



**REGULAR MEETING
RIVERBEND WATER RESOURCES DISTRICT
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING
WEDNESDAY, NOVEMBER 18, 2020
12:00 P.M.
228 TEXAS AVENUE, SUITE A, NEW BOSTON, TX 75570**

*Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of the Riverbend Water Resources District will conduct a meeting; open to the public, on **Wednesday, November 18, 2020, at 12:00 p.m.**, at the Riverbend Water Resources District ("Riverbend") office, in the **Conference Room** located at **228 Texas Avenue, Suite A, New Boston, TX 75570.***

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); discussing security personnel or devices (Section 551.076); or discussing economic development matters (Section 551.087). If the Board of Directors makes a determination to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

A G E N D A

- I. **CALL TO ORDER & ROLL CALL**
- II. **INVOCATION & PLEDGE**
- III. **PUBLIC COMMENTS**

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must sign in on the public comment sheet. The time limit is five (5) minutes per speaker. Subject to the provisions set forth under Section 551.007 of the Government Code.

- IV. **CONSENT AGENDA ITEMS**

- A. Discussion and possible action regarding October 28, 2020 Regular Meeting minutes and November 12, 2020 Special Called Meeting and Workshop minutes.



V. REGIONAL ENTITY REPORTS

- A. Discussion and possible action regarding activities with Sulphur River Basin Authority.
- B. Discussion and possible action regarding activities with TexAmericas Center.
- C. Discussion and possible action regarding activities with REDI.

VI. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

The Board of Directors will consider, discuss, and if appropriate, take action on the following item(s):

- A. Discussion regarding draft fourth quarter financials for FY 2019-2020 and any applicable quarterly investment reports.
- B. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to submit an application for consideration to perform all administrative duties for the North East Texas Regional Water Planning Group (Region D).
- C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into negotiations with an engineering firm chosen with the approval of the Master Engineering List to conduct a feasibility study on the TexAmericas Center East Campus water distribution system.
- D. Discussion regarding notification from Government Finance Officers Association regarding the status of a Comprehensive Annual Financial Report (CAFR) for Riverbend Water Resources District.
- E. Discussion and possible action adopting a resolution confirming and approving the addition of certain members of the District pursuant to Section 9601.005(b), Special District Local Laws Code.
- F. Discussion and possible action amending the enabling statute of Riverbend Water Resources District.

VII. REPORTS

- A. Board Members



B. Executive Director/CEO

VIII. EXECUTIVE SESSION

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); discussing security personnel or devices (Section 551.076); or discussing economic development matters (Section 551.087). If the Board of Directors makes a determination to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

IX. NEXT REGULAR MEETING

Riverbend Regular Meeting, January 27, 2020 at 12:00 p.m. at Riverbend Offices,
228 A Texas Avenue, New Boston, Texas 75570.

X. ADJOURNMENT

Kyle Dooley

Kyle Dooley, Executive Director/CEO
Riverbend Water Resources District

*Persons with disabilities who plan to attend the RWRD Board of Directors' meeting and who may need auxiliary aids or services are requested to contact the RWRD Administrative Offices at (903) 831-0091, as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**CONSENT AGENDA ITEM IV. A.
October 28, 2020
Regular Meeting Minutes
November 12, 2020
Special Called Meeting Minutes**

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

October 28, 2020
Minutes

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

October 28, 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; via video conference
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, CFO
Becky Melton, Executive Assistant/HR Manager

Public Present:

Please see the attached list for additional guests.

II. Invocation & Pledge

Fred Milton led the invocation
Tina Veal Gooch led 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 September 23, 2020 Regular Called Meeting Minutes and RESO 20201028-01 Wilf Henderson Contract.

A single motion was made by **Marshall Wood** 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 reported that Chris Hartung has been approved to be the interim Executive Director for SRBA. The board is still finalizing a contract for Mr.Hartung.

No action taken.

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

Scott Norton, Executive Director, provided that on October 27, 2020 the TAC board approved the construction of a 150,000 square foot spec building. It should be completed by July of 2021.

No action taken.

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

Sonja Hubbard provided that the City of Texarkana, Arkansas signed a commitment letter for the purchase of the land for factory development. That should close by the end of the year.

No action taken.

VI. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution authorizing the creation of new Texana Bank Accounts.

Kyle Dooley provided that this resolution, if approved, would allow staff to open any additional accounts at Texana Bank. The accounts would be open in connection with the next two agenda items; the Regional Water System Bonds. Signature authority would remain as they are on all of our accounts; one signature required for amounts less than \$25,000 and two will be required for amounts \$25,000 or greater.

A motion was made by **Fred Milton** and seconded by **Marshall Wood** to approve **RESO 20201028-02** authorizing the creation of new accounts at Texana Bank. The motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Taxable Series 2020A, and approving and authorizing instruments and procedures relating thereto.

Kyle Dooley provided that this is our first bond resolution for our Regional Water System project. This item and Item C. go together. The total between the two bonds is \$18 Million in funding. This is the first of four bond closings related to this project. This is the taxable portion and it totals \$10.8 Million. This will be used for design, acquisition and construction of the system. Rudy Segura from McCall, Parkhurst & Horton provided that in the history of their firm, they have not ever seen a project of this magnitude. The creation of a district with this kind of scope is historic. This taxable bond covers 60% of the 60 million gallons per day (mgd) that will be pulled from Wright Patman Lake for raw water use on the TexAmericas footprint. The remaining amount will go to the new water plant for treatment. Marti Shew from Hilltop Securities provided that Riverbend is in the final steps of this long process with the TWDB. The rate has been set on the taxable portion at 1.91%. Mr. Dooley reminded the Board that by being approved for State Revolving Funds, it helps the District save over \$3 Million in interest.

A motion was made by **Van Alexander** and seconded by **Fred Milton** to approve **RESO 20201028-03** authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Taxable Series 2020A, and approving and authorizing instruments and procedures relating thereto. The motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Tax-Exempt Series 2020B, and approving and authorizing instruments and procedures relating thereto.

Kyle Dooley provided that all of the information given on the taxable portion of the bonds applies to this tax-exempt portion however, the rate is slightly lower and is set at 1.29%.

Marshall Wood asked for clarification on why both bonds are not tax-exempt since Riverbend is a political subdivision. Mr. Segura from McCall Parkhurst & Horton, provided that tax-exempt debt is a subsidy granted by the federal government to state and local governments. This means that the funds awarded by the tax-exempt bonds can not benefit for-profit corporations, non-profit corporations more than 10%, or the federal government. So since Riverbend will be treating the remaining 40% of the water pulled from Wright Patman Lake for retail sale, the bond can be a tax-exempt bond.

A motion was made by **Van Alexander** and seconded by **Marshall Wood** to approve **RESO 202010128-04** authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Tax-Exempt Series 2020B, and approving and authorizing instruments and procedures relating thereto. The motion passed unanimously.

D. Discussion and possible action regarding approval of a resolution authorizing the filing of an application requesting financial assistance for Clean Water State Revolving Funds from the Texas Water Development Board (TWDB).

