



**REGULAR MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING  
WEDNESDAY, APRIL 28, 2021  
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, April 28, 2021, 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 Texas Government Code.*

- IV. CONSENT AGENDA ITEMS

A. Discussion and possible action regarding March 24, 2021 Regular Meeting minutes.



V. 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 and possible action regarding approval of a resolution approving the second quarter FY 2020-2021 Financial Statements.
- B. Discussion and possible action regarding approval of a resolution approving the second quarter FY 2020-2021 Investment Report.
- C. Discussion and possible action regarding approval of a resolution approving amendments to the FY 2020-2021 Administrative Member Fund Budget and the 2020-2021 Wet Utilities Budget.
- D. Discussion and possible action regarding approval of a resolution approving amendments to the Riverbend Bylaws.
- E. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into contract negotiations with Texarkana Concrete Construction, Inc. to complete the rehabilitation on wastewater drying beds.
- F. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into contract negotiations with Axis Construction, LP to complete the rehabilitation on an elevated storage tank.
- G. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into a services contract with Central Bowie County Water Supply Corporation regarding water services.



VII. REPORTS

A. Board Members

B. Executive Director/CEO

VIII. EXECUTIVE SESSION

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IX. NEXT REGULAR MEETING

Riverbend Regular Meeting, May 26, 2021 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, APRIL 28, 2021**

**CONSENT AGENDA ITEM IV. A.  
March 24, 2021  
Regular Meeting Minutes**

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

**March 24, 2021**

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 12:07 p.m.

**Directors Present:**

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

**Directors Absent:**

Van Alexander, Treasurer

**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 and the pledge of allegiance.

**III. Public Comments**

None.

**IV. Consent Agenda Items**

**A. Discussion and possible action regarding February 24, 2021 Regular Meeting minutes.**

**B. Discussion and possible action regarding approval of Resolution 20210324-01 approving Riverbend's Capitalization Policy.**

A single motion was made by **Fred Milton** and seconded by **Marshall Wood** 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).**

Kelly Mitchell, an SRBA Board member, introduced Congressman Pat Fallon's local representative, Gaye Beard. He also introduced Chris Hartung, SRBA Executive Director, provided that SRBA plans to begin to monitor the Clean Rivers program more closely. In his discussions with community members and state agencies, there is concern with sedimentation issues. Kyle Dooley agreed that monitoring and addressing the sedimentation issues will be very beneficial to Riverbend with regards to the upcoming growth in the region.

No action taken.

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

Scott Norton, TAC Executive Director, provided that the TAC Board approved a lease for a trucking company to move in to an open location. The TAC Non-Profit approved an energetics company to lease 167 acres. They have also approved to move forward with applying for a grant to improve the rail system on the TAC-East campus. Mr. Norton also thanked Rob Sitterly with Ar-Tex REDI and Riverbend for their partnership on economic development. Prospect activity is very strong. Interest in business development in our area is up.

No action taken.

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

Rob Sitterly, REDI Executive Director, presented information on local development projects. He agreed with Mr. Norton's sentiments that lead generation is going great and the partnership TAC and REDI and Riverbend have are priceless. There are two municipally owned sites on either side of the state line that are being developed. The site on the Arkansas side is 1,350 acres. The site on the Texas side, just outside the TAC main entrance is 850 acres for light industrial development. Mr. Sitterly has been in discussions with site selectors and corporate executives with regards to the Texarkana area and all it has to offer. Mr. Sitterly provided that a community the size of Texarkana is blessed with assets on top of assets. The Ledwell School at Texarkana College is one of those assets. It specializes in advanced manufacturing that rivals major metro areas. Mr. Sitterly then played a few promotional videos that can be found by searching for "AR-TX REDI" at YouTube.com. Texarkana is not usually thought of as a

college town but that is exactly what it is. We are the only community in the entire nation that can call home to two public university systems; University of Arkansas and Texas A & M. The next generation of work-force ready people will be trained and educated here. These promotional items and videos are at the ready when a site selector asks for information on the Texarkana community.

No action taken.

**D. Discussion and possible action regarding activities with Region D.**

Kyle Dooley provided that Region D updates will be presented during the Executive Director's report.

**VI. Agenda Items for Individual Consideration**

**A. Discussion and possible action regarding approval of a resolution approving Riverbend's Investment Policy.**

Kyle Dooley provided that there have been no changes to this policy but it is part of the policy that it be reviewed and approved annually.

A motion was made by **Marshall Wood** and seconded by **Tina Veal Gooch** to approve **RESO 20210324-02** approving Riverbend's Investment Policy. The motion passed unanimously.

**B. Discussion and possible action regarding approval of a resolution reviewing and updating Riverbend's Personnel Policy Manual.**

Kyle Dooley provided details on the employees' cell phone policy. Currently there is a biweekly deduction made from employees' payroll if they choose to have a cell phone as part of a plan paid for by Riverbend. In addition, employees that choose to use their own cell phone on their own personal plan, a portion of that bill is reimbursed. The proposed changes are to remove the deduction from each employee's payroll as well as, for those employees using their own cell phone, they will be paid the base rate for a cell phone line as charged by the cellular and data service provider.

A motion was made by **Fred Milton** and seconded by **Marshall Wood** to approve **RESO 20210324-03** approving the update to Riverbend's Personnel Policy Manual. The motion passed unanimously.

**C. Discussion and possible action regarding approval of a resolution updating Riverbend's Water Conservation Plan.**

Kyle Dooley provided that normally this Plan does not have to be updated or reviewed but every five years. The changes to this Plan consist of updating the names of member entities represented by Riverbend as well as updating the cost of tap fees for the four-inch and six-inch lines.

A motion was made by **Tina Veal Gooch** and seconded by **Marshall Wood** to approve **RESO 20210324-04** approving the update to Riverbend's Water Conservation Plan. The motion passed unanimously.

**D. Discussion regarding Riverbend's Drought Contingency Plan.**

Kyle Dooley provided that there are no changes to this Plan. This is just an annual review. There is a requirement to update this Plan every five years.

No action taken.

**E. Discussion regarding Riverbend's Bylaws.**

Kyle Dooley provided information on updates to Riverbend's Bylaws. In March of 2019, the only change was that section 12-Uniform Financial Reporting was added. In January, while reviewing the bylaws to ensure staff is following those requirements, it was discovered that no other items in the bylaws were updated to incorporate the newest enabling legislation that allowed the inclusion of water supply corporations nor do they include the reconstitution of the board in 2011. This enabling legislation supersedes any and all conflicting bylaws. Mr. Dooley asked for direction regarding the bylaws from the board. Marshall Wood added that the reason for the update in 2019 was to address the practice and the policy of how the audit is reported to member entities and especially to the state agencies that require it. Mr. Wood suggests updating the bylaws and keeping them. Fred Milton agrees that the legislation should be incorporated and the bylaws updated. Mr. Dooley will update the bylaws and present them to the board for approval when complete.

No action taken.

**VII. Riverbend Reports**

**A. Board Members**

Fred Milton provided information on the passing of Clyde Siebman. He was named as the Conservator of Riverbend Water Resources District by the 82nd Texas Legislature in 2011, helping to settle a decades-long legal battle over water issues in East Texas and Southwest Arkansas. A memorial service honoring Mr. Siebman will be held on Friday, April 9, 2021, at 1:00 pm at the Kidd-Key Auditorium at 400 Elm Street, Sherman, Texas, with a reception to immediately follow.

**B. Executive Director/CEO**

Kyle Dooley provided the following updates:

New Industrial Wastewater Plant: The application for State Revolving Funds (SRF) has been submitted and accepted. We should have an answer in the June to July timeframe. This project will be around \$13 Million. Oak Grove Water Supply Corporation has also submitted an SRF application for principal forgiveness on the debt service for the new water treatment facility. That will also take until June or July for a response.



Regional Water System Project: Contract negotiations with Pape-Dawson are almost complete. The final negotiations include including permitting and environmental in the scope of work. This will also include construction management for the entire 5-year project. Once the contract is executed, it will be sent to Texas Water Development Board (TWDB) for their approval.

US Army Corps of Engineers (USACE)-Cultural Resources Study and Ultimate Rule Curve: The study and the implementation of the Ultimate Rule Curve is progressing. There are still biweekly meetings. The Corps is getting close to performing the actual study. Still looking at April to receive the first invoice. Marshall Wood asked if there is a goal date to have this study completed. Mr. Dooley stated that the cultural study will take between 18 and 24 months to complete. That will be completed and then mitigation will be done. Those two projects will cost somewhere between \$13.5 and \$15.5 Million which is included in the awarded \$200 Million from TWDB. Mr. Wood also asked if the Corps has invoiced the City of Texarkana for the storage fees that are currently owed. Mr. Dooley reported that this cultural resources study will not only cover the cultural and environmental issues but it will cover all issues that have not been addressed to date.

Water Rights Application with TCEQ: Dawn Pilcher with LJA has not received any other requests for information from TCEQ. We believe the draft permit will be released within a month. Ms. Pilcher stated she will be in touch if she hears anything further.

Region D: First meeting of this planning cycle is March 31, 2021 at 1:00 p.m. This is a telephonic meeting only.

Projects:

Elevated Storage Tank and Chlorine Booster Station Improvements-Riverbend will accept bids for this project until March 31, 2021 at 2:00 p.m.

Wastewater Drying Bed Rehab-Riverbend will open bids for this project on April 21, 2021.

Contracts for these two projects should be ready for approval at the April board meeting.

TCEQ mailed a letter to water right holders and stakeholders inside the Sulphur River Basin and the Cypress Creek Basin asking for input on the possible need for a Water Master. This person, in the event of a water shortage in the basin, would be placed in charge of enforcing water rights and managing surface water. Neither letter sent in 2011 or 2016 yielded any comments that a Water Master was needed.

No action taken.

## **VIII. Executive Session**

The board stood at ease beginning at 1:00 p.m.

The board reconvened in Executive Session at 1:05 p.m with quorum pursuant to sections 551.072 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:38 p.m.

## **IX. Next Riverbend Meetings**

Riverbend Regular Meeting, Wednesday, April 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 **Van Alexander** and seconded by **Fred Milton** to adjourn the meeting at 1:40 p.m. The motion passed unanimously.

**The minutes of Riverbend Water Resources District Board of Directors meeting, March 24, 2021 were read and approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.**

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**Sonja Hubbard, President**

**Attest:**

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**Kyle Dooley, Executive Director/ CEO**

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. A.  
RWRD RESO 20210428-01  
Second Quarter Financials**



**RIVERBEND RESOLUTION NO. 20210428-01**

**APPROVING THE 2<sup>nd</sup> QUARTER FY 2020-2021 FINANCIAL STATEMENTS**

**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 Board of Directors wishes to provide for the fiduciary guidance of Riverbend Water Resources funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Riverbend Water Resources District accepts and approves the 2nd Quarter FY 2020-2021 financials.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

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Sonja Hubbard, President

ATTEST:

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Marshall Wood, Secretary

Attached: Financial Statements for Riverbend Water Resources District for the 2nd Quarter of FY 2020-2021.



