

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

August 26, 2020

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 12:05 p.m.

Directors Present:

Sonja Hubbard, President
Van Alexander, Treasurer
Marshall Wood, Secretary
Fred Milton, Past President

Directors Absent:

Tina Veal-Gooch, Vice President

Administration Present:

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

Public Present:

Please see the attached list for additional guests.

II. Invocation & Pledge

Sonja Hubbard led the invocation & the pledge of allegiance.

III. Public Comments

None.

IV. Consent Agenda Items

Item IV.A. was considered under a Consent Agenda for one single motion of approval.

A. Discussion and possible action regarding July 22, 2020 Regular Called Meeting Minutes and August 19, 2020 Special Called Meeting and Workshop Minutes.

A single motion was made by **Fred Milton** and seconded by **Van Alexander** to approve the Consent Agenda Item as listed above. The motion passed unanimously.

V. Regional Entity Reports

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

Kyle Dooley provided that SRBA is still searching for an Executive Director. Two companies are vying for the contract to conduct a search to fill that position. They will have a special meeting on September 1st to allow the companies make presentations regarding their qualifications to fulfill their need for an Executive Director.

No action taken.

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

Scott Norton, Executive Director/CEO of TAC was unable to attend the meeting today. He did ask Kyle Dooley to pass along the following updates.

- TAC is very proud of their national ranking from Business Facilities Magazine as a Top 10 Industrial Park, ranking #8. Thank you to Riverbend for all the support as they do feel this is a community recognition.
- Progress is being made on SPEC building and they have increased the size of the building from 100k sqft to just shy of 150k sqft. Interest in the building is strong and we are building it to where it can be used by multiple tenants.
- Prospect activity continues to be very strong.

No action taken.

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

Sonja Hubbard provided that well known economic development expert from Mississippi, Joe Max Higgins, called the Ar-Tex REDI office and praised the teams involved in obtaining the \$200 Million in funding for a Regional Water Facility. He expressed excitement for our region and stated that this is the much needed first step in gaining momentum with economic development.

No action taken.

VI. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution adopting the FY 2019-2020 Member Entities' True-Up for use in FY 2020-2021.

Mr. Dooley provided information on the annual presentation made by TWU on August 19th. The proposed water production rate shows to have decreased from \$0.9389/1000 gallons to \$.9302/1000 gallons. TWU also presented their plans for projects at both plants in the coming year. There were several Member Entities represented during the presentation of the report. There were not many questions during the meeting.

In the past, the board has tabled a vote on this item to ensure all member questions or concerns are addressed prior to official approval.

No action taken.

B. Discussion and possible action regarding the Riverbend Budgets (Workshop-no anticipated action):

- i. Revised 2019-2020 Budgets for Administrative Member Fund and Wet Utilities Fund; and**
- ii. Draft 2020-2021 Budgets for Administrative Member Fund, Wet Utilities Fund and Labor Table.**

Tara Houck made a presentation of the amendments to the budgets for FY 2019-2020 for both funds followed by a presentation of the Proposed FY 2020-2021 budgets for both funds.

No action taken.

C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to complete all necessary issuance of requests for qualifications, contract negotiations, etc. regarding the completion of the regional water system project.

Kyle Dooley provided information on the Regional Water System Project and all of the possible planning that will be needed regarding publication of RFQs, contract negotiations, and signature authority related to securing bond counsel, financial advisors, project management, and engineering. The approval of this resolution would allow the Executive Director to move forward with searching for and negotiating contracts with the needed service providers without having to bring each item back to the Board for individual approval.

A motion was made by **Van Alexander** and seconded by **Marshall Wood** to approve **RESO 20200826-02** authorizing the Executive Director/CEO to complete all necessary issuance of requests for qualifications, contract negotiations, etc. regarding the completion of the regional water system project. The motion passed unanimously.

D. Discussion and possible action regarding approval of a resolution granting the Executive Director/CEO authority to modify the contract with Susan Roth Consulting.

Kyle Dooley provided information on the work regarding completion of the State Revolving Fund (SRF) application. Susan Roth Consulting was hired in July of 2019 to assist Riverbend

in completing the SWIFT fund application. This contract amount was not to exceed \$50,000. The Texas Water Development Board (TWDB) suggested that Riverbend submit an SRF application as it would better suit the District's needs. An amendment was made to the contract with Susan Roth to include language that she would be providing assistance with the SRF Application. The costs incurred by Mrs. Roth to provide this assistance is \$28,216.72 in excess of the \$50,000 cap of the previous contract amendment. In addition, there would be an \$18,500 needed for Mrs. Roth to further consult Riverbend on issuing RFQs with correct language, in the most effective news publications, etc. The funds are available in the budget but they will need to be earmarked for payment to Mrs. Roth.

A motion was made by **Fred Milton** and seconded by **Marshall Wood** to approve **RESO 20200826-03** authorizing the Executive Director/CEO to modify the contract with Susan Roth Consulting. The motion passed unanimously.

E. Discussion and possible action authorizing the alteration of account names at Texana Bank.

Kyle Dooley provided information that in preparation to receive payments from the participating member entities on the Regional Water Treatment Facility and making design and construction payments, Riverbend needs to change the name of two (2) of the existing accounts at Texana Bank. The checking account currently named "Future Planning" will be changed to "Regional Water System Construction Account." The savings account currently named "Savings" will be changed to "Minimum Monthly Payments." Both of these accounts will still require two signatures for amounts withdrawn that exceed \$25,000.

A motion was made by **Van Alexander** and seconded by **Marshall Wood** to alter the account names at Texana Bank to better serve the need to keep track of Member Entity funds related to the Regional Water Treatment Facility. The motion passed unanimously.