Kyle Dooley reminded the Board of previous discussion with Red River Army Depot (RRAD) regarding constructing a new Industrial Wastewater Plant. The first step is securing funding from the TWDB. This project qualifies for funds from the Clean Water State Revolving Fund. This fund and its application process, is identical to the Drinking Water State Revolving Fund program Riverbend is using except this program is for wastewater. This resolution, if approved will allow Riverbend to apply for \$13 Million in funding on behalf of RRAD in order to design and construct a new industrial wastewater facility.

A motion was made by **Fred Milton** and seconded by **Marshall Wood** to approve **RESO 20201028-05** authorizing the filing of an application requesting financial assistance for Clean Water State Revolving Funds from the Texas Water Development Board. The motion passed unanimously.

E. Discussion and possible action regarding approval of a resolution adopting a Records Retention Policy.

Kyle Dooley provided that further research on the need for retention policy for Riverbend yielded that, as a special purpose district/local government, statute dictated the District to use the retention policy and schedule as outlined for local governments by the Texas State Library and Archives Commission. The policy adopted by the Texas Commission on Environmental Quality proved to be insufficient for District needs. In addition, a Records Management Officer must also be appointed to a specific staff position with the District. This appointment has been assigned to the Executive Assistant's role.

A motion was made by **Marshall Wood** and seconded by **Fred Milton** to approve **RESO 20201028-06** adopting the Records Retention Policy as presented. The motion passed unanimously.

F. Discussion and possible action regarding approval of a resolution authorizing staff to dispose of assets relinquished by Red River Army Depot (RRAD) and absorbed by Riverbend Water Resources District.

Kyle Dooley provided that in February 2018 Riverbend took ownership of a skid-mounted wastewater pretreatment unit from RRAD. The Army was utilizing this unit in some of their processes and those processes were stopped. Because they had no future use for the unit and offered the unit to Riverbend. Going forward the District does not have further use for this unit. Unipure is the manufacturer of this unit and stated that a fair value for this unit is \$15,000. There is also a fiberglass tank that could go with it and its value is estimated to be about \$10,000. The District is only looking to sell the pretreatment unit, not the tank.

A motion was made by **Van Alexander** and seconded by **Fred Milton** to approve **RESO 20201028-07** authorizing staff to dispose of assets relinquished by Red River Army Depot and absorbed by Riverbend Water Resources District. The motion passed unanimously.

G. Discussion and possible action regarding approval of a resolution approving an update to the Water Conservation Plan of the Riverbend Water Resources District.

Kyle Dooley provided that during TCEQ's review of our water rights application, they issued a list of items that need responses. One of them is that the District include language in the Water Conservation Plan that ensures that every wholesale water supply contract entered into or renewed or extended should be required to have the wholesale customer develop and implement a water conservation plan that meets the State requirements. The recently signed water supply contracts do include that language. The update to Riverbend's Water Conservation Plan adds section 5.6 to include the specific language: "Wholesale water users are required to develop and implement a water conservation plan or water conservation measure using the applicable elements of Title 30 Texas Administrative Code (TAC) Chapter 288."

A motion was made by **Marshall Wood** and seconded by **Van Alexander** to approve **RESO 20201028-08** approving an update to the Water Conservation Plan of the Riverbend Water Resources District. The motion passed unanimously.

VII. Riverbend Reports

A. Board Members

Fred Milton provided that Region D will have another open comment period with the Texas Water Development Board (TWDB) on restructuring the lines of the various regions in the State Water Plan. The Board took action to officially make comments during the open comment period of the previous planning cycle. Marshall Wood asked if Region D is requesting that the Board comment again during this open comment period and Mr. Milton confirmed that they are making that request. During the last planning cycle, each board member issued separate comment. Mr. Milton posed the question as to which would be more appropriate; individual comments or a single statement from the collective Board. The issue is that there is some geographical areas between regions that are co-shared. For example, there are areas in Region I that overlap with Region D as well as areas in Region C that overlap with Region D. In the past, there was a consensus with TWDB that there should be no change in the boundaries of the regions. Mr. Wood asked what, if anything, has changed since the last planning cycle that would cause stakeholders to deviate from the previous statement to leave the regional boundaries as they are. Mr. Milton stated that, to his knowledge, with regard to planning and projects as guided by current boundaries, nothing has changed. Mr. Wood also asked what "test" or "benchmark" that TWDB is looking for that would justify a change. Mr. Wood stated that it is a consistent attempt to dilute Region D and he would think that if the request to reconsider regional boundaries on a subjective level is problematic. Mr. Dooley thinks it may be statutory given the timeline of where the region is with regard to the State Water Plan. Tina Veal Gooch asked Kyle Dooley to find out when the open comment period ends and give guidance to the Board on whether or not a statement or letter should be made and what it should include.

Mr. Milton also provided information about the rescheduling of a recognition ceremony for former Mayor Johnny Branson. It has been rescheduled for Saturday, November 14, 2020 at First Baptist Church in New Boston from 4 to 6 p.m.

Sonja Hubbard proposed that the Board hold a workshop to discuss restructuring the Board of Directors for Riverbend. If any decision is made to change the make-up of the board, it will have to be proposed in the Texas Legislature. Because the legislature is in session in 2021, the time to make a decision is now. Proposed dates for this workshop are November 12th or 18th. Because of the Thanksgiving holiday during the week of our regular board meeting, it was decided to have the workshop at the New Boston Community Center on November 12, 2020 at 12:00 p.m. and our regular Board meeting would be moved to November 19, 2020 at the Riverbend Offices at 12:00 p.m.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regarding the water treatment plant project and SRF application: the Requests for Qualifications (RFQ) for Bond Counsel, Financial Advisor and Legal Representation all closed on October 6, 2020. Staff made the decision to go with Hilltop Securities for Financial Advisor, McCall, Parkhurst, & Horton for Bond Counsel and Fancher Legal for Legal Representation. The District is set to close on the first set of bonds on November 23, 2020. As soon as possible after that closing, another RFQ will be issued for Program Manager.

At the last mayors' meeting they discussed the creation of an advisory committee to the board that will be made up of one representative from each member entity. This advisory committee will keep the Board aware of any concerns the members have during the Regional Water System Project. The next mayors' meeting should be held right after the first of the year near the time Riverbend brings a program manager on board.

Regarding the US Army Corps of Engineers (USACE)-Cultural Resources Study and Ultimate Rule Curve: We have had some positive movement towards beginning the Cultural Resources Study. The Contributed Funds Agreement has been executed. There will be a team meeting today and those meetings will be held weekly. The USACE states that there is an 18-24 month timeline for the study to be complete. Then mitigation will follow. The entire process to have the Ultimate Rule Curve implemented will be about 5 years. That timeline lines up with the completion of the Regional Water System Project. We hope it is an accurate timeline.

