

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes
October 24, 2019**

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

M I N U T E S

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

Pursuant to a notice posted on the District website, the Chair, Sonja Hubbard, President of the Board, called the meeting to order at 12:03 p.m.

Directors Present:

Sonja Hubbard, President
Tina Veal-Gooch, Vice President
Van Alexander, Treasurer
Marshall Wood, Secretary
Fred Milton, Past President

Directors Absent:

None

Administration Present:

Kyle Dooley, Executive Director/CEO
Eli Hunt, Operations Manager
Tara Houck, Chief Financial Officer
Becky Melton, Executive Assistant/HR Manager

Public Present:

Sonja Hubbard recognized and congratulated Honorable Bobby Howell as the new Bowie County Judge.

Please see the attached list for additional guests.

II. Invocation & Pledge

Sonja Hubbard led the invocation and the pledge of allegiance.

III. Public Comments

None.

IV. Consent Agenda Items

Items IV.A. and IV.B. were considered under a Consent Agenda for one single motion of approval.

- A. Discussion and possible action regarding September 25, 2019 Regular Called Meeting Minutes.**
- B. Discussion and possible action regarding approval of Resolution 20191024-01 authorizing the Executive Director/CEO to enter into an agreement for services with Wilf Henderson, PC for annual audit services for FY 2018-2019.**

A single motion was made by **Van Alexander** and seconded by **Tina Veal-Gooch** to approve the Consent Agenda Items as listed above. The motion passed unanimously.

V. Regional Entity Reports

- A. Discussion and possible action regarding activities with Sulphur River Basin Authority (SRBA).**

No report from SRBA.

No action taken.

- B. Discussion and possible action regarding activities with TexAmericas Center (TAC).**

No report from TAC.

No action taken.

- C. Discussion and possible action regarding activities with Ar-Tex REDI.**

Sonja Hubbard provided that the ribbon cutting for Texarkana Aluminum held on October 17, 2019 went well. Arkansas Governor Asa Hutchison was present along with about 300 others that came to visit.

No action taken.

VI. Agenda Items for Individual Consideration

- A. Discussion and possible action regarding a resolution approving the Executive Director/CEO to enter into a consulting contract with NewGen Strategies & Solutions for a Rate Study for the TexAmericas Footprint.**

Kyle Dooley provided information on the results of reviewing proposals submitted in response to an RFQ published in September. The three responses were from NewGen Strategies & Solutions, HDR Engineering, and Willdan Financial Services. NewGen Strategies & Solutions scored the highest in the review process. A contract has been negotiated and reviewed by counsel. The study has a price not to exceed \$35,000. The funds for this study are available in the budget.

A motion was made by **Tina Veal-Gooch** and seconded by **Fred Milton** to approve **RESO 20191024-02** authorizing the Executive Director/CEO to enter into a consulting

contract with NewGen Strategies & Solutions for a Rate Study for the TexAmericas footprint. The motion passed unanimously.

B. Discussion and possible action regarding approval of a joint resolution with the City of Texarkana, Texas authorizing the City Manager of the City of Texarkana, Texas to develop, sign, and file an application for additional water rights from Wright Patman Lake.

Kyle Dooley provided that this joint resolution, if approved, would authorize Riverbend and Texarkana to move forward and apply for additional water rights within and possibly up to the Ultimate Rule Curve in Wright Patman Lake. After inquiries with the regulatory authorities, it was determined that Texarkana would be the entity that would need to be the permittee. Texarkana is willing to do so on behalf of themselves and all other Riverbend member entities. Any future water rights obtained for this purpose will be contracted to Riverbend to serve the needs of our members equitably as requirements develop over time.

A motion was made by **Tina Veal-Gooch** and seconded by **Fred Milton** to approve **RESO 20191024-03** authorizing the City Manager of the City of Texarkana, Texas to develop, sign, and file an application for additional water rights from Wright Patman Lake. The motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution approving the Riverbend Water Resources District Strategic Plan 2019.