# RIVERBEND WATER RESOURCES DISTRICT

## STATEMENT OF NET POSITION ENTERPRISE FUNDS MARCH 31, 2021

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
<b>ASSETS</b>				
Current assets:				
Cash	\$ 204,591	\$ -	\$ 1,007,427	\$ 1,212,018
Accounts receivable	19,455	560,436	870,147	1,450,038
Due from other fund	701	-	-	701
Restricted assets:				
Cash restricted for bond debt reserves	-	2,311,125	2,027,440	4,338,565
Cash restricted for construction - bond proceeds	-	-	398,576	398,576
Cash restricted for operations	-	-	900,274	900,274
Prepaid expenses	-	-	36,814	36,814
Inventory	-	-	76,879	76,879
Total current assets	<u>224,747</u>	<u>2,871,561</u>	<u>5,317,557</u>	<u>8,413,865</u>
Noncurrent assets:				
Capital assets (net of accumulated depreciation):				
Equipment	-	-	308,351	308,351
Utility system	-	-	16,420,937	16,420,937
Intangible assets	-	-	291,019	291,019
Construction in progress	-	-	687,415	687,415
Total capital assets	<u>-</u>	<u>-</u>	<u>17,707,722</u>	<u>17,707,722</u>
Total noncurrent assets	<u>-</u>	<u>-</u>	<u>17,707,722</u>	<u>17,707,722</u>
<b>TOTAL ASSETS</b>	<u>224,747</u>	<u>2,871,561</u>	<u>23,025,279</u>	<u>26,121,587</u>
<b>LIABILITIES</b>				
Current liabilities:				
Accounts payable	7,960	100,000	180,055	288,015
Payroll liabilities	-	-	40,300	40,300
Due to other fund	-	-	701	701
Accrued interest payable	-	86,466	166,029	252,495
Accrued compensated absences - current	-	-	19,005	19,005
Revenue bonds payable - current	-	-	740,000	740,000
Total current liabilities	<u>7,960</u>	<u>186,466</u>	<u>1,146,090</u>	<u>1,340,516</u>
Noncurrent liabilities:				
Prepaid minimum monthly payment	-	-	-	-
Accrued compensated absences - long term	-	-	40,813	40,813
Revenue bonds payable - long term	-	-	7,855,000	7,855,000
Total noncurrent liabilities	<u>-</u>	<u>-</u>	<u>7,895,813</u>	<u>7,895,813</u>
<b>TOTAL LIABILITIES</b>	<u>7,960</u>	<u>186,466</u>	<u>9,041,903</u>	<u>9,236,329</u>
<b>NET POSITION</b>				
Net investment in capital assets	-	-	10,085,350	10,085,350
Restricted for bond reserves	-	2,685,096	2,027,729	4,712,825
Restricted for construction	-	-	398,576	398,576
Unrestricted	<u>216,787</u>	<u>-</u>	<u>1,471,721</u>	<u>1,688,508</u>
<b>TOTAL NET POSITION</b>	<u>\$ 216,787</u>	<u>\$ 2,685,096</u>	<u>\$ 13,983,376</u>	<u>\$ 16,885,259</u>

### Notes:

- 1) Riverbend will not capitalize Wet Utilities Capital Replacement (\$83,711) until fiscal year end.
- 2) Riverbend will not capitalize RWSF Capital Outlay (\$100,000) until fiscal year end.
- 3) Riverbend will not record RWSF Bonds Payable (\$734,418) until year end.

# RIVERBEND WATER RESOURCES DISTRICT

## STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION ENTERPRISE FUNDS FOR THE SIX MONTHS ENDED MARCH 31, 2021

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
<b>OPERATING REVENUES</b>				
Charges for services:				
Member fees	\$ 100,804	\$ -	\$ -	\$ 100,804
Army volumetric charge	-	-	1,570,843	1,570,843
Army water supply charge	-	-	107,630	107,630
Commercial & residential charge	-	-	135,515	135,515
Other revenue	-	-	402	402
Total operating revenues	<u>100,804</u>	<u>\$ -</u>	<u>1,814,390</u>	<u>1,915,194</u>
<b>OPERATING EXPENSES</b>				
Accounting & audit	4,500	-	-	4,500
Analyticals	-	-	51,609	51,609
Capital Replacement	-	-	83,711	83,711
Community relations	1,489	-	-	1,489
Conferences & seminars	-	-	-	-
Consulting	90,000	-	271	90,271
Dues & memberships	3,824	-	-	3,824
Engineering services	18,500	-	-	18,500
Equipment maintenance, repair & fuel	-	-	12,384	12,384
Equipment rental	-	-	(1,294)	(1,294)
Insurance	-	-	22,512	22,512
Legal & professional fees	5,602	-	-	5,602
Materials	-	-	83,462	83,462
Meetings expense	1,652	-	-	1,652
Military affairs	5,500	-	-	5,500
Office supplies and expense	742	-	-	742
Permits	-	-	34,074	34,074
Repairs	-	-	87,587	87,587
Salaries, wages, payroll taxes & benefits	79,046	-	445,118	524,164
Supplies	-	-	11,511	11,511
Travel & training	40	-	-	40
Utilities	-	-	71,548	71,548
Waste disposal	-	-	10,448	10,448
Water purchase cost	-	-	133,388	133,388
Web design & maintenance	1,218	-	-	1,218
Miscellaneous	286	-	-	286
Regional Water System Capital Outlay	-	100,000	-	100,000
Overhead allocation - water	-	-	117,565	117,565
Overhead allocation - wastewater	-	-	127,702	127,702
Overhead allocation - industrial wastewater	-	-	128,787	128,787
Total operating expenses	<u>212,399</u>	<u>100,000</u>	<u>1,420,383</u>	<u>1,732,782</u>
<b>Operating income (loss) before depreciation</b>	<u>(111,595)</u>	<u>(100,000)</u>	<u>394,007</u>	<u>182,413</u>
Depreciation	-	-	400,404	400,404
<b>Operating income (loss) before bond proceeds</b>	<u>(111,595)</u>	<u>(100,000)</u>	<u>(6,397)</u>	<u>(217,992)</u>
Bond Proceeds	-	734,418	-	734,418
<b>Operating income (loss)</b>	<u>(111,595)</u>	<u>634,418</u>	<u>(6,397)</u>	<u>516,427</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenue	-	-	760,124	760,124
Minimum monthly payments	-	2,306,080	-	2,306,080
Interest revenue	-	159	6,140	6,299
Administrative fund salary revenue	-	-	79,046	79,046
Project admin fees	-	-	10,493	10,493
Interest expense	-	(86,466)	(182,343)	(268,809)
Bond issuance costs	-	(634,418)	-	(634,418)
Franchise fees expense	-	-	(54,184)	(54,184)
Special projects expense	(6,858)	-	-	(6,858)
Total nonoperating revenues (expenses)	<u>(6,858)</u>	<u>1,585,355</u>	<u>619,276</u>	<u>2,197,773</u>
<b>Income (loss) before transfers</b>	<u>(118,453)</u>	<u>2,219,773</u>	<u>612,879</u>	<u>2,714,200</u>
<b>Transfers in (out)</b>	<u>150,000</u>	<u>-</u>	<u>(150,000)</u>	<u>-</u>
<b>Changes in net position</b>	<u>31,548</u>	<u>2,219,773</u>	<u>462,879</u>	<u>2,714,200</u>
<b>Net position, beginning of year</b>	<u>185,239</u>	<u>465,323</u>	<u>13,520,497</u>	<u>14,171,059</u>
<b>Net position, end of year</b>	<u>\$ 216,787</u>	<u>\$ 2,685,096</u>	<u>\$ 13,983,376</u>	<u>\$ 16,885,259</u>

Notes:

- 1) Riverbend will not capitalize Wet Utilities Capital Replacement (\$83,711) until fiscal year end.
- 2) Riverbend will not capitalize RWSF Capital Outlay (\$100,000) until fiscal year end.
- 3) Riverbend will not record RWSF Bonds Payable (\$734,418) until year end.

# RIVERBEND WATER RESOURCES DISTRICT

## SUPPLEMENTARY INFORMATION BUDGETARY COMPARISON SCHEDULE REGIONAL WATER SYSTEM ADMINISTRATION FOR THE SIX MONTHS ENDED MARCH 31, 2021

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
<b>OPERATING REVENUES</b>				
Charges for services	\$ 203,928	\$ 100,804	\$ (103,124)	-49.43%
Total operating revenues	203,928	100,804	(103,124)	49.43%
<b>OPERATING EXPENSES</b>				
Advertising	1,400	-	1,400	0.00%
Accounting & audit	4,500	4,500	-	100.00%
Community relations	8,000	1,489	6,511	18.61%
Conferences & seminars	4,700	-	4,700	0.00%
Consulting	200,000	90,000	110,000	45.00%
Dues & memberships	7,735	3,824	3,911	49.44%
Engineering services	150,000	18,500	131,500	12.33%
Legal & professional fees	27,500	5,602	21,898	20.37%
Meetings expense	6,000	1,652	4,348	27.53%
Military affairs	11,000	5,500	5,500	50.00%
Office supplies & expense	3,300	754	2,546	22.85%
Salaries, wages & benefits	157,922	79,046	78,876	50.05%
Subscriptions	400	274	126	68.50%
Travel & training	18,000	40	17,960	0.22%
Web design & maintenance	4,000	1,218	2,782	30.45%
Total operating expenses	604,457	212,399	392,058	35.14%
Income (loss) before special projects expense and transfers	(400,529)	(111,595)	288,934	27.86%
Special projects expense	(100,000)	(6,857)	93,143	6.86%
Transfer in	300,000	150,000	(150,000)	-50.00%
<b>Change in net position</b>	(200,529)	31,548	232,077	15.73%
<b>Net position, beginning of year</b>	185,239	185,239	-	100.00%
<b>Net position, end of year</b>	\$ (15,290)	\$ 216,787	232,077	1417.84%

## RIVERBEND WATER RESOURCES DISTRICT

### SUPPLEMENTARY INFORMATION BUDGETARY COMPARISON SCHEDULE REGIONAL WATER SYSTEM FACILITIES FUND FOR THE SIX MONTHS ENDED MARCH 31, 2021

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
<b>OPERATING REVENUES</b>				
Charges for services	\$ -		\$ -	
Total operating revenues	-	-	-	
<b>OPERATING EXPENSES</b>				
Environmental	-	100,000	100,000	
Total operating expenses	-	100,000	100,000	
<b>Operating income (loss) before bond proceeds</b>	-	(100,000)	(100,000)	
Bond Proceeds	-	734,418	734,418	
<b>Operating income (loss)</b>	-	634,418	634,418	-
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Minimum monthly payments	4,389,715	2,306,080	2,083,635	52.53%
Interest income	-	159	(159)	
Bond Interest Expense	(24,705)	(86,466)	(61,761)	-349.99%
Bond Issuance Costs	(650,000)	(634,418)	15,582	97.60%
Total nonoperating revenues (expenses)	3,715,010	1,585,355	2,037,297	42.67%
<b>Change in net position</b>	3,715,010	2,219,773	2,671,715	0
<b>Net position, beginning of year</b>	\$ 465,323	465,323	-	100.00%
<b>Net position, end of year</b>	\$ 4,180,333	\$ 2,685,096	\$ 2,671,715	64.23%

Notes:

- 1) Riverbend will not capitalize RWSF Capital Outlay (\$100,000) until fiscal year end.
- 2) Riverbend will not record RWSF Bonds Payable (\$734,418) until year end.