Regarding the new Industrial Wastewater Plant: Now that the Board has approved the submission of a funding application to the Texas Water Development Board, staff will get it turned in as soon as possible to allow TWDB to begin the application review process. Staff is working with the RRAD to get our contract with them updated to accommodate these changes, more specifically adding a third facility charge to pay for the new debt service that would come with this project. Staff is also working with TexAmericas Center (TAC) to find grant opportunities that could help pay back a large portion of the debt. The plan is to place this new industrial wastewater plant in a more central location so that any new tenants TAC brings in may also utilize the plant if they need it. There is discussion to consider having the new Regional Water Facility and the new Industrial Wastewater Facility on one campus.

Regarding the Water Rights Application: It is still in the technical review process. Last week, Mr. Dooley & Dawn Pilcher from LJA had a discussion with the Hydraulic Review Team with the Texas Commission for Environmental Quality (TCEQ). They were reviewing the accounting plan regarding the old rights, the new rights and how they fall in priority. The items

they are discussing are not substantial at this point. We are still on schedule to have a draft permit published for public comment right after the first of the year.

Regarding TexAmericas Center's new spec building: Mr. Dooley, Eli Hunt, Operations Manager, and Jeff Witten from TAC discussed the specific water needs for buildings similar to this. Because of the size of the building, there are flow rates needed for fire suppression in a building this size. For this building, they will build ground storage tanks to ensure those flow rates are met. This discussion led to another discussion on how to increase flow rates to prevent the need for ground tanks on other buildings. TAC has several prospects interested in building on this site so increasing the flow rate is imperative. Mr. Dooley suggested completing a feasibility study on how to address this issue for future buildings. This study would give us the cost of solutions. For example, building tanks on each building compared to building one elevated tower to be used by multiple tenants.

No action taken.

VIII. Executive Session

The board did not move in to Executive Session.

IX. Next Riverbend Meetings

Riverbend Special Called Meeting & Workshop, Thursday, November 12, 2020 at 12:00 p.m. at the New Boston Community Center located at 301 NE Front St, New Boston, Texas 75570.

Riverbend Regular Meeting, Wednesday, November 18, 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 **Van Alexander** to adjourn the meeting at 1:00 p.m. The motion passed unanimously.

The minutes of Riverbend Water Resources District Board of Directors meeting, October 28, 2020 were read and approved on the ____ day of _____, 2020.

Sonja Hubbard, President

Attest:

Kyle Dooley, Executive Director/ CEO

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

November 12, 2020
Minutes

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes
November 12, 2020
301 NE Front St., 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, the Chair, Sonja Hubbard, President of the Board, called the meeting to order at 12:07 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
Becky Melton, Executive Assistant/HR Manager

Public Present:

Harrell Hignight, Central Bowie County Water Supply Corporation (CBCWSC)
Earnest Shelton, Central Bowie County Water Supply Corporation
Hal Harris, Central Bowie County Water Supply Corporation
Robert Lorange, City of Redwater
Greg Bischof, Texarkana Gazette
David Briggs, CDM Smith
Becky Wilbanks, Cass County Judge
Scott Norton, TexAmericas Center
Sue Anderson, City of New Boston

II. Invocation & Pledge

Sonja Hubbard led the invocation & the pledge of allegiance.

III. Agenda Items for Individual Consideration

A. Discussion regarding future board representation for Riverbend Water Resources District

Mrs. Hubbard presented the need to have this meeting to discuss how the make-up of the board came about, how it functions now, and how it could look going forward with future economic development. Usage and percentages could change with growth and that may affect the board make-up as well. The Board would like to have input from all of the member entities. In addition, Representative Gary VanDeaver has reached out and has asked if there is anything the Board needs from his office because the Texas Legislature is in session in 2021. That would mean any action would have to be taken by this Board by the end of the year.

Mr. Hignight provided that there are some water entities that do not feel like they have a voice on the Board. He would like to see them have a voting seat on the Board. He understands that they fall under the representation of the "member at large position held by Van Alexander. Mr. Hignight feels that they would be better represented if they had a voting seat. Van Alexander asked for clarification on Mr. Hignight's feeling that his entity doesn't have a voice. He stated that he knows he can come to the Board and he will be heard but he feels like they should have their own Board representative. He also provided that CBCWSC does not have any major issues he feels are being ignored.

Mr. Wood asked, for the record, what entities are part of Riverbend. Kyle Dooley provided that there are three counties, two water supply corporations, one industrial park and the rest are municipalities. The initial board representation was set up based on water usage.

Mr. Lorange reminded those present that the Board was downsized due to a lack of consensus on the Board. The previous Board make-up included one representative for each entity, totalling 15 Board members. The change took legislative action and any future change would also take legislative action.

Mr. Hignight stated that if they look at the current Board from a geographic stance, the make up of the Board leans more towards Texarkana than the rest of the region. He feels as though geographic representation is more important than volume or usage representation.

Mr. Milton asked for the volume percentages of the users. Mr. Dooley provided that Texarkana uses 56%, New Boston uses almost 10%, Atlanta uses almost 9%, Central Bowie uses almost 7%. The remaining members are at 5% or below.

Mr. Wood is open to expanding the Board but that expansion must only be considered while keeping Board efficiency and cohesion in mind. His concern is that if CBCWSC gains a seat, that other members will also want their own representative on the board. Mr. Hignight then clarified that they do not want a single representative from CBCWSC on the Board. They want the Board representative for the members at-large to be a representative from an area closer to the entities that person represents. All members are paying members so that would eliminate the question about who should or should not have a seat at the table. Mr. Hignight suggested that entities from a particular area would come together and choose someone to represent them. Mr. Milton clarified that this is the same system used when choosing the current member at-

large Board position. Prior to CBCWSC becoming a member of Riverbend, each entity approved by resolution the appointment of Van Alexander to that position.

Judge Wilbanks provided that her county is very happy with their representation on the Board. She agrees that the Board should be limited to no more than 7 members. Mr. Lorange agreed with Judge Wilbanks.

Mrs. Hubbard reminded those present that if the Board is expanded by 2, the City of Texarkana, as the largest user, would want another seat on the Board. Mr. Hignight would not have an issue with that as long as there is representation for the member entities outside of Texarkana that is more connected to those entities than they are to Texarkana.

Mr. Wood asked if a review of the structure of the Board needed to be done every five years as Riverbend grows. He also provided that the City of Texarkana thought in the beginning, it was extremely inequitable to give representation based solely on number of entities or region because the City of Texarkana was funding a large percentage of the operations of Riverbend. So the expansion of the Board would have to keep that in mind.

Mr. Milton provided that as a member of the Riverbend Board of Directors, board members have a responsibility to Riverbend before their own entity. The entire region has to be represented with fairness and integrity. Mr. Wood echoed Mr. Milton's sentiments. He stated that as long as Riverbend is successful, then the entity each of the Board members represents is successful as well.

The Board understands the concerns of Mr. Hignight as a representative of CBCWSC. Mr. Alexander wanted to let him and every other entity know that each Riverbend Board member is open to discussions any time of day, at all hours. It is very likely that if one entity is having an issue then more than one other entity is having the same issue. He stated that the only way the region can move forward is as a team.

