

**Regular Called Meeting  
Riverbend Water Resources District  
Board Meeting Minutes  
November 18, 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 12:01 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  
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 and the pledge of allegiance.

**III. Public Comments**

None.

**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.**

A single motion was made by **Fred Milton** 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).**

Kyle Dooley reported that the SRBA Board approved the contract with Chris Hartung to fulfill the roll of Interim Executive Director.

No action taken.

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

Scott Norton, Executive Director, provided that there will be a virtual groundbreaking for their new spec building today at 2pm. The video will be posted on their website as well as on their YouTube channel. The building is scheduled to be completed by July of 2021.

No action taken.

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

Sonja Hubbard provided that there is a contract ready for the purchase of property in Texarkana, Arkansas. That should close by the end of the year. The REDI Executive Director met with the Economic Director and the Governor of Arkansas to get a meeting set in Germany to push the Arkansas property as a parcel for an automobile plant that should initially bring around 250 jobs to the region. The property on the Texas side is being certified for development and get it listed in the database as available for sale.

No action taken.

**VI. Agenda Items for Individual Consideration**

**A. Discussion regarding draft fourth quarter financials for FY 2019-2020 and any applicable quarterly investment reports.**

Tara Houck presented the draft financials and investment report. These are in draft form pending the completion and approval of the audit for FY 2019-2020. The final draft of these financials, the audit and the first quarter financials for FY 2020-21 will be presented for approval in January 2021.

The only comment made by Mr. Dooley is that when REG moved out of the area, the wastewater budget took a hit. We may take a look at the wastewater rates in the next few years to offset some of that income change.

No action was taken.

**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).**

Kyle Dooley provided that Region D has issued an RFP for an entity to perform all of the administrative duties for the region. The deadline to have the proposal turned in is November 30. The role would last approximately 5 years. Marshall Wood asked if any other entities were interested in applying for this position. Mr. Dooley stated that there were not any other entities interested.

A motion was made by **Tina Veal Gooch** and seconded by **Van Alexander** to approve **RESO 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 (Region D). The motion passed unanimously.

**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.**

Kyle Dooley reminded the Board that at the last meeting he discussed the fire suppression issues in the building that TexAmericas Center is building. There is plenty of pressure to supply the building with water. The pressure that is required so supply a fire suppression system requires that a tank be built next to the building. Because there are other prospects looking for space in that area, staff recommends that a study be completed to answer several questions. The study should reveal how to ensure water supply and fire suppression requirements are met for future tenants; it will help Riverbend to plan for growth in this area as well as how quickly a resolution needs to be implemented; it will reveal if there will be any changes in the pressures with the change in the location of the treatment plant as the new plant comes on line.

A motion was made by **Marshall Wood** and seconded by **Van Alexander** to approve **RESO 20201118-02** 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. The motion passed unanimously.

**D. Discussion regarding notification from Government Finance Officers Association (GFOA) regarding the status of a Comprehensive Annual Financial Report (CAFR) for Riverbend Water Resources District.**

Kyle Dooley provided that Government Finance Officers Association of the United States and Canada 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. This is the first time Riverbend has completed this process to get certified. Mr. Dooley stated that Tara Houck and staff did an outstanding job in getting the information together and sent in to the GFOA for certification. Marshall Wood

requested that Mr. Dooley inform Representative Gary VanDeaver of this award and recognition.

No action taken.

**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.**

Kyle Dooley provided that as part of preparing for closing on the first round of bonds, the Attorney General has to review documents. As these documents have been requested of Riverbend and Member Entities, staff has been sending them to Bond Counsel. Some documents they have requested have been from the addition of members beyond the original 8. Nine more entities have been added since 2011. All documents related to the acceptance of those “newer” members must be turned in for review. Bond Counsel recommended the Board approve a resolution ratifying all members that have been added since 2011. The review has been done. The Attorney General is waiting on the approval of this resolution in order for them to submit their opinion to the Texas Water Development Board so that the scheduled closing on the bonds will be done on November 23.

A motion was made by **Marshall Wood** and seconded by **Van Alexander** to approve RESO 20201118-03 confirming and approving the addition of certain members of the District pursuant to Section 9601.005(b), Special District Local Laws Code. The motion passed unanimously.

**F. Discussion and possible action amending the enabling statute of Riverbend Water Resources District.**

Sonja Hubbard provided that there was a Special Called Meeting held at the New Boston Community Center on November 12, 2020 to discuss this matter. Mrs. Hubbard and Mr. Dooley had a conference call with Representative Gary VanDeaver and his staff. They provided some ways to give the Board more time to explore all of the options with regards to the Riverbend statute. Representative VanDeaver suggested that the Board receive advice from legal counsel in closed session.

The board stood at ease at 12:32 p.m.

The board reconvened in Executive Session at 12:35 p.m with quorum pursuant to section 551.071 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:12 p.m.

The board reconvened with quorum at 1:15 p.m.