# RIVERBEND WATER RESOURCES DISTRICT

## SUPPLEMENTARY INFORMATION BUDGETARY COMPARISON SCHEDULE WET UTILITIES FUND FOR THE SIX MONTHS ENDED MARCH 31, 2021

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
<b>OPERATING REVENUES</b>				
Charges for services	\$ 3,617,400	\$ 1,813,988	\$ (1,803,412)	-50.15%
Other revenue	-	402	402	
Total operating revenues	3,617,400	1,814,390	(1,803,010)	50.16%
<b>OPERATING EXPENSES</b>				
Analytical	150,000	51,609	98,391	34.41%
Capital Replacement	414,000	83,711	330,289	20.22%
Consulting	60,000	271	59,729	0.45%
Equipment maintenance, repair & fuel	42,356	12,384	29,972	29.24%
Equipment rental	11,000	(1,294)	12,294	11.76%
Insurance	45,263	22,512	22,751	49.74%
Materials	233,000	83,462	149,538	35.82%
Miscellaneous	12,000	-	12,000	0.00%
Permits	55,000	34,074	20,926	61.95%
Repairs	207,000	87,587	119,413	42.31%
Salaries, wages, payroll taxes & benefits	1,077,111	445,118	631,993	41.33%
Supplies	51,700	11,511	40,189	22.26%
Utilities	188,000	71,548	116,452	38.06%
Waste disposal	70,000	10,448	59,552	14.93%
Water purchase cost	307,663	133,388	174,275	43.36%
Overhead allocation - water	214,012	117,565	96,447	54.93%
Overhead allocation - wastewater	232,464	127,702	104,762	54.93%
Overhead allocation - industrial wastewater	234,439	128,787	105,652	54.93%
Total operating expenses	3,605,008	1,420,383	2,184,625	39.40%
Operating income (loss) before depreciation	12,392	394,007	381,615	3179.53%
Depreciation	799,500	400,404	399,096	50.08%
Operating income (loss)	(787,108)	(6,397)	780,711	0.81%
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenues	1,485,628	760,124	(725,504)	-51.17%
Interest revenue	52,000	6,140	(45,860)	-11.81%
Other revenue	235,651	89,539	(146,112)	-38.00%
Interest expense	(585,182)	(182,343)	402,839	31.16%
Franchise fees expense	(108,504)	(54,184)	54,320	49.94%
Total nonoperating revenues (expenses)	1,079,593	619,276	(460,317)	57.36%
Income (loss) before capital contributions and transfers	292,485	612,879	320,394	209.54%
Transfers in (out)	(300,000)	(150,000)	150,000	50.00%
<b>Change in net position</b>	(7,515)	462,879	470,394	6159.40%
<b>Net position, beginning of year</b>	13,520,497	13,520,497	-	100.00%
<b>Net position, end of year</b>	\$ 13,512,982	\$ 13,983,376	\$ 470,394	103.48%

Notes:

1) Riverbend will not capitalize Wet Utilities Capital Replacement (\$83,711) until fiscal year end.

**RIVERBEND WATER RESOURCES DISTRICT****COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION  
REGIONAL WATER SYSTEM ADMINISTRATION  
FOR THE SIX MONTHS ENDED MARCH 31, 2021**

	<i>March 31, 2021</i>	<i>March 31, 2020</i>	<i>\$ Change</i>	<i>% Change</i>
<b>OPERATING REVENUES</b>				
Charges for services:				
Member fees	\$ 100,804	\$ 88,420	\$ 12,384	14.01%
Other revenue	-	-	-	
Total operating revenues	100,804	88,420	12,384	14.01%
<b>OPERATING EXPENSES</b>				
Accounting & audit	4,500	4,500	-	0.00%
Community relations	1,489	1,584	(95)	-6.00%
Conferences & seminars	-	2,283	(2,283)	-100.00%
Consulting	90,000	91,617	(1,617)	-1.76%
Dues & memberships	3,824	1,443	2,381	165.00%
Engineering services	18,500		18,500	
Legal & professional fees	5,602	22,138	(16,536)	-74.70%
Meetings expense	1,652	1,475	177	12.00%
Military affairs	5,500	11,000	(5,500)	-50.00%
Office supplies and expense	742	330	412	124.85%
Salaries, wages, payroll taxes & benefits	79,046	76,692	2,354	3.07%
Travel & training	40	5,401	(5,361)	-99.26%
Web design & maintenance	1,218	1,480	(262)	-17.70%
Miscellaneous	286	342	(56)	-16.37%
Total operating expenses	212,399	220,285	(7,886)	-3.58%
Operating income (loss) before depreciation	(111,595)	(131,865)	20,270	15.37%
Depreciation	-	136	(136)	-100.00%
Operating income (loss)	(111,595)	(132,001)	20,406	-15.46%
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Special projects expense	(6,857)	(37,173)	30,316	81.55%
Total nonoperating revenues (expenses)	(6,857)	(37,173)	30,316	81.55%
<b>Income (loss) before transfers</b>	(118,452)	(169,174)	50,722	29.98%
<b>Transfers in (out)</b>	150,000	-	150,000	
<b>Change in net position</b>	31,548	(169,174)	200,722	118.65%
<b>Net position, beginning of year</b>	185,239	338,408	(153,169)	-45.26%
<b>Net position, end of year</b>	\$ 216,787	\$ 169,234	\$ 47,553	28.10%

**RIVERBEND WATER RESOURCES DISTRICT****COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION  
REGIONAL WATER SYSTEM FACILITIES FUND  
FOR THE SIX MONTHS ENDED MARCH 31, 2021**

	<i>March 31, 2021</i>	<i>March 31, 2020</i>	<i>\$ Change</i>	<i>% Change</i>
<b>OPERATING REVENUES</b>				
Charges for Services		-	-	-
Total operating revenues	-	-	-	-
<b>OPERATING EXPENSES</b>				
Expenses	100,000	-	100,000	-
Total operating expenses	100,000	-	100,000	-
Operating income (loss) before bond proceeds	(100,000)	-	(100,000)	-
Bond Proceeds	734,418		734,418	
Operating income (loss)	634,418		634,418	
<b>NONOPERATING REVENUES (EXPENSES)</b>			-	
Minimum monthly payments	2,306,080	-	2,306,080	
Interest revenue	159	-	159	
Bond Interest Expense	(86,466)	-	(86,466)	
Bond Issuance Costs	(634,418)	-	(634,418)	
Total nonoperating revenues (expenses)	1,585,355	-	1,585,355	
<b>Change in net position</b>	2,219,773	-	2,219,773	
<b>Net position, beginning of year</b>	465,323	-	465,323	
<b>Net position, end of year</b>	<u>\$ 2,685,096</u>	<u>\$ -</u>	<u>\$ 2,685,096</u>	

## Notes:

- 1) Riverbend will not capitalize RWSF Capital Outlay (\$100,000) until fiscal year end.
- 2) Riverbend will not record RWSF Bonds Payable (\$734,418) until year end.

# RIVERBEND WATER RESOURCES DISTRICT

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

### WET UTILITIES FUND

FOR THE SIX MONTHS ENDED MARCH 31, 2021

	<u>March 31, 2021</u>	<u>March 31, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
<b>OPERATING REVENUES</b>				
Charges for services:				
Army volumetric charge	\$ 1,570,842	\$ 1,445,418	\$ 125,424	8.68%
Army water supply charge	107,630	101,553	6,077	5.98%
Commercial & residential charge	135,516	140,618	(5,102)	-3.63%
Other revenue	402	4,703	(4,301)	-91.45%
Total operating revenues	<u>1,814,390</u>	<u>1,692,292</u>	<u>122,098</u>	<u>7.21%</u>
<b>OPERATING EXPENSES</b>				
Analyticals	51,609	47,742	3,867	8.10%
Capital Replacement	83,711	-	83,711	
Consulting	271	54,553	(54,282)	-99.50%
Equipment maintenance, repair & fuel	12,384	16,251	(3,867)	-23.80%
Equipment rental	(1,294)	107	(1,401)	-1309.35%
Insurance	22,512	12,501	10,011	80.08%
Materials	83,462	120,045	(36,583)	-30.47%
Permits	34,074	32,120	1,954	6.08%
Repairs	87,587	119,048	(31,461)	-26.43%
Salaries, wages, payroll taxes & benefits	445,118	443,835	1,283	0.29%
Supplies	11,511	16,103	(4,592)	-28.52%
Utilities	71,548	77,327	(5,779)	-7.47%
Waste disposal	10,448	26,887	(16,439)	-61.14%
Water purchase cost	133,388	148,980	(15,592)	-10.47%
Miscellaneous	-	226	(226)	-100.00%
Overhead allocation - water	117,565	98,185	19,380	19.74%
Overhead allocation - wastewater	127,702	106,651	21,051	19.74%
Overhead allocation - industrial wastewater	128,787	107,557	21,230	19.74%
Total operating expenses	<u>1,420,383</u>	<u>1,428,118</u>	<u>(7,735)</u>	<u>-0.54%</u>
Operating income (loss) before depreciation	394,007	264,174	129,833	49.15%
Depreciation	400,404	379,078	21,326	5.63%
Operating income (loss)	<u>(6,397)</u>	<u>(114,904)</u>	<u>108,507</u>	<u>-94.43%</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenue	760,124	604,607	155,517	25.72%
Interest revenue	6,140	20,747	(14,607)	-70.41%
Other revenue	79,046	76,726	2,320	3.02%
Project admin fees	10,493	(2,325)	12,818	551.31%
Gain (loss) on disposal of asset	-	4,660	(4,660)	
Interest expense	(182,343)	(196,407)	14,064	7.16%
Franchise fees expense	(54,184)	(50,192)	(3,992)	-7.95%
Total nonoperating revenues (expenses)	<u>619,276</u>	<u>457,816</u>	<u>161,460</u>	<u>35.27%</u>
Income (loss) before transfers	612,879	342,912	269,967	78.73%
<b>Transfers in (out)</b>	<u>(150,000)</u>	<u>-</u>	<u>(150,000)</u>	
<b>Change in net position</b>	462,879	342,912	119,967	34.98%
<b>Net position, beginning of year</b>	<u>13,520,497</u>	<u>11,925,953</u>	<u>1,594,544</u>	<u>13.37%</u>
<b>Net position, end of year</b>	<u>\$ 13,983,376</u>	<u>\$ 12,268,865</u>	<u>\$ 1,714,511</u>	<u>13.97%</u>

Notes:

1) Riverbend will not capitalize Wet Utilities Capital Replacement (\$83,711) until fiscal year end.