Kyle Dooley provided that at the August Board meeting, Dr. Richard Lewis facilitated a strategic planning session with our board members. After that discussion and board input, Dr. Lewis updated the mission statement and the vision statement of Riverbend. He also used the data and input gathered from the board to prioritize strategic goals, both short term and long term. The document summarizes that data into the Riverbend Strategic Plan 2019. This is the third iteration of the strategic plan. The plan was first adopted in 2013 and updated in 2016. We will continue to review and update the plan every three years. The document presented just a summary of the discussion had among the board members and other attendees. Mr. Dooley suggested that this item be tabled until next month so that staff would have more time to finalize the timeline and the steps needed to reach the long-term goals outlined in the Strategic Plan.

This item was tabled until the November meeting.

D. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into an engineering contract with MTG Engineers for a Supplemental Environmental Project for the Industrial Wastewater Plant.

Kyle Dooley provided that at the July Board meeting, the board approved RESO 20190724-03 authorizing the Executive Director/CEO to sign an Agreed Order and submit a Supplemental Environmental Project (SEP) Proposal for consideration by TCEQ to resolve the Enforcement Case No. 57427, which dealt with the effluent limits at the industrial waste water treatment plant. Staff submitted the SEP proposal to TCEQ and TCEQ approved the proposal. Considering and approving this contract would be the next step in the process. This contract would allow Riverbend to conduct the needed

studies to provide information and form strategies on how to remedy the issues to meet TCEQ requirements.

A motion was made by **Sonja Hubbard** and seconded by **Van Alexander** to approve **RESO 20191024-05** authorizing the Executive Director/CEO to enter into an engineering contract with MTG Engineers for a Supplemental Environmental Project for the Industrial Wastewater Plant. The motion passed unanimously.

E. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to amend the agreement with Hilltop Securities for additional services to be performed as Financial Advisor.

Marti Shew with Hilltop Securities provided that under Riverbend's agreement with the Texas Water Development Board it is obligated to file its audit with the Electronic Municipal Market Access (EMMA), a service of the Municipal Securities Rulemaking Board (MSRB). The MSRB is a subset of the Securities and Exchange Commission and is the overseer of the operation of municipal bond market and issuer financial updates to the market. Hilltop Securities has provided this service for Riverbend in the past, but no contract for the service had been in place. Hilltop is required, from a regulatory perspective, to have a contract in place to provide those services. This amendment to the current contract would allow for Hilltop to continue to provide those services.

A motion was made by **Van Alexander** and seconded by **Marshall Wood** to approve **RESO 20191024-06** authorizing the Executive Director/CEO to amend the agreement with Hilltop Securities for additional services to be performed as Financial Advisor. The motion passed unanimously.

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

Kyle Dooley provided that the US Army Corps of Engineers (USACE) has informally notified Riverbend that the Assistant Secretary for the Army Civil Works has agreed to move forward with the congressional notification for accepting the contributed funds from Riverbend to conduct the cultural resources study that must be done before we can implement the in-state agreement and move to the Ultimate Rule Curve. We are still working with Corps HQ to set a time to discuss the official acceptance of the contributed funds agreement.

No action taken.

VII. Riverbend Reports

A. Board Members

Fred Milton provided that he has been appointed to the Region D committee to work with Region C regarding the upcoming 2021 State Water Plan. The first meeting will be held in the Convention Center in Tyler, TX on Monday, November 4, 2019 at 9:00 a.m. Marshall Wood asked what had changed since the last State Water Plan was issued that prompts the need for additional discussion. Fred Milton stated that is a question he will ask at the meeting in November.

B. Executive Director/CEO

Kyle Dooley provided that Central Bowie County Water Supply Corporation signed the interlocal agreement to officially become a member of Riverbend. They are the first water supply corporation to become a member after the approval of a change to Riverbend Bylaws in the House of Representatives in May.