Marshall Wood recommended not taking any action on this item. He stated that every Board member is available to all member entities for discussion on this matter. Sonja Hubbard provided that every Board member feels as though they are representatives to every member entity. Not just to the municipality or organization that appoints them. Tabling this item gives

the Board two years before the next legislative session. During this time, all member entity concerns can be addressed.

## **VII. Riverbend Reports**

### **A. Board Members**

Fred Milton provided that Region D has a Request for Proposals out for someone to take over as Executive Director and the administrative duties for the entity.

Mr. Milton also relayed a message from former New Boston Mayor Johnny Branson. Mr. Branson was honored by the recognition for his service. He thanked the Riverbend Board for the Regional Leadership Award presented to him.

### **B. Executive Director/CEO**

Kyle Dooley provided the following updates:

**Regional Water System Project:** The approved resolution 20201118-03 ratifying all member entities added since 2011 will be sent to Bond Counsel for Attorney General review. This will finalize the review process. At this time closing will still be on Monday, November 23, 2020.

**Regarding the RFQ for Program Manager:** Staff is still working with Susan Roth to have the RFQ finalized and published.

**US Army Corps of Engineers (USACE)-Cultural Resources Study and Ultimate Rule Curve:** The first monthly phone call in October went well. They have received the funds needed to continue to work on this study between now and when Riverbend closes on the bonds and receives funds and are able to start paying for the project. USACE is doing the preliminary work putting together cost estimates, schedules, and getting timelines ready to go. It will still be 18-24 months before this project is done.

**New Industrial Wastewater Plant:** Last month, the Board approved moving forward with an application for Clean Water SRF funds to build the new industrial wastewater plant. Riverbend will need an Engineer of Record in order to turn in the PIF. There are three engineering firms on the Master Engineering List that will be considered to be our Engineer of Record for this project.

**Regarding the Water Rights Application:** Dawn Pilcher is completing the accounting plan spreadsheet to prioritize old and new water rights and will get it turned in by the end of the month. As of now, we are still on schedule for January 2021 to have a draft water rights permit issued for public comment.

**Regional Water Planning Group (Region D):** Regarding the regional lines and boundaries-Marshall Wood asked at the last meeting when the open public comment period closed; does Riverbend need to make any comment; is this typical request or is it something special. Open public comment period is open through December 3<sup>rd</sup>. The Board can issue comment if they desire to do so but it is not required. This comment period happens every 5 years between

planning cycles. The Texas Water Development Board is required to go out and see if anything needs to be adjusted.

Due to the social distance requirements and restrictions on gatherings, the annual Riverbend holiday party has been cancelled. We will look at having a gathering next summer.

No action taken.

#### **VIII. Executive Session**

Please see Item VI. F for details on Executive Session.

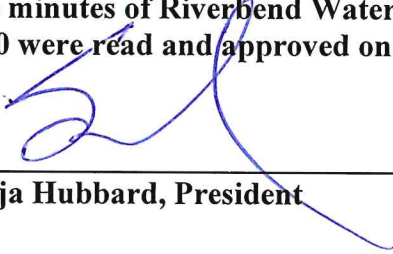
#### **IX. Next Riverbend Meetings**

Riverbend Regular Meeting, Wednesday, January 28, 2021 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 **Fred Milton** and seconded by **Van Alexander** to adjourn the meeting at 1:30 p.m. The motion passed unanimously.


The minutes of Riverbend Water Resources District Board of Directors meeting, November 18, 2020 were read and approved on the 27<sup>TH</sup> day of JANUARY, 2021



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Sonja Hubbard, President

Attest:



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Kyle Dooley, Executive Director/ CEO



Riverbend Water Resources District  
 Board Meeting  
 November 18, 2020  
 12:00 p.m.

No.	Name	Organization	Title	Phone	Email
1	Heaney Houghton	Central Basin Water	President	903-701-0587	hhoughton@windstream.net
2	Mark Garcia	Pape-Dawson	V.P.	214-773-2330	MarkGarcia@pape-dawson.com
3	VT MADHAWAN	Pape-Dawson	VP	469-500-9580	vimalhavan@pape-dawson.com
4	Bill Pembroke	Half Assoc	Practice Lead	972-342-4615	wpembroke@half.com
5	John Lindner	HALF ASSOC.	WATER PRACTICE	572-540-9381	jlindner@half.com
6	Hal Harris	Central Basin Water	General Manager	903-628-5601	hharris@cbwater.com
7	Scott Norton	Texas American Gas	CEO		
8	Sharon Elkins	Rep. VanDeaver			
9	Doug Darnen	CDM Smith	Engineer	817-798-5388	ddarnen@cdmsmith.com
10	Chad Smith	CDM Smith	Engineer	817-916-2955	chadsmith@cdmsmith.com
11	Meg Biscoff	TXL Water			
12	<del>Heaney Houghton</del>	<del>Central Basin Water</del>			
13	Calob Massey	Citizens Tribune			
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