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. B.  
RWRD RESO 20210428-02  
Second Quarter Investment Report**



**RIVERBEND RESOLUTION NO. 20210428-02**

**APPROVING THE 2<sup>nd</sup> QUARTER FY 2020-2021 INVESTMENT REPORT**

**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 has adopted an Investment Policy as required by law to manage the funds of Riverbend Water Resources District; and

**WHEREAS**, the Investment Policy Reporting Section XIII requires that the Investment Officer prepare and sign a quarterly investment report that includes activity on all interest-bearing accounts held by Riverbend Water Resources District.

**NOW, THEREFORE, BE IT RESOLVED** that the Riverbend Water Resources District accepts and approves the 2nd Quarter FY 2020-2021 Investment Report.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

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Sonja Hubbard, President

ATTEST:

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Marshall Wood, Secretary

Attached: Investment Report for Riverbend Water Resources District for the 2nd Quarter of FY 2020-2021.



# RIVERBEND WATER RESOURCES DISTRICT

## SCHEDULE OF INVESTMENTS ENTERPRISE FUNDS

For the Three Months Ended March 31, 2021

Funds	Identification Number	Maturity Date	Balance 12/31/2020	Interest Income 03/31/2021	Transfers In/(Out) Per Policy	Net Deposits/ Withdrawals	Balance 03/31/2021	Accrued Int Rec 03/31/2021
<b>Administrative Fund</b>								
Operations	50003704	Daily checking	\$ 125,063	\$ -	\$ 110,519	(31,016)	\$ 204,566	\$ -
Operations	457060	Daily savings	25	-	-	-	25	-
<b>Wet Utilities Fund</b>								
Operations	21695	Daily checking	839,707	-	(406,961)	573,815	1,006,561	-
Restricted bond sinking	21709	Daily checking	1,004,923	1,493	413,650	(7)	1,420,058	-
Restricted bond reserves	21217	Daily checking	607,450	748	(816)	-	607,382	-
Restricted construction funds	21741	Daily checking	438,924	528	(40,876)	-	398,576	-
Restricted operations	7967600001	Daily prime	900,404	404	(774)	-	900,274	-
Restricted operations								
<b>Regional Water System Facilities Fund</b>								
Restricted Savings	3011380	Daily Savings	1,457,620	116		853,388	2,311,125	
Total - All Funds			\$ 5,374,116	\$ 3,289	\$ 74,743	\$ 1,396,180	\$ 6,848,567	\$ -

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, APRIL 28, 2021**

**AGENDA ITEM VI. C.  
RWRD RESO 20210428-03  
Revised 2020-2021 Budgets**





**RIVERBEND RESOLUTION NO. 20210428-03**

**ADOPTING THE REVISED FY 2020-2021 ADMINISTRATIVE MEMBER FUND BUDGET, THE 2020-2021 REVISED WET UTILITIES BUDGET, AND THE REVISED 2020-2021 REGIONAL WATER SYSTEM FACILITIES FUND OF THE RIVERBEND WATER RESOURCES DISTRICT**

**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 first adopted the FY 2020-2021 Administrative Member Fund Budget, the FY 2020-2021 Wet Utilities Budget, and the 2021 Regional Water System Facilities Fund Budget on September 23, 2020; and

**WHEREAS**, Riverbend Water Resources District deems it necessary to revise the FY 2020-2021 Administrative Member Fund Budget, the FY 2020-2021 Wet Utilities Budget and the 2021 Regional Water System Facilities Fund Budget to incorporate necessary adjustments to certain line items.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Riverbend Water Resources District hereby adopts the Revised 2020-2021 Administrative Member Fund Budget, the Revised 2020-2021 Wet Utilities Fund Budget, and the 2021 Regional Water System Facilities Fund Budget of the Riverbend Water Resources District.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

\_\_\_\_\_  
Sonja Hubbard, President

ATTEST:

\_\_\_\_\_  
Marshal Wood, Secretary

Attached: Revised FY 2020-2021 Administrative Member Fund Budget  
Revised FY 2020-2021 Wet Utilities Fund Budget  
Revised FY 2020-2021 Regional Water System Facilities Fund Budget



**Riverbend Water Resources District**  
**Proposed Budget Amendments**  
**April 28, 2021**

**Wet Utilities Fund**

66010 · Computer, Reprod & Maint	70,000.00	Increase Expense
66850 · Transfer to Admin Fund	(70,000.00)	Decrease Expense
82000 · 40% Salary Billback	157,922.00	Decrease Revenue
60110 · Salaries & Wages	(118,328.00)	Decrease Expense
60120 · Health Insurance	(7,649.00)	Decrease Expense
60130 · Pension	(14,791.00)	Decrease Expense
60140 · Payroll Taxes	(10,184.00)	Decrease Expense
60150 · Unemployment Obligations	(591.00)	Decrease Expense
60210 · Cell Phone	(720.00)	Decrease Expense
60220 · Workers Compensation	(119.00)	Decrease Expense
60230 · Training, Travel & Licenses	(2,000.00)	Decrease Expense
60240 · Uniforms	(400.00)	Decrease Expense
60250 · Other Employment Costs	(3,140.00)	Decrease Expense
	<u>0.00</u>	

**Regional Water System Administration Fund**

67100 · Engineering Misc	(20,000.00)	Decrease Expense
90600 · Misc Special Projects	(50,000.00)	Decrease Expense
71000 · Transfer from Wet Utilities	70,000.00	Decrease Revenue
	<u>0.00</u>	

**Regional Water System Facilities Fund**

40000 · Bond Proceeds	(18,000,000.00)	Increase Revenue
60000 · Design	2,500,000.00	Increase Capital Outlay
60200 · Planning	500,000.00	Increase Capital Outlay
61700 · Application	50,000.00	Increase Capital Outlay
62400 · Environmental	7,500,000.00	Increase Capital Outlay
62500 · Geotechnical	500,000.00	Increase Capital Outlay
63300 · Project Mangement	300,000.00	Increase Capital Outlay
63400 · Surveying	500,000.00	Increase Capital Outlay
64300 · Water Distribution Modeling	100,000.00	Increase Capital Outlay
67200 · Administration	50,000.00	Increase Capital Outlay
68100 · Land/Easements Acquisition	500,000.00	Increase Capital Outlay
68400 · Project Legal Expenses	100,000.00	Increase Capital Outlay
68600 · Contingency	4,764,867.00	Increase Capital Outlay

(635,133.00)

64900 · Bond Counsel	122,033.39	Increase Expense
66000 · Financial Advisor	122,900.00	Increase Expense
66500 · Fiscal/Legal	20,558.61	Increase Expense
66700 · Issuance Costs	16,700.00	Increase Expense
67100 · Loan Origination Fee	352,941.00	Increase Expense

635,133.00

90750 · Bond Issuance Costs	(650,000.00)	Decrease Expense
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(650,000.00)

80100 · Interest Income	(400.00)	Increase Revenue
90700 · Bond Interest Expense	72,569.00	Increase Expense

72,169.00

(577,831.00) Revenue Increase

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**Administrative Member  
Fund Budget**

**Riverbend Water Resources District**  
**Regional Water System Administration - Proposed Amendments**  
**FY2020-21**

	<b>Budget</b>	<b>Approved</b>	<b>Amended</b>	<b>Increase/ (Decrease)</b>
	<b>19-20</b>	<b>20-21</b>	<b>20-21</b>	<b>20-21</b>
<b>Ordinary Income/Expense</b>				
Income				
41000 · Riverbend Fee	176,000	203,928	203,928	
Total Income	176,000	203,928	203,928	
Gross Profit	176,000	203,928	203,928	
Expense				
59000 · Consulting				
59010 · Cross Oak	60,000	60,000	60,000	
59020 · Larry Meyers	120,000	120,000	120,000	
59030 · Misc.	20,000	20,000	20,000	
Total 59000 · Consulting	200,000	200,000	200,000	
60110 · Salary & Benefits Bill Back@40%	155,855	157,922	157,922	
60230 · Conferences & Seminars				
60231 · RRVA Conference	500	500	500	
60230 · Conferences & Seminars - Other	4,200	4,200	4,200	
Total 60230 · Conferences & Seminars	4,700	4,700	4,700	
61000 · Dues & Memberships				
61010 · Texas Water Foundation	500	500	500	
61020 · AWWA	250	250	250	
61030 · Chamber of Commerce	360	360	360	
61040 · TRWA	400	400	400	
61050 · TWCA	375	375	375	
61060 · RRVA	250	250	250	
61070 · Leadership Texarkana	600	600	600	
61000 · Dues & Memberships - Other	5,000	5,000	5,000	
Total 61000 · Dues & Memberships	7,735	7,735	7,735	
61200 · Travel Expenses	18,000	18,000	18,000	
61310 · Meeting Expense	6,000	6,000	6,000	
64000 · Community Relations/PR	8,000	8,000	8,000	
64010 · Military Affairs	16,500	11,000	11,000	
65000 · Accounting & Audit Fees				
65010 · Audit Fees	4,500	4,500	4,500	
65020 · Monthly Accounting	0	0	0	
Total 65000 · Accounting & Audit Fees	4,500	4,500	4,500	
65000 · Bank Service Fees				
65210 · Legal & Professional Fees	52,500	27,500	27,500	

	<b>Budget</b>	<b>Approved</b>	<b>Amended</b>	<b>Increase/ (Decrease)</b>
	<b>19-20</b>	<b>20-21</b>	<b>20-21</b>	<b>20-21</b>
<b>66000 · Office Expense &amp; Supplies</b>	3,200	3,300	3,300	
<b>66110 · Utilities (Phone, Internet, Electric)</b>				
<b>66400 · Subscriptions</b>	500	400	400	
<b>66500 · Web Design &amp; Maintenance</b>	4,000	4,000	4,000	
<b>67000 · Engineering Services</b>				
<b>67100 · Engineering Misc</b>	50,000	50,000	30,000	(20,000)
<b>67300 · Region D Planning</b>	50,000	50,000	50,000	
<b>67400 · RWMP Projects</b>	74,500	50,000	50,000	
<b>Total 67000 · Engineering Services</b>	174,500	150,000	150,000	
<b>74000 · Advertising</b>	1,400	1,400	1,400	
<b>90000 · Special Projects-Expenses</b>				
<b>90200 · Water Availability Model</b>	0	0	0	
<b>90300 · Hooks Feasibility Study</b>	0	0	0	
<b>90500 · Volumetric/Sedimentation Study</b>	0	0	0	
<b>90600 · Misc. Special Projects</b>	50,500	100,000	50,000	(50,000)
<b>Total 90000 · Special Projects-Expenses</b>	50,500	100,000	100,000	
<b>Total Expense</b>	<b>707,890</b>	<b>704,457</b>	<b>704,457</b>	
<b>Net Ordinary Income</b>	(531,890)	(500,529)	(500,529)	
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>71000 · Transfer from Wet Utilities</b>	200,000	300,000	230,000	(70,000)
<b>72000 · Use of Prior Year Equity</b>	331,890	200,529	200,529	
<b>Total Other Income</b>	531,890	500,529	500,529	
<b>Net Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**Wet Fund Budget**