VII. Riverbend Reports

A. Board Members

Fred Milton provided that Region D will meet virtually September 2, 2020. They'll have an executive session on reappointment of board members prior to the meeting. Riverbend will be on the public meeting agenda.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regarding the Water Rights Application: Riverbend and the City of Texarkana, Texas had a conference call with the Texas Commission for Environmental Quality (TCEQ) last week to discuss Riverbend's application. It is now in Conservation and Environmental Review as part of the Technical Review. The next step is to model the new system. To do this, they will use the information from the updated Water Availability Model. TCEQ hopes to have a draft permit available just after the new year. Public notice will then be issued. Provided that no one contests the draft permit, the official water rights permit could be issued to Riverbend within 30 days. If

there are any questions, concerns or if it is contested, the issuance of the permit will be delayed accordingly.

Regarding the US Army Corps of Engineers (Corps) and the Contributed Funds Agreement: Thursday, August 20, 2020 the City of Texarkana, Texas signed the agreement and returned it to the Corps for the necessary signatures. Once that is signed, the work can begin on the environmental and cultural resources study that needs to be complete before mitigation and cost associated with that mitigation, implementation of the Ultimate Rule Curve, and therefore water treatment plant design. The City of Texarkana will provide up to \$75,000 toward the funding of these studies so that work can begin now even before Riverbend closes on the bonds. The Corps can begin work with those funds. By the end of November, Riverbend should close on the first bond and have the funds available to complete the \$2.2 Million study.

Regarding an elevated tower and chlorine injection station: This tower is for Red River Army Depot. Earlier this year, the Board approved the negotiation of a contract with an engineering firm to do design work for the rehabilitation of the elevated tower. An agreement was reached last week with Cobb Finley to complete this design work. The firm plans to get started on August 27th.

Riverbend is working with Maud to provide wastewater services to the city. An official memo of understanding will be presented at the next board meeting.

Regarding the water treatment plant project and SRF application: On August 5, 2020 The Texas Water Development approved Riverbend's application for \$200 Million in funding to construct a new water intake and pipe line as well as a new water treatment plant on the TexAmericas footprint. Sonja Hubbard congratulated the staff on their hard work in getting this application approved. Mr. Dooley thanked the member entities for their support and help in ensuring the necessary documents were submitted in a timely manner.

Regarding water supply contracts: Eleven out of the twelve participating members have signed and executed the water supply contracts with Riverbend. At their council meeting on August 25, 2020, the City of DeKalb voted not to sign the contract and therefore will not be participating in the project with Riverbend. Oak Grove Water Supply Corporation is scheduled to consider their membership agreement with the District and the water supply contract at their meeting on August 27, 2020. Regarding the remaining members, there are a few more signatures needed and they will be obtained by the end of August. Once they are signed, Riverbend will create and issue Regional Water System Fee invoices by September 15, 2020. Marshall Wood asked for clarification on the finality of the City of DeKalb's decision not to participate in the Regional Water Project and asked about how this affects their membership in Riverbend. Mr. Dooley stated that it was only a vote not to sign the water supply contract. As of today, DeKalb will still be a member of Riverbend but they will not be paying debt service on the project. In a letter addressed to Mr. Dooley and the Board, City representatives requested an additional twelve months to consider the contract and make a decision. Mr. Dooley responded that twelve months is not feasible given the timeline from TWDB regarding bond issuance.

Regarding future Riverbend membership: The option to join Riverbend is available for any entity that meets the requirements in our bylaws. If the City of DeKalb decides at a later date to begin participating in the Regional Water Project, that option may still be available, pending participating member's discussion and board approval. Research will have to be made about

how that will affect the original participating members. Our job as a water district is to manage the 1969 contracts that will be in place for another four to 5 years and to help our members with any water or wastewater needs they have. We will continue to do that for any member.

No action taken.

VIII. Executive Session

The board stood at ease at 1:07 p.m.

The board reconvened in Executive Session at 1:12 p.m with quorum pursuant to section 551.071 and 551.074 of the Texas Open Meetings Act.

The board came out of Executive Session at 2:20 p.m.

The board reconvened with quorum at 2:20 p.m.

IX. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, September 23, 2020 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

X. Adjournment

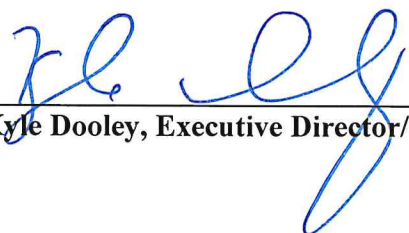
With no additional business to be discussed, a motion was made by **Marshall Wood** and seconded by **Fred Milton** to adjourn the meeting at 2:22 p.m. The motion passed unanimously.

The minutes of Riverbend Water Resources District Board of Directors meeting, August 26, 2020 were read and approved on the 23rd day of September, 2020.



Sonja Hubbard, President

Attest:



Kyle Dooley, Executive Director/ CEO

Riverbend Water Resources District

Board Meeting

August 26, 2020

12:00 p.m.

No.	Name	Organization	Title	Phone	Email
1	Math Garcia	Paye-Dawson	V.P.	214 732 2280	Math.Garcia@paye-dawson.com
2	Caleb Mosley	Barrie Court Tribune	Reporter	318-450-8434	cmosley@barrie-court-tribune.com
3	Tommy Larry	Costco Meat	Manager		
4	Paul Carlene	Costco Food	Phlebotomist	972-	pcarlene@costco.com
5	Maure Reiter	Harbors	Manager		
6	Hal Harris	CRWISC			
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