Mrs. Veal Gooch asked if there is a timeline that the Board needs to keep in mind when notifying the Texas Legislature of changes in the statute. Mr. Dooley said it would need to be as soon as possible.

Mr. Wood would like to set a timeline for the Board to address these concerns of their members. He does not think the Board needs to take action at the meeting next week. There needs to be more research done before a resolution is considered. A special called meeting in early December to address this issue would be a good idea.

The Board discussed that, with the progress that has been made in the last three years regarding water rights and a new water treatment facility, they do not want anything to distract from that progress and draw focus away from the future of Riverbend. It was evident during the last legislative session when proposed amendments are made in the legislature that gives opportunity for the entire statute to be scrutinized and that may jeopardize our current position regarding the water rights application or other pressing issues. Judge Wilbanks informed the Board that she met with four legislators and they have said that there will be a low number of bills introduced during this session due to the coronavirus.

It was decided that if these concerns are not an emergency issue to be addressed immediately, the Board will leave a discussion item on the next meeting agenda for discussion.

IV. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, November 18, 2020 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

V. Adjournment

With no additional business to be discussed, Sonja Hubbard adjourned the meeting at 1:07 p.m.

The minutes of Riverbend Water Resources District Board of Directors meeting, November 12, 2020 were read and approved on the _____ day of _____, 2020.

Sonja Hubbard, President

Attest:

Kyle Dooley, Executive Director/ CEO

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**AGENDA ITEM VI. A.
Fourth Quarter FY 2019-2020
Draft Financials & Investment Report**

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY STATEMENT OF NET POSITION

ENTERPRISE FUNDS

September 30, 2020

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
ASSETS				
Current assets:				
Cash	\$ 167,451	\$ -	\$ 1,044,529	\$ 1,211,980
Accounts receivable	17,845	366,922	413,272	798,039
Due from other fund	1,040	-	-	1,040
Restricted assets:				
Cash restricted for bond debt reserves	-	98,401	2,248,360	2,346,761
Cash restricted for construction - bond proceeds	-	-	474,906	474,906
Cash restricted for operations	-	-	900,774	900,774
Prepaid expenses	-	-	10,047	10,047
Inventory	-	-	76,879	76,879
Total current assets	<u>186,336</u>	<u>465,323</u>	<u>5,168,767</u>	<u>5,820,426</u>
Noncurrent assets:				
Capital assets (net of accumulated depreciation):				
Equipment	-	-	343,220	343,220
Utility system	-	-	16,768,340	16,768,340
Intangible assets	-	-	296,537	296,537
Construction in progress	-	-	617,704	617,704
Total capital assets	<u>-</u>	<u>-</u>	<u>18,025,801</u>	<u>18,025,801</u>
Total noncurrent assets	<u>-</u>	<u>-</u>	<u>18,025,801</u>	<u>18,025,801</u>
TOTAL ASSETS	<u>186,336</u>	<u>465,323</u>	<u>23,194,568</u>	<u>23,846,227</u>
LIABILITIES				
Current liabilities:				
Accounts payable	1,098	-	128,115	129,213
Payroll liabilities	-	-	33,977	33,977
Due to other fund	-	-	1,040	1,040
Accrued interest payable	-	-	179,457	179,457
Accrued compensated absences - current	-	-	19,005	19,005
Revenue bonds payable - current	-	-	740,000	740,000
Total current liabilities	<u>1,098</u>	<u>-</u>	<u>1,101,594</u>	<u>1,102,692</u>
Noncurrent liabilities:				
Accrued compensated absences - long term	-	-	40,813	40,813
Revenue bonds payable - long term	-	-	8,595,000	8,595,000
Total noncurrent liabilities	<u>-</u>	<u>-</u>	<u>8,635,813</u>	<u>8,635,813</u>
TOTAL LIABILITIES	<u>1,098</u>	<u>-</u>	<u>9,737,407</u>	<u>9,738,505</u>
NET POSITION				
Net investment in capital assets	-	-	9,614,188	9,614,188
Restricted for bond reserves	-	465,323	2,249,134	2,714,457
Restricted for construction	-	-	474,906	474,906
Unrestricted	<u>185,239</u>	<u>-</u>	<u>1,118,935</u>	<u>1,304,174</u>
TOTAL NET POSITION	<u>\$ 185,239</u>	<u>\$ 465,323</u>	<u>\$ 13,457,163</u>	<u>\$ 14,107,725</u>

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION ENTERPRISE FUNDS

For the Year Ended September 30, 2020

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
OPERATING REVENUES				
Charges for services:				
Member fees	\$ 180,842	\$ -	\$ -	\$ 180,842
Army volumetric charge	-	-	2,890,837	2,890,837
Army water supply charge	-	-	241,890	241,890
Commercial & residential charge	-	-	245,850	245,850
Other revenue	-	-	4,703	4,703
Total operating revenues	<u>180,842</u>	<u>\$ -</u>	<u>3,383,280</u>	<u>3,564,122</u>
OPERATING EXPENSES				
Accounting & audit	4,500	-	-	4,500
Analyticals	-	-	109,811	109,811
Community relations	2,285	-	-	2,285
Conferences & seminars	2,783	-	-	2,783
Consulting	181,617	-	66,809	248,426
Dues & memberships	7,615	-	-	7,615
Engineering services	55,977	-	-	55,977
Equipment maintenance, repair & fuel	-	-	51,442	51,442
Equipment rental	-	-	(845)	(845)
Insurance	-	-	29,443	29,443
Legal & professional fees	51,200	-	-	51,200
Materials	-	-	221,802	221,802
Meetings expense	2,063	-	-	2,063
Military affairs	16,500	-	-	16,500
Office supplies and expense	330	-	-	330
Permits	-	-	33,335	33,335
Repairs	-	-	201,985	201,985
Salaries, wages, payroll taxes & benefits	157,727	-	896,999	1,054,726
Supplies & materials	-	-	25,526	25,526
Travel & training	5,492	-	-	5,492
Utilities	-	-	152,289	152,289
Waste disposal	-	-	50,363	50,363
Water purchase cost	-	-	305,091	305,091
Web design & maintenance	2,258	-	-	2,258
Miscellaneous	499	-	-	499
Overhead allocation - water	-	-	194,930	194,930
Overhead allocation - wastewater	-	-	211,738	211,738
Overhead allocation - industrial wastewater	-	-	213,536	213,536
Total operating expenses	<u>490,846</u>	<u>-</u>	<u>2,764,254</u>	<u>3,255,100</u>
Operating income (loss) before depreciation	(310,004)	-	619,026	309,022
Depreciation	205	-	762,867	763,072
Operating income (loss)	<u>(310,209)</u>	<u>-</u>	<u>(143,841)</u>	<u>(454,050)</u>
NONOPERATING REVENUES (EXPENSES)				
Facility charges revenue	-	-	1,192,433	1,192,433
Minimum monthly payments	-	465,323	-	465,323
Interest revenue	-	-	31,413	31,413
Administrative fund salary revenue	-	-	157,761	157,761
Project admin fees	-	-	(889)	(889)
Gain (loss) on disposal of asset	-	-	4,660	4,660
Interest expense	-	-	(392,130)	(392,130)
Franchise fees expense	-	-	(101,350)	(101,350)
Special projects expense	(42,960)	-	-	(42,960)
Total nonoperating revenues (expenses)	<u>(42,960)</u>	<u>465,323</u>	<u>891,898</u>	<u>1,314,261</u>
Income (loss) before capital contributions and transfers	(353,169)	465,323	748,057	860,211
Capital contributions			983,153	983,153
Transfers in (out)	200,000	-	(200,000)	-
Changes in net position	(153,169)	465,323	1,531,210	1,843,364
Net position, beginning of year	338,408	-	11,925,953	12,264,361
Net position, end of year	\$ 185,239	\$ 465,323	\$ 13,457,163	\$ 14,107,725