**Riverbend Water Resources District**  
**Wet Utilities - Overhead - Proposed Amended Budget**  
**FY2020-21**

	<b>Budget</b>	<b>Approved</b>	<b>Amended</b>	<b>Increase/ (Decrease)</b>
	<b>19-20</b>	<b>20-21</b>	<b>20-21</b>	
<b>Ordinary Income/Expense</b>				
Income				
85001 - Miscellaneous Income	4,750	0	0	
<b>Total Income</b>	<b>4,750</b>	<b>0</b>	<b>0</b>	
Expense				
60110 - Salaries & Wages				
60110 - Salaries & Wages - Other	431,978	421,917	303,589	(118,328)
<b>Total 60110 - Salaries &amp; Wages</b>	<b>431,978</b>	<b>421,917</b>	<b>421,917</b>	<b>(118,328)</b>
60120 - Health Insurance	41,580	38,244	30,595	(7,649)
60130 - Pension	50,960	52,740	37,949	(14,791)
60140 - Payroll Taxes	35,086	36,311	26,127	(10,184)
60150 - Unemployment Obligations	2,956	2,956	2,365	(591)
60210 - Cell Phone	1,200	3,000	2,280	(720)
60220 - Workers Compensation	464	597	478	(119)
60230 - Training, Travel, & Licenses	8,000	8,000	6,000	(2,000)
60240 - Uniforms	2,000	2,000	1,600	(400)
60250 - Other Employment Costs	7,950	7,950	4,810	(3,140)
61200 - Travel	4,100	5,600	5,600	
61310 - Meetings	3,000	3,000	3,000	
63200 - Insurance	1,000	1,000	1,000	
65010 - Auditing	23,000	23,000	23,000	
65210 - Legal	3,000	25,000	25,000	
66010 - Computer, Reprod & Maint	32,000	17,000	87,000	70,000
66020 - Office Supplies	6,000	6,000	6,000	
66030 - Postage	2,600	2,600	2,600	
66110 - Utilities-OH	14,500	13,000	13,000	
66130 - Building Maintenance	7,000	7,000	7,000	
66210 - Licenses & Fees	300	300	300	
66310 - Advertising	2,000	2,000	2,000	
66050 - Gain/Loss on disposal of asset	(4,660)	0	0	
66800 - Miscellaneous Fees				
66810 - Wright Express Fees	240	240	240	
66800 - Miscellaneous Fees - Other	1,460	1,460	1,460	
<b>Total 66800 - Miscellaneous Fees</b>	<b>1,700</b>	<b>1,700</b>	<b>1,700</b>	
71000 - Depreciation Expense	780,000	0	0	
<b>Total Expense</b>	<b>1,457,714</b>	<b>680,915</b>	<b>680,915</b>	<b>(87,922)</b>
<b>Net Ordinary Income</b>	<b>(1,452,964)</b>	<b>(680,915)</b>	<b>(680,915)</b>	<b>87,922</b>
<b>Other Income/Expense</b>				
Other Income				
83000 - Facility Charges				

	Budget	Approved	Amended	
	19-20	20-21	20-21	Increase/ (Decrease)
41015 · Army Revenue-Facility Charge 2	550,874	550,874	550,874	
41010 · Army Revenue-Facility Charge 1	526,557	537,423	537,423	
41016 · Army Revenue-Facility Charge 3	0	278,131	278,131	
42010 · Res & Comm Rev-Facility Charge1	166,500	119,200	119,200	
<b>Total 83000 · Facility Charges</b>	<b>1,243,931</b>	<b>1,485,628</b>	<b>1,485,628</b>	
80000 · Interest Income	52,000	52,000	52,000	
81000 · Project Admin Fees				
81100 · Infrastructure Serv. Admin Fee	0	729	729	
81000 · Project Admin Fees - Other	37,000	77,000	77,000	
<b>Total 81000 · Project Admin Fees</b>	<b>37,000</b>	<b>77,729</b>	<b>77,729</b>	
82000 · 40% Salary Billback	154,855	157,922	0	(157,922)
84000 · Capital Contributions	983,153	0	0	
66840 · Use of Prior Year Equity	0	7,516	7,516	
<b>Total Other Income</b>	<b>2,470,939</b>	<b>1,780,795</b>	<b>1,780,795</b>	<b>(157,922)</b>
<b>Other Expense</b>				
66400 · Bonds A&B Interest Expense	405,449	405,449	405,449	
66450 · IWWTP Bond Interest Expense	0	179,733	179,733	
66500 · Franchise Fees to TAC	106,259	108,504	108,504	
66850 · Transfer to Admin Fund	200,000	300,000	230,000	(70,000)
66900 · Regional Planning/\$1M Debt Svc	0	0	0	
<b>Total Other Expense</b>	<b>711,708</b>	<b>993,686</b>	<b>993,686</b>	<b>(70,000)</b>
<b>Net Other Income</b>	<b>1,759,231</b>	<b>787,109</b>	<b>787,109</b>	<b>(87,922)</b>
<b>Net Income</b>	<b>306,267</b>	<b>106,194</b>	<b>106,194</b>	<b>0</b>

Overhead to be allocated (522,859) (522,993) (522,993)  
(Expenses before Non-operating revenues and expenses)

Water (164,335) (164,377) (164,377)  
Wastewater (178,504) (178,550) (178,550)  
Industrial Wastewater (180,020) (180,067) (180,067)  
(522,859) (522,993) (522,993)



**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**Regional Water System  
Facilities Fund Budget**

**Riverbend Water Resources District**  
**Regional Water System Facilities Fund - Proposed Budget Amendments**  
**FY2020-21**

	Budget	Approved	Amended	Increase/ (Decrease)
	19-20	20-21	20-21	20-21
<b>Operating Expenses</b>				
Expense				
60000 - Design			2,500,000.00	2,500,000.00
60200 - Planning			500,000.00	500,000.00
61700 - Application			50,000.00	50,000.00
62400 - Environmental			7,500,000.00	7,500,000.00
62500 - Geotechnical			500,000.00	500,000.00
63300 - Project Mangement			300,000.00	300,000.00
63400 - Surveying			500,000.00	500,000.00
64300 - Water Distribution Modeling			100,000.00	100,000.00
64900 - Bond Counsel			122,033.39	122,033.39
66000 - Financial Advisor			122,900.00	122,900.00
66500 - Fiscal/Legal			20,558.61	20,558.61
66700 - Issuance Costs			16,700.00	16,700.00
67100 - Loan Origination Fee			352,941.00	352,941.00
67200 - Administration			50,000.00	50,000.00
68100 - Land/Easements Acquisition			500,000.00	500,000.00
68400 - Project Legal Expenses			100,000.00	100,000.00
68600 - Contingency			4,764,867.00	4,764,867.00
<b>Total Expense</b>			<b>18,000,000.00</b>	<b>18,000,000.00</b>
40000 - Bond Proceeds			18,000,000.00	18,000,000.00
<b>Income</b>				
76000 - Minimum Monthly Payments	365,810	4,389,715	4,389,715	
80100 - Interest Income			400	400
<b>Total Income</b>	<b>365,810</b>	<b>4,389,715</b>	<b>4,390,115</b>	<b>400</b>
Expense				
90700 - Interest Expense	0	24,705	97,274	72,569
90750 - Bond Issuance Costs	0	650,000	0	(650,000)
<b>Total Expense</b>	<b>0</b>	<b>674,705</b>	<b>97,274</b>	<b>(577,431)</b>
<b>Net Income</b>	<b>365,810</b>	<b>3,715,010</b>	<b>4,292,841</b>	<b>577,831</b>

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. D.  
RWRD RESO 20210428-04  
Riverbend Bylaws**



**RIVERBEND RESOLUTION NO. 20210428-04**

**ADOPTING UPDATES TO THE BYLAWS OF  
RIVERBEND WATER RESOURCES DISTRICT**

**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 first adopted the bylaws in 2009, an updated the bylaws in 2019; and

**WHEREAS**, Riverbend Water Resources District deems it necessary to revise the District bylaws to coincide with the current enabling legislation.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Riverbend Water Resources District hereby adopts the attached update to the Bylaws of Riverbend Water Resources District.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

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Sonja Hubbard, President

ATTEST:

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Marshal Wood, Secretary

Attached: Riverbend Water Resources District Bylaws dated April 2021



# RIVERBEND WATER RESOURCES DISTRICT

## BYLAWS

### ARTICLE ONE GENERAL PROVISION

- 1.01 The purpose of these Bylaws is to provide for the conduct of the affairs of RIVERBEND WATER RESOURCES DISTRICT (hereinafter called the "DISTRICT"), enacted by the legislature of the state of Texas: Section 1. Title 6, Special District Local Laws Code, Subtitle L, Chapter 9601 and general laws of the State of Texas applicable to the District.
- 1.02 This District, commended by Founding Fathers to unite the ~~members~~ Members to actively govern as one, our precious resources, and to not let apathy weaken and destroy the ability to do so as our recorded history proves.

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### ARTICLE TWO DEFINITIONS

- 2.01 **District:** The Riverbend Water Resources District.
- 2.02 **Board:** The Board of Directors of the District.
- 2.03 **Director:** ~~an individual appointed by the Mayor of a Member to represent that Member on the Board of the District. The Mayor may appoint himself or any individual within the Membership's jurisdiction. A person appointed to the Board.~~
- 2.04 **Member:** A municipality, county, ~~or~~ other political subdivision, s or water supply corporation that is a to a member Member of the district as provided by Section 9601.005.
- 2.05 **Membership ~~Contract~~ Agreement:** ~~a contract an agreement~~ of membership into the District between the Member and the District on terms determined by the Board to be in the best interests of the District.
- 2.06 **Participation Contract:** a contract between a Member and the District specifying the terms and conditions under which a Member will participate financially in any project, including a water supply source or in the construction, equipping and operation of, and/or
- be the purchaser of, capacity or supply in a water supply or wastewater project to be developed by the District.
- 2.07 **Participating Member:** a Member that executes a Participation Contract.

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### ARTICLE THREE OFFICE

- 3.01 The principal office of the RWRD-District shall be at such place as shall be determined by the Directors from time to time.

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3.02 The ~~RWRD-District~~ may maintain other offices at such places as may be authorized by the Board of Directors.

#### ARTICLE FOUR BOUNDARIES

4.01 The boundaries of the District shall include all territory ~~contained in any municipality, county, or other political subdivision that joins the District as a Member, including any changes in those boundaries and/or service areas as may occur periodically as~~ outlined in Section 9601.006 in the District's enabling legislation.

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#### ARTICLE FIVE POWERS

5.01 ~~Except as may be limited or regulated by the terms of a Membership~~ Contract Agreement or a Participation Contract, the District shall have all powers and authorities granted to a conservation and reclamation district created under Chapter 49, Texas Water Code.

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#### ARTICLE SIX DIRECTORS/MEMBERS

6.01 The District will be governed by a Board of Directors ("Board"). Said Board shall be responsible for the management, operation, and control of the projects of the District and any property belonging to the District.

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6.02 To be eligible to be appointed or to serve as a director, a person must be a resident, qualified voter of the district. A person is not eligible to be appointed or to serve as a director while the person:

(1) is serving as an elected official of a political subdivision or other governmental body; or

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(2) is an employee of a ~~m~~Member.

