii. Regional Water Master Plan Project with Susan Roth and Consulting - coming along. Susan was here for visits. She is planning another trip the first week of June. She recently visited with Texarkana, Wake Village, Redwater, and Clarksville.
- iii. Water Rates Study - hopefully finalizing an agreement with NewGen Strategies this week. Plans to meet with the consultants and Susan Roth next week.
- iv. Feasibility Study Review - RSAH2O is continuing to look at Feasibility Study but is also focused on implementation of the URC. We have been attempting to nail down the details of what exactly needs to be completed for implementation, as well as water storage costs.
- v. Consulting - Larry Meyers' contract has been reduced. We have engaged additional help at the state level, as well as made an adjustment to Cross Oak.
- vi. Million-gallon Water Ground Storage Tanks Project - hopefully, issuing the requests for construction bids this week. Project will likely begin in July/August.
- vii. Pipeline Replacement and Chlorification Project - this project should be coming to a close this month. We have completed the pipeline but delays were made on the chlorification station due to the weather.
- viii. Future CIP Projects for a Facility Charge #3 - on hold pending further instruction from the RRAD officials due to some concerns with timing and potential BRAC.
- ix. Other Maintenance and Services Projects
- x. Future Riverbend Studies - Sedimentation, WAMs, etc.

VI. Executive Session

The Board went into Executive (Closed) Session from 12:50pm - 1:01pm to discuss contractual issues and to receive legal advice pursuant to Texas Open Meetings Act, Government Code, Section 551.071.

The Board reconvened in open session to take up Item IV. C.

A motion was made by **Fred Milton** and seconded by **Sean Rommel** to approve **RESO 20160511-05** authorizing the Executive Director/CEO, Elizabeth Fazio Hale, to enter into an interlocal agreement/contract with Holliday, Lemons & Cox, PC an accounting firm or individual for the preparation of financials in accordance with governmental generally accepted accounting principals or alternatively, to negotiate and enter into same with Wilf & Henderson, PC under the same terms. The motion carried. The vote was 4 Ayes, 0 Nays, 1 Abstained (Kelly Mitchell).

VII. Next Regular Meeting

Wednesday, June 14, 2017 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, TX 75570 with an Open House 11:00am- 3:00pm.

VIII. Adjournment

With no additional business to be discussed, a motion was made by **Sean Rommel** and seconded by **Kelly Mitchell** to adjourn the meeting at 1:05 p.m. The motion was approved unanimously.

The previous corrected minutes of Riverbend Water Resources District Board of Directors meeting, May 10, 2017 were read and approved on the 14th day of June, 2017.



Jim Green, President
Attest:



Elizabeth Fazio Hale, Executive Director/ CEO

Riverbend Water Resources District
 Board Meeting
 May 10, 2017
 12:00 p.m.

No.	Name	Organization	Title	Phone	Email
1	JOHN WHITSON	CITY OF TEXARKANA	CITY MANAGER	870-779-3730	
2	Hal Harris	Central Basic City WSC	General Manager	903 628-5601	chc.wsc@aol.com
3	Leann Bush	KSIA	Engineer	903 452 4721	
4	Scott Green	Ref. Van Pender			
5	James Carter	Dumico		903-628-6718	
6	Bryce London	First Southwest	Nyjm Director	214 953 4013	
7	Mike Buttram	SABA	Consultant	903-275-4500	mikebuttram@gmail.com
8	Scott Norton	BTAC			
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