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY SUPPLEMENTARY INFORMATION BUDGETARY COMPARISON SCHEDULE REGIONAL WATER SYSTEM ADMINISTRATION For the Year Ended September 30, 2020

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
OPERATING REVENUES				
Charges for services	\$ 176,000	\$ 180,842	\$ 4,842	102.75%
Total operating revenues	176,000	180,842	4,842	102.75%
OPERATING EXPENSES				
Advertising	1,400	42	1,358	3.00%
Accounting & audit	4,500	4,500	-	100.00%
Community relations	8,000	2,285	5,715	28.56%
Conferences & seminars	4,700	2,783	1,917	59.21%
Consulting	200,000	181,617	18,383	90.81%
Dues & memberships	7,735	7,615	120	98.45%
Engineering services	174,500	55,977	118,523	32.08%
Legal & professional fees	52,500	51,200	1,300	97.52%
Meetings expense	6,000	2,063	3,937	34.38%
Military affairs	16,500	16,500	-	100.00%
Office supplies & expense	3,200	330	2,870	10.31%
Salaries, wages & benefits	155,855	157,727	(1,872)	-101.20%
Subscriptions	500	457	43	91.40%
Travel & training	18,000	5,492	12,508	30.51%
Web design & maintenance	4,000	2,258	1,742	56.45%
Total operating expenses before depreciation	657,390	490,846	166,544	74.67%
Depreciation	-	205	(205)	
Total operating expenses	657,390	491,051	166,339	74.70%
Income (loss) before special projects expense and transfers	(481,390)	(310,209)	171,181	64.44%
Special projects expense	(50,500)	(42,960)	7,540	85.07%
Transfer in	200,000	200,000	-	100.00%
Change in net position	(331,890)	(153,169)	178,721	46.15%
Net position, beginning of year	338,408	338,408	-	100.00%
Net position, end of year	\$ 6,518	\$ 185,239	178,721	2841.96%

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY SUPPLEMENTARY INFORMATION BUDGETARY COMPARISON SCHEDULE REGIONAL WATER SYSTEM FACILITIES FUND For the Year Ended September 30, 2020

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
OPERATING REVENUES				
Charges for services	\$ -	\$ -	\$ -	
Total operating revenues	-	-	-	
OPERATING EXPENSES				
Expenses	-	-	-	
Total operating expenses	-	-	-	
Operating income (loss)	-	-	-	
NONOPERATING REVENUES (EXPENSES)				
Minimum monthly payments	365,810	465,323	99,513	127.20%
Total nonoperating revenues (expenses)	365,810	465,323	99,513	127.20%
Change in net position	365,810	465,323	99,513	127.20%
Net position, beginning of year	\$ -	-	-	
Net position, end of year	\$ 365,810	\$ 465,323	\$ 99,513	127.20%

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE
WET UTILITIES FUND
For the Year Ended September 30, 2020

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
OPERATING REVENUES				
Charges for services	\$ 3,541,962	\$ 3,378,577	\$ (163,385)	-95.39%
Other revenue	4,750	4,703	(47)	-99.01%
Total operating revenues	3,546,712	3,383,280	(163,432)	95.39%
OPERATING EXPENSES				
Analytical	149,600	109,811	39,789	73.40%
Consulting	67,000	66,809	191	99.71%
Equipment maintenance, repair & fuel	100,600	51,442	49,158	51.14%
Equipment rental	8,500	(845)	9,345	9.94%
Insurance	39,000	29,443	9,557	75.49%
Materials	233,000	221,802	11,198	95.19%
Miscellaneous	12,000	-	12,000	0.00%
Permits	55,000	33,335	21,665	60.61%
Repairs	426,800	201,985	224,815	47.33%
Salaries, wages, payroll taxes & benefits	1,038,851	896,999	141,852	86.35%
Supplies & materials	49,700	25,526	24,174	51.36%
Utilities	188,000	152,289	35,711	81.00%
Waste disposal	62,000	50,363	11,637	81.23%
Water purchase cost	307,663	305,091	2,572	99.16%
Overhead allocation - water	213,006	194,930	18,076	91.51%
Overhead allocation - wastewater	231,372	211,738	19,634	91.51%
Overhead allocation - industrial wastewater	233,337	213,536	19,801	91.51%
Total operating expenses	3,415,428	2,764,254	651,174	80.93%
Operating income (loss) before depreciation	131,284	619,026	487,742	471.52%
Depreciation	780,000	762,867	17,133	97.80%
Operating income (loss)	(648,716)	(143,841)	504,875	22.17%
NONOPERATING REVENUES (EXPENSES)				
Facility charges revenues	1,243,931	1,192,433	(51,498)	-95.86%
Interest revenue	52,000	31,413	(20,587)	-60.41%
Other revenue	194,015	161,532	(32,483)	-83.26%
Interest expense	(405,449)	(392,130)	13,319	96.71%
Franchise fees expense	(106,259)	(101,350)	4,909	95.38%
Total nonoperating revenues (expenses)	978,238	891,898	(86,340)	91.17%
Income (loss) before capital contributions and transfers	329,522	748,057	418,535	227.01%
Capital contributions	983,153	983,153	-	100.00%
Transfers in (out)	(200,000)	(200,000)	-	100.00%
Change in net position	1,112,675	1,531,210	418,535	137.62%
Net position, beginning of year	11,925,953	11,925,953	-	100.00%
Net position, end of year	\$ 13,038,628	\$ 13,457,163	\$ 418,535	103.21%

RIVERBEND WATER RESOURCES DISTRICT
PRELIMINARY COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION
REGIONAL WATER SYSTEM ADMINISTRATION
For the Year Ended September 30, 2020