~~6.02-03~~ The board consists of five directors, appointed as follows:

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(1) two directors appointed by the City of Texarkana;

(2) one director appointed by the City of New Boston;

(3) one director appointed by the TexAmericas Center or its successor; and

(4) one director appointed by the ~~member~~Members not named in Subdivisions (1) through (3), including any ~~member~~Members added under Section 9601.005(b).

The governing body of each ~~member~~Member required to appoint a director under 6.02 (1), (2), or (3) shall appoint the required number of directors to represent the ~~member~~Member on the board. The ~~member~~Members not named in 6.02 (1) through (3) shall appoint a single director in the manner provided by 6.03 to represent those ~~member~~Members on the board. A vacancy in a board position shall be promptly filled in accordance with the policies, resolutions, and procedures of the applicable ~~m~~Member or ~~m~~Members.

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~~Each Member shall be entitled to appoint one (1) director to the Board, which appointee may be a member of the Member's governing body. The Mayor may appoint himself or any individual~~

~~within the Membership's jurisdiction that is a qualified voter and resident of the district. Such appointment shall be made by the Mayor of each Member.~~

~~6.03-04 The ~~m~~Members not named in 6.02 (1) through (3) may each nominate a person qualified to serve as a director. The governing body of each of those ~~m~~Members shall cast one vote for a candidate chosen from the list of nominees. The nominee receiving a majority of the votes cast by the governing bodies of those ~~m~~Members becomes the director representing those ~~m~~Members on the board. The initial term and place of each director began on 07-23-09:~~

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~~Place 1 (New Boston appointee) — 4 years~~

~~Place 2 (Hooks appointee) — 4 years~~

~~Place 3 (DeKalb appointee) — 4 years~~

~~Place 4 (Wake Village appointee) — 4 years~~

~~Place 5 (Maud appointee) — 4 years~~

~~Place 6 (Red River Redevelopment appointee) — 4 years~~

~~Place 7 (Annona appointee) — 4 years~~

~~Place 8 (Avery appointee) — 4 years~~

~~Place 9 (Texarkana appointee) — 4 years~~

~~6.0405 Directors serve staggered terms of four years. The board shall determine the method of staggering the terms of the directors. Following the initial term of each director, the directors shall draw lots to determine which four (4) Members of the District will have their directors serve two-year terms. Thereafter, the directors will serve staggered four-year terms on the Board.~~

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~~6.05-06 The governing body of each ~~m~~Member required to appoint a director under 6.02 shall conduct a review of the director appointed by the governing body before the director's term expires. After conducting the review, the governing body, on expiration of the director's term, may reappoint the director or appoint a new director in the manner provided by this Article. A Director who is also an elected official of a political subdivision serves for a term coinciding with the term of the elected office.~~

~~6.06 —A Director shall serve until the Director's successor is appointed by the ~~Mayor of the Member governing body or bodies~~ appointing said director. A Director may serve successive terms. If there is a vacancy on the Board, the ~~Mayor of the Member governing body or bodies~~ that appointed the director who vacated the place shall appoint a new director to serve the remainder of the term.~~

~~6.07 New ~~members~~ Members may be added and existing Members may withdraw to and from the Agency in the manner authorized by the District's Enabling Legislation, subject to the~~

~~continuing obligations of any withdrawing Member that may be contained in a Membership ~~Contract~~ Agreement or a Participation Contract.~~

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## ARTICLE SEVEN MEETINGS OF DIRECTORS

7.01 Meetings of the Board shall be at such place within or without the State of Texas as shall be determined by the Board from time to time

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7.02 If the President is present at the Meeting, the President will preside over and conduct any called meeting. In the absence of the President at a meeting, the Vice-President will preside over and conduct the meeting.

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~~7.03 Each Member's Director may vote on all issues before the Board except for those issues governed by a Participation Contract(s) for specific project(s) that have been signed and approved by Participating Members. For matters governed by a Participation Contract(s), only those Participating Members may vote. A quorum for the purpose of Board meetings shall be one (1) more than 50% (fifty percent) of the number of Members of the District. The Directors' votes shall be weighted as follows:~~

~~(a) Tier I Actions and Voting: When the Board votes on authorization of capital projects or any other financial commitments, each Director of a Participating Member that has signed a Participation Contract will have one vote as a Participating Member. Additionally, if a Director is one of the Participating Members, and the project involves a supply of water that Director shall have one (1) extra vote for each one million gallons per month (1 MGM) of service or capacity, or portion of that amount of service or capacity, for which the Participating Member has contracted with the District. For any projects not directly involving the supply of water, if a Director is one of the Participating Members, that Director shall have one (1) extra vote for each percentage point of financial commitment for which the Participating Member has committed to in the relevant Participation Contract. No one Director may obtain through these provisions a number of votes that would exceed 49% of votes that could be cast on the matter being considered. A simple majority vote from Directors present and eligible to vote is necessary for approval of Tier I actions.~~

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~~(b) Tier II Actions and Voting: When the Board votes on matters not concerning capital projects or financial commitments each Director will have one vote as a member of the Board. A simple majority of the Directors present is required to approve Tier II actions.~~

7.04-03 If a quorum shall not be present at any meeting of Directors, the meeting may be adjourned from time to time without notice other than announcement at such meeting until a quorum is present.

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~~7.05-04 The Board shall have regular meetings at times specified by board adopted calendar and shall have special meetings when called by the board president or by a number of directors that is equal to or greater than the number of directors that is one less than a majority of the board. Meetings of the Board may be called by the President on 72 hours notice to each Director. Such notice may be given personally, or by mail, or by e-mail, or by telephone, or by text. A meeting shall be called by the President in like manner on like notices on the written request of three Directors.~~

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~~7.06 Any notice required to be given to Directors by these bylaws may be given by telephone if given personally and shall be deemed given at the time any written notice is mailed or telegram sent.~~



7.07-05 Notice of all Board Meetings shall be in accordance with Section 551 of the Government Code.

## ARTICLE EIGHT COMMITTEES OF DIRECTORS

8.01 The Board may, by resolution or resolutions, establish one or more committees, each committee to consist of one or more Directors of the Agency. Such committee or committees shall have the name or names, and such powers and authority as may be determined from time to time by resolution adopted by the Directors.

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8.02 The committees shall keep regular minutes of their proceedings and report the same to the Board as required.

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## ARTICLE NINE AFFAIRS

9.01 The Board shall elect a President, ~~one or more~~ Vice-Presidents, a Secretary, a Treasurer, ~~and other officers, as the members of the Board consider necessary.~~ President and Vice-President must be a ~~Member of the Board~~ Director. The officers of the Secretary and Treasurer may be ~~combined held by one person~~ and are not required to be a ~~d~~Director. A person may not concurrently hold the offices of Board President and Secretary.

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9.02 Officers of the District shall be elected by the Board of Directors at its first meeting annually, and ~~thereafter~~ as needed to fill vacancies.

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9.03 ~~Officers-The President and Vice-President~~ of the District elected pursuant to section 9601.054 (C) in the enabling legislation shall serve for one-year terms or until the term of the officer expires and is not renewed, whichever comes first.

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9.04 Officers of the District elected may be removed from office, prior to the expiration date of term, at any time by a 2/3 vote of the Board.

9.05 If the office of any officer becomes vacant for any reason, the vacancy may be filled by the Board for the unexpired term.

## PRESIDENT

9.06 The President shall be ex-officio a member of all standing committees and shall have such powers and duties as provided by law, by these Bylaws and as may be assigned from time to time by the Board.

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9.07 The President shall execute all obligations, undertakings, and contracts in the name of the District except where required or permitted by law to be otherwise signed and executed, and except where the signing and execution thereof shall be expressly delegated by the Board to some other officer or agent of the District.

## VICE PRESIDENT

9.08 The Vice President shall, in the absence or disability of the President, or at the direction of the President, perform the duties and exercise the powers of the President, and shall perform such other duties as the Board shall prescribe.

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## THE SECRETARY/TREASURER

9.09 The Secretary, or designee, shall attend all sessions of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose and shall perform like duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the Board and shall perform such other duties as may be prescribed by the Board or the President.

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9.10 The Treasurer, or designee, to the extent not otherwise provided by the Board, by rules or regulations, in resolutions relating to the issuance of bonds, or in any financing documents relating to such issuance, shall have the custody of the corporate funds securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the District and shall deposit all moneys and other valuable effects in the name and to the credit of the District in a depository as shall be designated by the Board. He shall disburse the funds of the District as may be ordered by the Board, taking proper vouchers for such disbursements, and shall render to the Presidents and Directors, at the meetings of the Board, or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the District.

~~9.11 In the absence or inability of the Secretary/Treasurer to act as Secretary, the Board shall select a member of the Board or other officer of the District to act as Secretary Pro Tem.~~

## GENERAL

~~9.12~~ 11 The provisions of the Texas Uniform Facsimile Signature of Public Officials Act shall be applicable to the Agency.

~~9.13~~ 12 From time to time, and for such terms and compensation as it shall determine, the Board may authorize the employment of such additional officers, agents, and employees as it may deem necessary for the conduct of the business of the District.

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~~9.14~~ 13 Members of the Board of Directors ~~may receive compensation and may be entitled to~~ be reimbursed for necessary expenses incurred in the performance of their official duties to the extent allowed by law ~~and as shall be authorized from time to time by the Board.~~

## ARTICLE TEN INDEMNIFICATION

10.01 The Board of Directors shall have the power to indemnify any Director, Officer, or employee, past or present, for expenses, costs, including attorney's fees, and the amount of any judgment, penalty or fine actually rendered against him in connection with any claim asserted against him by reason of his having been such a director, officer, or employee, in relation to matters as to which he shall not have been guilty of gross negligence or misconduct in respect to any matter for which indemnity is sought.

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10.02 The Board of Directors may purchase and maintain liability insurance for such persons to the extent as shall be determined by the Board.

#### **ARTICLE ELEVEN ACCOUNTING PROVISIONS**

11.01 The first fiscal year of the District shall end on September 30<sup>th</sup> 2009, and thereafter the fiscal year of the District shall be from October 1st of each year to September 30th of the following year.

#### **ARTICLE TWELVE UNIFORM FINANCIAL REPORTING**

12.01 The financial reports of the District shall be prepared in accordance with General Accepted Accounting Principles as defined by the Governmental Accounting Standards Board and presented in "Audits of State and Local Governments Units" and Governmental Accounting and Financial Reporting Standards.

12.02 Except as described in 12.03 below, audits shall be conducted and reported in accordance with Chapter 49 of the Texas Water Code.

12.03 ~~The~~ Board of Directors shall:

- (a) meet to present and discuss the completed annual audit at a regular or special board meeting held no later than January 28 of each year and the Executive Director and Auditor who performed the audit shall be present to discuss the audit findings and respond to inquiries;
- (b) shall approve and provide a copy of the audit to all appropriate local, state, and federal agencies no later than February 12 of each year;
- (c) develop a corrective action plan for deficiencies, if necessary, no later than 60 days after the adoption of the audit and adopt such Corrective Action Plan at a regular or special board meeting, recorded in the minutes of the meeting, and available to the general public in the manner determined by the Board of Directors that must include electronic transmission; and
- ~~(d)~~ send a copy of the adopted annual audit and adopted corrective action plan to Members of District no later than 30 days after the corrective action plan is adopted.