Mr. Dooley also provided an update on the SRF Funds application for the water treatment plant. The Texas Water Development Board (TWDB) asked Riverbend to submit the full funding application even if we only had draft water supply contracts from the Member Entities. Because of that notification, we enlisted the help of our contractor, Susan Roth, and we submitted the funding application by the deadline earlier this month. We have since received one request for further information. The requested items will be returned to TWDB today. According to TWDB, Riverbend's application will be reviewed by a project team and, should our application receive a favorable recommendation, it will be on the agenda for the January 2020 TWDB meeting for approval. Which could mean Riverbend could have project funds secured in January. Mr. Dooley did talk to all of the mayors to give them an update on this process as well.

Riverbend received a redline version of the water supply contract from Jason Hill. He is the attorney representing Wake Village, DeKalb, Hooks, and Avery. Kristen Fancher, our attorney, plans to meet with Mr. Hill to discuss this redline version some time next week to iron out a "final-final" document for distribution and signature.

Mr. Dooley also provided information on a US Army Utility Energy Services Contract. SWEPCO and Honeywell approached Riverbend about being a subcontractor for an upcoming project that they will propose to the Army. They plan to conduct assessments of Red River's energy usage in hopes of being awarded one of the energy service contracts to implement the energy savings and conservation solutions based on that initial assessment. SWEPCO and Honeywell wanted Riverbend to be on board in case there were any conservation measures that were identified in the water and wastewater realm. For example, if during the assessment they discover that there are substances entering into Riverbend's industrial wastewater lines, they can use funds obtained in this program to create pretreatment or improvement plans for that situation. With consultation with Riverbend counsel, David Glass, Mr. Dooley did sign a commitment letter to be part of this assessment. He did state in the commitment letter that if there were any water or wastewater infrastructure projects identified, that Riverbend will participate pending board review and approval of any projects. These projects would not create any expense for Riverbend.

The Texas Water Conservation Association (TWCA) Fall Conference was held last week. Mr. Dooley, Van Alexander, and Marshall Wood attended representing Riverbend. It was an informative conference that gave updates on what is going on in water all over the state of Texas. TWCA hold three of these conferences per year. Mr. Dooley would like for all of the board members to attend at least one conference during the year. Van Alexander stated that these conferences are very informative and educational. Even though Texas is a huge state, the water world is very small and there are several people and organizations you will see repeatedly involving different

subjects all of which are relevant to what we have going on at Riverbend. Marshall Wood discovered on his visit that he learns something new each time he attends this conference. He also suggested that a mayor or a representative from a member city should attend this conference.

No action taken.

VIII. Executive Session

The board stood at ease beginning at 12:36 p.m.

The board reconvened in Executive Session at 12:45 p.m. with quorum pursuant to sections 551.071 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:40 p.m.

IX. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, November 20, 2019 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

XI. Adjournment

With no additional business to be discussed, a motion was made by **Tina Veal-Gooch** and seconded by **Sonja Hubbard** to adjourn the meeting at 1:45 p.m. The motion passed unanimously.

The minutes of Riverbend Water Resources District Board of Directors meeting, October 24, 2019 were read and approved on the 20th day of NOVEMBER, 2019.



Sonja Hubbard, President

Attest:



Kyle Dooley, Executive Director/ CEO

Riverbend Water Resources District
 Board Meeting
 October 24, 2019
 12:00 p.m.

No.	Name	Organization	Title	Phone	Email
1	Marti Shew	Skulltop	Director	2149912941	marti.shew@skulltopsecuritv.com
2	Kim Kefer	Tape Dawson	Mgmg VP		kkefer@pape-dawson.com
3	Amie Shuply	Cathy DeLely	Asst Secretary	803 293 4081	
4	Seth Cooksey	Pape-Dawson	VP VP	469-2363764	Scooksey@pape-dawson.com
5	Carrisa Shelly	" "	VP		eshelly@pape-dawson.com
6	Jim Clary	MALD	Manager Pro-Ten		
7	Lance Klement	Cascade	PM	214 250 3491	LKLEMENT@GOS-RIVERS.COM
8	Hal Huns	Cascade	GM	903 628 5601	chcusc@aol.com
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