	<u>September 30, 2020</u>	<u>September 30, 2019</u>	<u>\$ Change</u>	<u>% Change</u>
OPERATING REVENUES				
Charges for services:				
Member fees	\$ 180,842	\$ 197,608	\$ (16,766)	-8.48%
Other revenue	-	72,841	(72,841)	-100.00%
Total operating revenues	180,842	270,449	(89,607)	-33.13%
OPERATING EXPENSES				
Accounting & audit	4,500	7,171	(2,671)	-37.25%
Community relations	2,285	5,936	(3,651)	-61.51%
Conferences & seminars	2,783	5,724	(2,941)	-51.38%
Consulting	181,617	198,929	(17,312)	-8.70%
Dues & memberships	7,615	7,694	(79)	-1.03%
Engineering services	55,977	78,924	(22,947)	-29.07%
Legal & professional fees	51,200	39,096	12,104	30.96%
Meetings expense	2,063	5,570	(3,507)	-62.96%
Member Services	-	19,469	(19,469)	-100.00%
Military affairs	16,500	8,202	8,298	101.17%
Office supplies and expense	330	2,854	(2,524)	-88.44%
Salaries, wages, payroll taxes & benefits	157,727	153,406	4,321	2.82%
Travel & training	5,492	17,716	(12,224)	-69.00%
Web design & maintenance	2,258	3,655	(1,397)	-38.22%
Miscellaneous	499	1,029	(530)	-51.51%
Total operating expenses	490,846	555,375	(64,529)	-11.62%
Operating income (loss) before depreciation	(310,004)	(284,926)	(25,078)	-8.80%
Depreciation	205	272	(67)	-24.63%
Operating income (loss)	(310,209)	(285,198)	(25,011)	8.77%
NONOPERATING REVENUES (EXPENSES)				
Special projects expense	(42,960)	(268,455)	225,495	84.00%
Total nonoperating revenues (expenses)	(42,960)	(268,455)	225,495	84.00%
Income (loss) before transfers	(353,169)	(553,653)	200,484	-36.21%
Transfers in (out)	200,000	400,000	(200,000)	-50.00%
Change in net position	(153,169)	(153,653)	484	0.31%
Net position, beginning of year	338,408	492,061	(153,653)	-31.23%
Net position, end of year	\$ 185,239	\$ 338,408	\$ (153,169)	-45.26%

RIVERBEND WATER RESOURCES DISTRICT**PRELIMINARY COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION
REGIONAL WATER SYSTEM FACILITIES FUND****For the Year Ended September 30, 2020**

	<i>September 30, 2020</i>	<i>September 30, 2019</i>	<i>\$ Change</i>	<i>% Change</i>
OPERATING REVENUES				
Charges for services:	-	-	-	
Total operating revenues	-	-	-	
OPERATING EXPENSES				
Expenses	-	-	-	
Total operating expenses	-	-	-	
Operating income (loss)	-	-	-	
NONOPERATING REVENUES (EXPENSES)			-	
Minimum monthly payments	465,323	-	465,323	
Total nonoperating revenues (expenses)	465,323	-	465,323	
Change in net position	465,323	-	465,323	
Net position, beginning of year	-	-	-	
Net position, end of year	<u>\$ 465,323</u>	<u>\$ -</u>	<u>\$ 465,323</u>	

RIVERBEND WATER RESOURCES DISTRICT

PRELIMINARY COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION

WET UTILITIES FUND

For the Year Ended September 30, 2020

	<u>September 30, 2020</u>	<u>September 30, 2019</u>	<u>\$ Change</u>	<u>% Change</u>
OPERATING REVENUES				
Charges for services:				
Army volumetric charge	\$ 2,890,837	\$ 2,693,840	\$ 196,997	7.31%
Army water supply charge	241,890	207,840	34,050	16.38%
Commercial & residential charge	245,850	410,164	(164,314)	-40.06%
Other revenue	4,703	6,528	(1,825)	-27.96%
Total operating revenues	<u>3,383,280</u>	<u>3,318,372</u>	<u>64,908</u>	<u>1.96%</u>
OPERATING EXPENSES				
Analyticals	109,811	91,156	18,655	20.46%
Consulting	66,809	13,200	53,609	406.13%
Equipment maintenance, repair & fuel	51,442	29,454	21,988	74.65%
Equipment rental	(845)	7,193	(8,038)	-111.75%
Insurance	29,443	15,039	14,404	95.78%
Materials	221,802	248,283	(26,481)	-10.67%
Permits	33,335	32,048	1,287	4.02%
Repairs	201,985	193,593	8,392	4.33%
Salaries, wages, payroll taxes & benefits	896,999	812,000	84,999	10.47%
Supplies & materials	25,526	37,344	(11,818)	-31.65%
Utilities	152,289	143,256	9,033	6.31%
Waste disposal	50,363	45,034	5,329	11.83%
Water purchase cost	305,091	318,684	(13,593)	-4.27%
Miscellaneous	-	470	(470)	-100.00%
Overhead allocation - water	194,930	174,671	20,259	11.60%
Overhead allocation - wastewater	211,738	232,896	(21,158)	-9.08%
Overhead allocation - industrial wastewater	213,536	174,671	38,865	22.25%
Total operating expenses	<u>2,764,254</u>	<u>2,568,992</u>	<u>195,262</u>	<u>7.60%</u>
Operating income (loss) before depreciation	619,026	749,380	(130,354)	-17.39%
Depreciation	762,867	684,591	78,276	11.43%
Operating income (loss)	<u>(143,841)</u>	<u>64,789</u>	<u>(208,630)</u>	<u>-322.01%</u>
NONOPERATING REVENUES (EXPENSES)				
Facility charges revenue	1,192,433	1,320,980	(128,547)	-9.73%
Interest revenue	31,413	51,417	(20,004)	-38.91%
Administrative fund salary revenue	157,761	127,612	30,149	23.63%
Project admin fees	(889)	101,491	(102,380)	-100.88%
Gain (loss) on disposal of asset	4,660	-	4,660	
Interest expense	(392,130)	(419,763)	27,633	-6.58%
Franchise fees expense	(101,350)	(99,059)	(2,291)	-2.31%
Total nonoperating revenues (expenses)	<u>891,898</u>	<u>1,082,678</u>	<u>(190,780)</u>	<u>-17.62%</u>
Income (loss) before capital contributions and transfers	<u>748,057</u>	<u>1,147,467</u>	<u>(399,410)</u>	<u>-34.81%</u>
			-	
Capital contributions	983,153	393,327	589,826	149.96%
Transfers in (out)	<u>(200,000)</u>	<u>(400,000)</u>	<u>200,000</u>	<u>50.00%</u>
Change in net position	<u>1,531,210</u>	<u>1,140,794</u>	<u>390,416</u>	<u>34.22%</u>
Net position, beginning of year	<u>11,925,953</u>	<u>10,680,926</u>	<u>1,245,027</u>	<u>11.66%</u>
Prior period adjustment		<u>104,233</u>	<u>(104,233)</u>	<u>-100.00%</u>
Net position, end of year	<u>\$ 13,457,163</u>	<u>\$ 11,925,953</u>	<u>\$ 1,531,210</u>	<u>12.84%</u>