(d)

#### **ARTICLE THIRTEEN AUDIT COMMITTEE**

13.0-1 The Board of Directors of the District is hereby designated to function as an Audit Committee. This Board shall be concerned with the District's internal business and management activities.

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**ARTICLE FOURTEEN  
SPECIFIC PROJECTS**

~~14.01 In order to participate in a particular project to be pursued by the District, a separate Participation Contract between the District and the Participating Member will be executed.~~

~~14.02 All projects of the District will be open to all Members, sharing costs on a pro-rata basis, according to relative capacity or benefit. Cost of water for any Project will be determined on a common basis, uniform among all Participating Members for that project, subject to Texas Local Government Code Chapter 422. Costs associated with transmission and delivery of water from any supplier or by the District shall be addressed by each Participating Member on a pro-rata basis. Oversizing of District facilities or facilities of others supplying water to the District shall be funded by the Participants on a pro-rata basis, according to the capacity demanded by the Participating Members. In order to have access to oversize capacity or to participate in any project of the District, a Member shall enter into a Participation Contract with the District.~~

~~14.03 In recognition of the costs inherent in developing and transporting new water supplies to meet the existing and future needs of the District and its Members, the Members agree that to the extent a Member desires to reuse or reclaim water developed by or through the District for the Member, other Members will support the reuse of such water by the initiating Member to the extent reuse is authorized by the State.~~

**ARTICLE FIFTEEN  
SELECTION OF PROFESSIONAL CONSULTANTS**

~~15.01 Professional consultant contracts cannot be awarded on the basis of competitive bidding only.~~

~~15.02 The Board of Directors shall determine, in its judgment, when and the extent to which outside professional services are needed. The Board shall select the entities to provide any professional service based on its judgment as to the one of ones expected to be able to provide the best service at customary and reasonable cost, with emphasis on competence and experience in providing the service.~~

**ARTICLE ~~SIXTEEN-FOURTEEN~~  
AMENDMENTS**

~~16~~14.01 These By-Laws may be altered, amended, or repealed by the affirmative vote of a majority of the Board of Directors ~~without notice at any annual meeting, or~~ at any regular or special meeting provided notice of the proposed alteration or amendment is contained in the notice of the meeting.

Formatted: Justified, Indent: Left: 0", Hanging: 0.44"

Adopted and approved the ~~29th~~28th day of ~~March~~April ~~2019~~2021.

President: \_\_\_\_\_

ATTEST:

Vice President: \_\_\_\_\_

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. E.  
RWRD RESO 20210428-05  
Texarkana Concrete Construction Contract**



**RIVERBEND RESOLUTION NO. 20210428-05**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO  
ENTER INTO NEGOTIATIONS AND EXECUTE AN INTERLOCAL  
AGREEMENT/CONTRACT FOR CONSTRUCTION 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 entered into an agreement with KSA Engineers, Inc. for design and construction management services for the rehabilitation two drying beds at the Ron Collins Wastewater facility; and

**WHEREAS**, the request for bids placed by KSA Engineers, Inc. via newspaper advertisement on March 28, 2021 and April 4, 2021 and via internet website posting to civcast.org yielded bids from BELT Construction, Inc., Texarkana Concrete Construction, Inc., and Four Thirteen Construction; and

**WHEREAS**, Texarkana Concrete Construction, Inc. provided the lowest bid to rehabilitate two drying beds located at the Ron Collins Wastewater facility.

**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 Construction Services with Texarkana Concrete Construction, Inc. to complete the construction on the rehabilitation on two drying beds located at the Ron Collins Wastewater facility. Any agreement must be reviewed and approved by general counsel.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

---

Sonja Hubbard, President

**ATTEST:**

---

Marshall Wood, Secretary



April 23, 2021

Mr. Kyle Dooley  
Executive Director/CDO  
**Riverbend Water Resources District**  
225 Texas Ave., Suite A  
New Boston, TX 75503

**via email**

**Re: Riverbend Water Resources District  
X-Plant Drying Beds Rehabilitation  
Award Consideration and Bid Tabulation**

Dear Mr. Dooley:

Sealed bids were received, publicly opened, and read aloud for the above referenced project on Wednesday, April 21, 2021, at 2:00 P.M. at Riverbend WRD offices. A total of three (3) bids were received, as shown on the attached bid tabulation.

The notification and advertising process for this bid included advertisement in the local newspaper, electronic notifications to contractors and subcontractors known to perform this type of work, and presentation of the plans and specifications on [www.civcastusa.com](http://www.civcastusa.com).

Texarkana Concrete Construction, Inc. (TEC) of Texarkana, TX submitted the low bid in the amount of \$172,280.00. The Contractor did not acknowledge Addendum No. 1 issued April 15, 2021 which included a revised bid form to include an additional bid item. Four Thirteen, Inc. of Texarkana, TX was the second low bidder with a bid amount of \$215,700.00.

From the review of the information provided in the bid proposal, and prior experience with the Contractors, they both appear qualified to perform the work required and are both capable of successfully completing the project.

Sincerely,

**KSA**



Austin Lightle, P.E.  
Project Engineer

LSB/ss

Enclosure: Bid Tabulation

cc: Eli Hunt, RWRD  
Lanny Buck, P.E., KSA



## BID TABULATION

**Riverbend Water Resources District  
X-Plant Drying Beds Rehabilitation  
KSA Project No. RWR.009  
Bid Date: April 21, 2021**

Texarkana Concrete  
Construction, Inc.  
2416 S. Lake Dr.  
Texarkana, TX 75501  
903.792.3917

Four Thirteen, Inc.  
PO Box 5848  
Texarkana, TX 75505  
903.832.5784

Belt Construction of  
Texas, LLC  
PO Box 867  
Texarkana, TX 75504  
903.824.6692

BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID									
1.01	Mobilization, Insurance, and Bonds	LS	1	\$3,000.00	\$3,000.00	\$17,000.00	\$17,000.00	\$11,721.00	\$11,721.00
1.02	Storm Water Pollution Prevention	LS	1	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$8,205.00	\$8,205.00
1.03	Care of Water During Construction	LS	1	\$600.00	\$600.00	\$2,300.00	\$2,300.00	\$2,345.00	\$2,345.00
1.04	Demolition of Existing Sludge Drying Beds	LS	1	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00	\$17,581.00	\$17,581.00
1.05	Sand (0.75' layer)	CY	90	\$100.00	\$9,000.00	\$94.00	\$8,460.00	\$102.00	\$9,180.00
1.06	Pea Gravel (0.25' layer)	CY	35	\$150.00	\$5,250.00	\$84.00	\$2,940.00	\$165.00	\$5,775.00
1.07	Coarse Drain Gravel (1.25' min.)	CY	210	\$70.00	\$14,700.00	\$55.00	\$11,550.00	\$118.00	\$24,780.00
1.08	Concrete Lined Sludge Drying Beds	CY	95	\$1,050.00	\$99,750.00	\$1,260.00	\$119,700.00	\$1,459.00	\$138,605.00
1.09	Concrete Runners	CY	15	\$400.00	\$6,000.00	\$700.00	\$10,500.00	\$683.00	\$10,245.00
1.10	6-in Perforated PVC Underdrains	LF	252	\$50.00	\$12,600.00	\$32.50	\$8,190.00	\$42.00	\$10,584.00
1.11	6-in PVC Pipe	LF	32	\$20.00	\$640.00	\$30.00	\$960.00	\$70.00	\$2,240.00
1.12	Connection to Existing Drainline	EA	4	\$200.00	\$800.00	\$1,150.00	\$4,600.00	\$1,764.00	\$7,056.00
1.13	Cleanout Assembly	EA	4	\$1,860.00	\$7,440.00	\$500.00	\$2,000.00	\$1,048.00	\$4,192.00
1.14	Influent Piping Modifications	LS	1	*	*0.00	\$9,000.00	\$9,000.00	\$8,500.00	\$8,500.00
<b>TOTAL BID AMOUNT</b>					<b>\$172,280.00</b>		<b>\$215,700.00</b>		<b>\$261,009.00</b>

Compiled by:

**KSA**

TBPE Firm Registration No. F-1356

*Austin Lightle*

Austin C. Lightle, P.E.

Project Engineer

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. F.  
RWRD RESO 20210428-06  
Axis Construction, LP Contract**



**RIVERBEND RESOLUTION NO. 20210428-06**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO  
ENTER INTO NEGOTIATIONS AND EXECUTE AN INTERLOCAL  
AGREEMENT/CONTRACT FOR CONSTRUCTION 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 accepted bids for services to be completed to rehabilitate the elevated storage tank located on James Carlow Drive; and

**WHEREAS**, Axis Construction, LP provides the needed construction services for the rehabilitation of the elevated storage tank.

**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 construction services with Axis Construction, LP to complete the rehabilitation of the elevated storage tank located on James Carlow Drive. Any agreement must be reviewed and approved by general counsel.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

---

Sonja Hubbard, President

**ATTEST:**

---

Marshall Wood, Secretary

Attached: Engineer's Recommendation



April 1, 2021

Eli Hunt  
Operations Manager  
Riverbend Water Resources District  
228A Texas Avenue  
New Boston, Texas 75570

RE: James Carlow Drive 0.5MG Elevated Storage Tank Improvements

Dear Mr. Hunt,

Bids were received for the above referenced project on March 31, 2021 at 2:00 pm. The project bid consists of vault piping improvements, overflow piping improvements, tank mixer and disinfection improvements and general site improvements.


The low bid was submitted by Axis Construction, LP of Ft. Worth, Texas in the amount of \$294,000. We have successfully worked with this contractor on similar projects; therefore, it is our opinion they have the experience, equipment, and resources to complete this type of project and we recommend Riverbend Water Resources District consider awarding this project to Axis Construction, LP.

We are available to discuss this project further at your convenience.

Sincerely,



Paul A. Carline, P.E.



2801 Network Blvd, Suite 800  
Frisco, TX 75034  
972.335.3214 Phone  
972.335.3202 Fax

**BID TABULATION**

Date: March 31, 2021  
Project: Riverbend Water Resources District  
James Carlow Drive 0.5MG Elevated Storage Tank Improvements  
CF Project #: 12034  
Project Manager: Paul Carline, P.E.

