

**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 28th day of APRIL, 2021.



Sonja Hubbard, President

Attest:



Kyle Dooley, Executive Director/ CEO

Board Meeting Attendees - March 24, 2021

Name	Organization
Gaye Beard	Congressman Pat Fallon
Phil Cook	CP&Y
Kelly Mitchell	SRBA
Chad Bartruff	CDM Smith
Matt Garcia	Pape Dawson
David Briggs	CDM Smith
Alberto Flores	LAN
Elizabeth Blackwelder	Black & Veech
David Williams	MTG
Chris Hartung	SRBA
Sharon Elkins	Rep Van Deaver
Scott Norton	TAC