RIVERBEND WATER RESOURCES DISTRICT

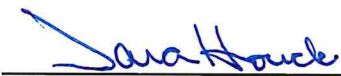
SCHEDULE OF INVESTMENTS

ENTERPRISE FUNDS

For the Three Months Ended September 30, 2020

Funds	Identification Number	Maturity Date	Balance 06/30/2020	Interest Income 9/30/2020	Transfers In/(Out) Per Policy	Net Deposits/ Withdrawals	Balance 9/30/2020	Accrued Int Rec 9/30/2020
Administrative Fund								
Operations	50003704	Daily checking	\$ 219,490	\$ -	\$ 21,017	(73,095)	\$ 167,412	\$ -
Operations	457060	Daily savings	25	-	-	-	25	-
Operations	3011380	Daily savings	200	-	(186)	(14)	-	-
Wet Utilities Fund								
Operations	21695	Daily checking	1,066,818	-	(340,459)	316,909	1,043,269	-
Restricted bond sinking	21709	Daily checking	1,315,145	2,351	323,291	2,347	1,640,782	-
Restricted bond reserves	21217	Daily checking	607,757	945	(1,123)	-	607,578	-
Restricted construction funds	21741	Daily checking	475,046	739	(878)	-	474,906	-
Restricted operations	7967600001	Daily prime	901,661	774	(1,661)	-	900,774	-
Regional Water System Facilities Fund								
Restricted Savings	3011380	Daily Savings	-			98,401	98,401	
Total - All Funds			<u>\$ 4,586,142</u>	<u>\$ 4,808</u>	<u>\$ 0</u>	<u>\$ 344,549</u>	<u>\$ 4,933,147</u>	<u>\$ -</u>

The investment schedule of Riverbend Water Resources District is in compliance with the Public Funds Investment Act and the District's Investment Policy.



Tara Houck, CPA
Chief Financial Officer

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**AGENDA ITEM VI. B.
RWRD RESO 20201118-01
Application for Region D
Administrative Duties**



RIVERBEND RESOLUTION NO. 20201118-01

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO SUBMIT AN APPLICATION FOR CONSIDERATION TO PERFORM ALL ADMINISTRATIVE DUTIES FOR THE NORTH EAST TEXAS REGIONAL WATER PLANNING GROUP

WHEREAS, Riverbend Water Resources District is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, The North East Texas Regional Water Planning Group (“NETxRWPG” or “Region D”) was established by the Texas Water Development Board (TWDB) on February 19, 1998, and any subsequent additional appointments by the initial coordinating body. The purpose of the NETxRWPG shall be to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law, including Texas Water Code Chapter 16 and TWDB rules, including 31 TAC Chapter 355, 357, and 358, in and for the North East Texas Regional Water Planning Area; and

WHEREAS, Region D has a need, and has posted a solicitation, for a political subdivision to serve in a supportive role to perform all administrative duties; and

WHEREAS, Riverbend Water Resources District desires to submit an application for consideration for this position; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby authorizes the Executive Director/CEO to submit an application to Region D for consideration for the needed administrative role.

PASSED and APPROVED this 18th day of November 2020

Sonja Hubbard, President

ATTEST:

Marshall Wood, Secretary



Attached: Solicitation for Political Subdivisions to Support Region D Regional Water Planning Group

Solicitation for Political Subdivisions to Support Region D Regional Water Planning Group

The regional water planning group for Region D is in the process of identifying political subdivisions that are interested in supporting Region D (RWPG) by:

- Serving as the designated planning group sponsor,
- Providing meeting space for the RWPG and the public,
- Providing the public postings of all RWPG meetings and notices, and
- Performing all administrative duties for the RWPG.

The deadline for submitting interest forms to Region D is November 30, 2020. The RWPG in Region D is responsible for designating a political sponsor to apply for funding and to otherwise support the planning process. To assist the RWPG in initiating their planning efforts for the sixth cycle of regional water planning, the RWPG solicits interested political subdivisions to respond to this invitation. It is anticipated that the selection of the political subdivision will be made by Region D as early as December of 2020. The regional water planning group in Region D will not be limited to choosing only a political subdivision from those responding to this notice, but it is possible that the entity chosen will have responded to this solicitation.

There are 24 voting members of the Region D Regional Water Planning Group. The selection of the political subdivision will be made during an open meeting of that full group. The RWPG is subject to the Open Meeting Act found in Chapter 551 of the Texas Government Code. The RWPG has the right to accept or reject any response to this solicitation. The RWPG voting members represent diverse interest groups. In addition to voting members, the RWPG has additional non-voting members who participate in the regional water planning process. The Administrator for Region D is anticipated to work effectively with both voting and non-voting members and with representatives of state agencies involved in regional water planning. Regional water planning occurs in five-year cycles. A new cycle is beginning in 2021 and the political subdivision to be selected should anticipate that the responsibilities of an Administrative Agent will involve the duration of the sixth cycle. That means to anticipate at least a five-year responsibility, if selected.

The RWPG must designate a political subdivision to act as the planning group sponsor to apply for and receive financial assistance from the TWDB to develop or revise a regional water plan pursuant to 31 Texas Administrative Code (TAC) Chapters 357 and 358. Acting as a planning group sponsor does not mean that the political subdivision will also have an associated voting or non-voting position on the RWPG, nor does it preclude them from having a representative as a member of the RWPG. A planning group sponsor must be a political subdivision, defined as a county, city, or other body politic or corporate of the state, including any district or authority created under Art. 3 § 52 or Art. 16 § 59 of the Texas Constitution and including any interstate compact commission to which the state is a party and any nonprofit water supply corporation created and operating under Ch. 67 of the Texas Water Code. Further applicable laws involving regional water planning are located in Chapter 16.053 of the Texas Water Code.

The designated planning group sponsor will be responsible for:

- preparing and submitting grant funding applications to the TWDB on behalf of the RWPG to develop or revise a regional water plan (including the related notices sent to hundreds of interested parties);
- entering into and managing a contract with the TWDB for the management of the grant funds;
- procuring and managing a contract with a technical consultant(s) selected by the RWPG to support the development of a regional water plan (plan is anticipated to cover a 50-year planning horizon and cover all or part of 19 counties in Northeast Texas);
- serving as the RWPG's administrative agent by performing the following duties, generally, but not limited to, organizing RWPG meetings, preparing, posting and distributing all public notices, agendas, meeting presentations, handouts, and meeting minutes; and
- delivering the sixth regional water plan no later than the deadline imposed by TWDB (anticipated to be in October of 2025).

To complete these primary duties, it is expected that the chosen entity will be required to do many of the following tasks on a repetitive basis which are detailed here to elaborate on the level of effort expected. Tasks will most likely include, but not limited to, the following list:

- 3 Employees attending meetings up to 6 hours of time each, for venue preparation, attendance at meeting, and mileage,
- Posting agenda, by sending to all 19 counties via 14 by mail, 2 by fax, 3 by hand delivery,
- Sending agenda, mail out to over 100 different individuals including 19 County Judges, 81 public, newspapers, and 55 additional agendas are emailed to the public,
- Region D packet is sent to all Voting, Non-Voting and Alternates and by mail to those without emails or who have requested a mailed packet, and email packets to Voting, Non-Voting, Alternates and Consultants,
- Additional costs include overhead: paper, envelopes, and printer ink,
- 3 events will need completion within 3 working days utilizing as many as 5 employees during those 3 days,
- Preparing minutes, additional documents, handling emails and phone calls, gathering consultants' materials, finding a vendor for the meeting and preparing the meeting room.