Item #	Item Description	Units	Qty	Unit Cost	Total Item Cost	Unit Cost	Total Item Cost
1	Furnish and install Vault Piping Improvements Including Removal and Disposal of Existing Piping and Appurtenances	LS	1	\$20,000.00	\$20,000.00	\$37,000.00	\$37,000.00
2	Furnish and install Overflow Piping Improvements Including Removal and Disposal of Existing Piping and Appurtenances	LS	1	\$30,000.00	\$30,000.00	\$49,000.00	\$49,000.00
3	Furnish and install Tank Mixer and Automated Disinfection System	LS	1	\$224,000.00	\$224,000.00	\$232,000.00	\$232,000.00
4	Furnish and install Reinforced Concrete Sidewalk	LS	1	\$20,000.00	\$20,000.00	\$8,000.00	\$8,000.00
Total Amount of Bid:					\$294,000.00		\$326,000.00

Axis Construction, LP  
P.O. Box 17916  
Ft. Worth, TX 76177  
817-439-0709  
LOW BIDDER

Four Thirteen, Inc.  
P.O. Box 8848  
Texarkana, TX 75505  
903-832-5784  
SECOND LOW BIDDER

April 1, 2021

Eli Hunt  
Operations Manager  
Riverbend Water Resources District  
228A Texas Avenue  
New Boston, Texas 75570

RE: Chloramine Booster System Improvements

Dear Mr. Hunt,

Bids were received for the above referenced project on March 31, 2021 at 2:30 pm. The project bid consists of furnishing and installing a chloramine booster system in the water distribution system internal to the Red River Army Depot.


Only one bid was received for this project and was submitted by Four Thirteen, Inc. of Texarkana, Texas in the amount of \$162,700. It is our understanding Riverbend Water Resources District (RWRD) has successfully worked with this contractor on similar projects and that they have the experience, equipment, and resources to complete this type of project. If RWRD desires to move forward with this project based on receiving one bid, we recommend considering awarding this project to Four Thirteen, Inc.

We are available to discuss this project further at your convenience.

Sincerely,



Paul A. Carline, P.E.


**CobbFendley**

2801 Network Blvd, Suite 800  
 Frisco, TX 75034  
 972.335.3214 Phone  
 972.335.3202 Fax

BID TABULATION

Date: **March 31, 2021**  
 Project: **Riverbend Water Resources District  
Chloramine Booster System Improvements**  
 CF Project #: **12034**  
 Project Manager: **Paul Carline, P.E.**

Four Thirteen, Inc.  
 P.O. Box 5848  
 Texarkana, TX 75505  
 903-832-5784

Item #	Item Description	Units	Qty	Unit Cost	Total Item Cost
1	Furnish and Install Chloramine Booster System	LS	1	\$158,000.00	\$158,000.00
2	Furnish and Install 6-Inch Crushed Gravel Driveway	SY	47	\$100.00	\$4,700.00
Total Amount of Bid:					\$162,700.00

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, APRIL 28, 2021**

**AGENDA ITEM VI. G.  
RWRD RESO 20210428-07  
Central Bowie County WSC  
Services Contract**





**RIVERBEND RESOLUTION NO. 20210428-07**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE A SERVICES  
CONTRACT WITH THE CENTRAL BOWIE COUNTY WATER SUPPLY  
CORPORATION FOR CERTAIN WATER 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**, Central Bowie County Water Supply Corporation, hereinafter "CBCWSC", is a not-for-profit water supply corporation duly incorporated under the laws of this state and operating under Chapter 67 of the Texas Water Code; and

**WHEREAS**, CBCWSC has a need for certain water services to support its water treatment facility; and

**WHEREAS**, Riverbend Water Resources District provides certain needed services and is fully qualified and certified to perform these services; and

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Director/CEO shall be and is hereby authorized to enter into a services contract to provide certain water services to the CBCWSC on terms substantially the same as attached hereto and further reviewed by general counsel, and the Executive Director/CEO shall be and hereby authorized to renew this contract on a monthly basis in the future.

**PASSED and APPROVED this 28<sup>th</sup> day of April 2021**

\_\_\_\_\_  
Sonja Hubbard, President

ATTEST:

\_\_\_\_\_  
Marshall Wood, Secretary

Attached: Services Contract-Central Bowie County Water Supply Corporation



# **RIVERBEND WATER RESOURCES DISTRICT WATER SERVICES CONTRACT**

**Riverbend Water Resources District  
228 A Texas Avenue  
New Boston, Texas 75570**

This Services Contract, hereinafter ("Agreement"), is entered into between Riverbend Water Resources District, a conservation and reclamation district created pursuant to the provisions of Article XVI, Section 59 of the Texas Constitution and by virtue of its enabling legislation and the laws of the State of Texas, hereinafter ("Riverbend"), and Central Bowie County WSC, a water supply corporation duly organized under the Texas Water Code, hereinafter ("Central Bowie County WSC"). The parties hereto are authorized to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code.

## **1. PURPOSE**

The purpose of this Agreement is for temporary water services, ("Services"), to be provided for Central Bowie County WSC by Riverbend pursuant to the terms and conditions set forth herein.

## **2. WATER SERVICES**

Services to be provided by Riverbend as set forth in this Agreement shall include the following but not limited to:

- Analyze Chlorine Residuals within distribution system.
- Take daily/monthly/weekly samples as needed per the requirements specified by TCEQ.
- Fill out any paperwork as needed with regards to leak repairs, chlorine residual sampling and as assigned.
- Respond to any emergencies upon notification from CBCWSC.
- Flush all dead-end mains and maintain a minimum of 0.5 mg/L chloramine residual within the water distribution system when requested by CBCWSC.
- Record daily meter readings of purchased water at entry points within the system when requested by CBCWSC.

## **3. DURATION**

This Agreement shall be on a month-to-month basis. The agreement may be terminated by either party at any time; however, Riverbend reserves the right to receive compensation for any services performed or expenses incurred prior to the termination of the agreement.

## **4. PRICING**

Labor under this agreement is based upon services provided at the hourly rate of \$30.36, mileage at \$0.575 per mile, actual cost of any goods or supplies provided, and an administrative fee of twelve percent (12%) of all services provided and fees/expenses/costs incurred. The rates set forth herein are subject to change for any extensions to this Agreement.

## **5. TERMS AND CONDITIONS**

### **A. PAYMENT / PAYMENT SCHEDULE**

In consideration for the Services provided by Riverbend, Central Bowie County WSC agrees to timely remit payment from its available current revenues to the offices of Riverbend located at 228 A Texas Avenue, New Boston, Texas 75570. All payments are due within fifteen (15) days of the date of the billing statement from Riverbend to Central Bowie County WSC for the Services provided. Any unpaid balances due under the terms of this Agreement shall accrue interest at a rate of five percent (5%) per annum.

**B. DELAYS**

Central Bowie County WSC acknowledges that delays may occur due to Riverbend's operations at its facility and/or factors outside Riverbend's control. While Riverbend agrees to notify Central Bowie County WSC immediately if progress under this Agreement is delayed in any significant manner, Central Bowie County WSC agrees that Riverbend will not be held responsible for any such delays and Central Bowie County WSC will make payment to Riverbend for Services rendered pursuant to the terms of this Agreement as said payments become due regardless of any such delays encountered.

**C. HOLD HARMLESS & RELEASE / LIMITATION ON LIABILITY / NO WARRANTY**

Central Bowie County WSC will hold Riverbend harmless for any errors or omissions in the performance of the Services provided under this Agreement. Moreover, Central Bowie County WSC will release Riverbend from any liability or damages that Central Bowie County WSC may incur due to any such errors or omissions other than as expressly provided herein.

CENTRAL BOWIE COUNTY WSC ACKNOWLEDGES THAT RIVERBEND PROVIDES NO EXPRESS OR IMPLIED WARRANTIES TO INCLUDE THE WARRANTY OF SERVICES, WARRANTY OF FITNESS FOR A PARTICULAR USE AND WARRANTY OF GOOD AND WORKMANLIKE SERVICES AS TO ANY SERVICES PROVIDED BY RIVERBEND UNDER THIS AGREEMENT AS WELL AS TO ANY PARTS SUPPLIED BY RIVERBEND IN THE PERFORMANCE OF SERVICES AT CENTRAL BOWIE COUNTY WSC'S FACILITIES.

**D. LIMITATION ON DAMAGES / WAIVER OF DAMAGES**

Central Bowie County WSC agrees and acknowledges the extent of its damages under this Agreement for any acts, omissions or errors relative to the Services provided by Riverbend shall be limited to the contract pricing actually paid for any such specific Service; and Central Bowie County WSC expressly waives any right to any additional or further damages associated with, relating to, or resulting from the Services provided by Riverbend and the execution of this Agreement to include, but not limited to, any actual damages, loss of use, interruption of business, lost profits, attorney's fees and/or costs.

**E. INSURANCE COVERAGE**

During the term of this Agreement and any extensions thereto Central Bowie County WSC shall list Riverbend as an additional insured on its premises liability policies of insurance; and shall provide proof of coverage to Riverbend upon request.

**F. MISCELLANEOUS PROVISIONS**

- (1) Waiver: Failure of either party hereto to insist in any one or more instances upon performance of any of the terms, covenants, or conditions of this Agreement shall not be construed as a waiver or relinquishment of future performance of any such term, covenant, or condition, and the obligation of the party in default, with respect to future performance, shall continue in full force and effect.
- (2) Assignment: This Agreement shall be for the sole and exclusive benefit of Riverbend and Central Bowie County WSC and is not intended to confer any benefit or right upon any other party or parties. This Agreement shall not be assigned by either party without the prior written consent of the other party.
- (3) Authority: The individuals executing this Agreement on behalf of Riverbend and Central Bowie County WSC are duly authorized by their respective governing bodies to enter into this Agreement and are acting on behalf of said governing bodies in signing this document.
- (4) Applicable Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Texas; and venue for all matters pertaining to the interpretation of this Agreement, the enforcement of this Agreement, or all such other and further actions relative to this Agreement whatsoever kind or character shall lie in Bowie County, Texas.
- (5) No Special Relationship: Riverbend and Central Bowie County WSC's relationship is an

ordinary commercial relationship and the parties do not intend to create the relationship of principal and agent, partnership, joint venture, or any other special relationship.

- (6) Enforceability / Severability: If any provision of this Agreement shall be invalid or unenforceable, in whole or in part, such provision shall be deemed to be modified or restricted to the extent and in the manner necessary to render same valid and enforceable, or shall be deemed excised from this Agreement, as the case may require, and this Agreement shall be construed and enforced to the maximum extent permitted by law as if such provision had been originally incorporated herein as so modified or restricted, or as if such provision had not been originally incorporated herein, as the case may be.
- (7) Entire Agreement / Modification: This Agreement constitutes the entire understanding and agreement between Riverbend and Central Bowie County WSC regarding the subject matter set forth herein and it supersedes all prior negotiations and agreements whether oral or written between said parties with respect to its subject-matter. This Agreement may not be modified except by a subsequent written agreement signed by both parties.
- (8) Notices: Any notice required to be given under the terms of this Agreement shall be given by hand delivery or certified mail to the individuals executing this Agreement on behalf of their respective governing bodies or their designees at the addresses provided in this Agreement or at any subsequent address provided pursuant to this Notices provision.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement effective as of the date indicated herein below by Riverbend Water Resources District.

Central Bowie County WSC

Riverbend Water Resources District.

\_\_\_\_\_  
Hal Harris, General Manager  
Central Bowie County WSC  
2822 Hwy 82 West  
New Boston, Texas 75570  
(903) 628-5601

\_\_\_\_\_  
Kyle Dooley, Executive Director/CEO  
Riverbend Water Resources District  
228 A. Texas Avenue  
New Boston, Texas 75570  
(903) 831-0091

Date: \_\_\_\_\_

Date: \_\_\_\_\_