- Examine invoices of consultants for any deficiencies or variations from approved budget. Assure consultant activities are within the approved Scope of Work.
- Submit payment requests that include completion of detailed worksheets accompanied by detailed invoices and receipts,
- Reconcile the bank account on all transactions including but not limited to payment requests, advances and payments, and
- Maintain a five percent retainage until the completion of the plan.

For more information regarding content requirements of regional water plans, please see the final administrative rules for state and regional water planning. The RWPG shall ensure that the planning group sponsor it selects has the legal authority to procure professional services and enter into the contracts necessary for regional water planning. The RWPG may, at its own discretion, choose a different planning group sponsor at any time. Certain administrative costs may be eligible for reimbursement; however, many administrative costs may not be eligible for reimbursement. An interested political subdivision should be informed about which expenses are eligible for reimbursement and which are not. Additional information regarding Regional Water Planning Grants and responsibilities of regional water planning, including Board consideration and approval of applications and acceptable use of funds, can be found in 31 TAC Chapter 357.

Some of the responsibilities of the Political Subdivision for Region D are:

- Enter into and manage a grant contract with TWDB
- Procure and manage contracts with technical consultants
- Submit contract deliverables to TWDB
- Maintain RWPG membership information
- Organize RWPG meetings, public notices, agendas, meeting presentations, handouts, and meeting minutes (also, there is a requirement that these items be preserved in compliance with a record retention policy)
- Ensure meeting notices are in compliance with Texas Open Meetings Act, TWDB rules, and Region D Bylaws.

For questions regarding this solicitation, please email regiond@netmwd.com, or call (903) 639-7538. For all interested political subdivisions please email this completed packet to regiond@netmwd.com.

Information to be supplied by a responding political subdivision:

Required Information to be provided an interested political subdivision:

1.Name of political subdivision:

2.Address:

3.Name and title of person submitting this form:

4.Contact email:

5.Contact phone number:

6.Interested in providing public meeting space for the Water Planning Group? If yes, please answer Questions 7-9.

☐ Yes

☐ No

7.Location and type of public meeting space:

8.Approximate size of room (square feet):

9.Number of people space can legally accommodate:

10. Interested in being considered by the RWPG to act as its designated planning group sponsor for Region D? If yes, please answer Questions 11-15.

☐ Yes

☐ No

11. Why is the entity interested in serving as a sponsor?

13. What are the reasons why the entity believes it would be a strong candidate to be an Administrative Agent for Region D?

14. Does this entity have any experience in sponsoring a regional water planning group or similar planning group? If yes, please describe that relevant experience.

☐ Yes

☐ No

15. Does this submission include attachments? If yes, please email attachments to _____. Please use the following naming convention for submitted files: "Region D solicitation for a political subdivision "

☐ Yes

☐ No

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**AGENDA ITEM VI. C.
RWRD RESO 20201118-02
TAC East Feasibility Study**



RIVERBEND RESOLUTION NO. 20201118-02

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO
ENTER INTO NEGOTIATIONS AND EXECUTE AN INTERLOCAL
AGREEMENT/CONTRACT FOR ENGINEERING SERVICES**

WHEREAS, Riverbend Water Resources District is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, Riverbend Water Resources District completed the formal process through publication and notice for Request for Qualifications for Engineering Services for a Master List for Civil, Structural, and Environmental Engineering and Local, State, and Federal Water Planning/Contract Execution for Water and Wastewater Systems; and

WHEREAS, Riverbend Water Resources District has a need for a feasibility study on the TexAmericas Center East Campus water distribution system; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby authorizes the Executive Director/CEO to negotiate and enter into an agreement for Engineering Services with one of the firms referenced in Water and Wastewater Distribution section of RWRD RESO 20181128-04. Any agreement must be reviewed and approved by general counsel.

PASSED and APPROVED this 18th day of November 2020

Sonja Hubbard, President

ATTEST:

Marshall Wood, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**AGENDA ITEM VI. D.
Comprehensive Annual
Financial Report**



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

11/10/2020

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
Email: mlevine@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to **Riverbend Water Resources District** for its comprehensive annual financial report (CAFR) for the fiscal year ended September 30, 2019. The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 21,000 members and the communities they serve.



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Riverbend Water Resources District
Texas**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

September 30, 2019

Christopher P. Morill

Executive Director/CEO



**The Government Finance Officers Association of
the United States and Canada**

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Tara Houck, CPA

Chief Financial Officer

Riverbend Water Resources District, Texas



The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the department or individual designated as instrumental in the government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Christopher P. Morrell

Date: 11/10/2020

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, NOVEMBER 18, 2020**

**AGENDA ITEM VI. E.
RWRD RESO 20201118-03
Ratifying Addition of Members**



RIVERBEND RESOLUTION 20201118-03

**RESOLUTION BY THE BOARD OF DIRECTORS OF RIVERBEND WATER
RESOURCES DISTRICT RATIFYING, CONFIRMING AND APPROVING THE
ADDITION OF CERTAIN MEMBERS OF THE DISTRICT PURSUANT TO SECTION
9601.005(b), SPECIAL DISTRICT LOCAL LAWS CODE**

WHEREAS, Riverbend Water Resources District (the “District”) is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, the governing bodies of the Counties of Bowie, Cass and Red River, together with the Cities of Atlanta, Leary, Nash and Redwater, Central Bowie Water Supply Corporation and Oak Grove Water Supply Corporation (collectively, the “Additional Members”), have previously submitted to the District’s Board of Directors (the “Board”) separate petitions for membership in the District as provided under Special District Local Laws Code § 9601.005(b), as amended; and

WHEREAS, the Board has previously taken actions that were then intended by the Board to constitute acceptance of all such petitions from all nine of said Additional Members, including various resolutions adopted by the Board, amendments to water purchase contracts and various interlocal agreements entered into between the District and said Additional Members pursuant to Chapter 791 of the Government Code; and

WHEREAS, the Board now finds it is in the best interests of the District and of such Additional Members to clarify the prior addition of said Additional Members and to ratify said addition of members to the District; and

WHEREAS, this Board of Directors hereby finds and determines it is in the best interests of the District to ratify, confirm, and in all things approve the addition of said Additional Members as members of the District. Now, therefore

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RIVERBEND WATER
RESOURCES DISTRICT:**

1. That the District, giving due consideration toward each Additional Member’s petition for membership, hereby re-accepts said petitions, finding all such requests for membership to be in compliance with its enabling statute, specifically Special District Local Laws Code § 9601.005(b), as amended.



2. That the Board finds, determines and declares that the addition of each Additional Member is in the District's best interests.

3. That each of the nine aforesaid Additional Members is hereby determined, declared and shall be considered to be a "member" of the District within the meaning of Chapter 9601, Special District Local Laws Code, for all purposes.

4. That this resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND EFFECTIVE, this the 18th day of November, 2020.

Sonja Hubbard, President

ATTEST:

Marshall Wood, Secretary

