



**REGULAR MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING  
WEDNESDAY, FEBRUARY 23, 2022  
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, February 23, 2023, 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 January 26, 2022 Regular Meeting minutes.



V. 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 ArTex-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 authorizing the Executive Director/CEO to execute an interlocal agreement(s) for risk management insurance with the TWCA Risk Management Fund.

VII. REPORTS

- A. Board Members
- B. Executive Director/CEO

VIII. EXECUTIVE SESSION

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

IX. NEXT REGULAR MEETING

Riverbend Regular Meeting, March 23, 2022 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, FEBRUARY 23, 2022**

**CONSENT AGENDA ITEM IV. A.  
January 26, 2022  
Regular Meeting Minutes**

**Regular Called Meeting  
Riverbend Water Resources District  
Board Meeting Minutes  
January 26 2022**

228 Texas Avenue, Suite A, New Boston, Texas 75570

**MINUTES**

**I. Call to Order, Roll Call, and Establishment of Quorum and Certification of Notice**

Pursuant to a notice posted on the District website, the Chair, Tina Veal Gooch, President of the Board, called the meeting to order at 12:02 p.m.

**Directors Present:**

Tina Veal-Gooch, President  
Fred Milton, Secretary  
Van Alexander, Vice President

**Directors Absent:**

Marshall Wood, Treasurer  
Sonja Hubbard, Past President

**Administration Present:**

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

**Public Present:**

Please see the attached list for additional guests.

**II. Invocation & Pledge**

Fred Milton led the invocation and the pledge of allegiance.

**III. Public Comments**

None.

**IV. Consent Agenda Items**

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

**A. Discussion and possible action regarding November 18, 2021 Regular Called Meeting Minutes and December 8, 2021 Special Called Meeting Minutes.**

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

**V. Regional Entity Reports**

Prior to the Regional Entity Reports, Bowie County Judge Bobby Howell and Cass County Judge Becky Wilbanks provided updates on activities in their respective counties. Judge Howell provided that all is well in Bowie County. A new shipment of antibody infusions is being shipped and will be made available to those affected with Covid-19. Judge Wilbanks discussed that Cass County is doing well. No news to report.

No action taken.

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

No report. No action taken.

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

Scott Norton, Executive Director/CEO, provided that Expansion Industries is on their way. The company has estimated 400 jobs will be brought to the area by 2023. He thanked Kyle and Eli for all of their help in getting the site ready for their arrival with water and sewer lines. Yesterday the TAC Board approved approximately \$1.4 Million for rail improvements on the TAC East property. Their spec building is now complete and all financial aspects of that project are closed out. The Board also approved Geotech testing on about 1,000 acres on TAC East. As prospects come in, this testing will allow for soil testing on the property. Also, it was approved that TAC will buy back 10 acres that TAC sold to the Hooks SIDC. This will permit them to build a transition at the traffic light in Hooks into the Industrial Park.

No action taken.

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

No report. No action taken.

**VI. Agenda Items for Individual Consideration**

**A. Discussion and possible action regarding approval of a resolution adopting the 2021 Member Entities True-Up for use in FY 2022.**

Kyle Dooley reminded the board of how the True-Up process occurred for this fiscal year. This True-Up rate will be effective for January usage that will be billed in February.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220126-01** adopting the 2021 Member Entities True-Up for use in FY 2022. The motion passed unanimously.

**B. Discussion and possible action regarding approval of a resolution approving the fourth quarter financials of FY 2021.**

Tara Houck, Chief Financial Officer, presented the final version of the FY 2021 fourth quarter financials.

A motion was made by **Van Alexander** and seconded by **Fred Milton** to approve **RESO 20220126-02** approving the fourth quarter financials of FY 2021. The motion passed unanimously.

**C. Discussion and possible action regarding approval of a resolution approving the fourth quarter investment report for FY 2021.**

Tara Houck, Chief Financial Officer, presented the final version of the FY 2021 Investment Report. In addition, Kyle provided that Riverbend received an award for the second year in a row from GFOA for Excellence in Financial Reporting for FY 2020.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220126-03** approving the fourth quarter investment report of FY 2021. The motion passed unanimously.

**D. Discussion and possible action regarding approval of a resolution approving the FY 2021 Annual Audit performed by Wilf and Henderson, P.C.**

Elizabeth Fawcett, Wilf & Henderson, P.C. presented the audit for FY 2021. She stated that Riverbend is in good financial condition. She also included that compliance and internal controls are strong. Ms. Fawcett announced that she is retiring this year. She introduced her colleague Carol Wilder who is very involved with governmental audits. She will be a great asset to Wilf Henderson.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220126-04** approving the FY 2021 Annual Audit performed by Wilf and Henderson, P.C.. The motion passed unanimously.

**E. Discussion and possible action regarding approval of a resolution approving the first quarter financials of FY 2022.**

Tara Houck, Chief Financial Officer, presented the FY 2022 first quarter financials.

A motion was made by **Van Alexander** and seconded by **Fred Milton** to approve **RESO 20220126-05** approving the first quarter financials of FY 2022. The motion passed unanimously.

**F. Discussion and possible action regarding approval of a resolution approving the first quarter investment report for FY 2022.**

Tara Houck, Chief Financial Officer, presented the FY 2022 first quarter Investment Report.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220126-06** approving the first quarter investment report of FY 2022. The motion passed unanimously.

**G. Discussion and possible action regarding approval of a resolution authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Taxable Series 2022A, and approving and authorizing instruments and procedures relating thereto.**

Kyle Dooley provided details on the 2022A Taxable Bond. The effective rate will be approximately 2.2% on \$55.8 Million for design, acquisition, construction, and equipment.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220126-07** authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Taxable Series 2022A, and approving and authorizing instruments and procedures relating thereto. The motion passed unanimously.

**H. Discussion and possible action regarding approval of a resolution authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Tax-Exempt Series 2022B, and approving and authorizing instruments and procedures relating thereto.**

Kyle Dooley provided details on the 2022B Tax-Exempt Bond. The effective rate will be approximately 0.5% on the tax-exempt portion that totals \$37.2 Million for design, acquisition, construction, and equipment.

A motion was made by **Van Alexander** and seconded by **Fred Milton** to approve **RESO 20220126-08** authorizing the issuance, sale, and delivery of Riverbend Water Resources District contract revenue bonds (Regional Water System Project), Tax-Exempt Series 2022B, and approving and authorizing instruments and procedures relating thereto. The motion passed unanimously.

**I. Discussion and possible action regarding the Lone Star and Red River Army Depot Community Support Committee (Military Affairs).**

Fred Milton, Board Secretary, provided information on the formation and activities of the Lone Star and Red River Army Depot Community Support Committee. This committee was formed as a result of the 2005 Base Realignment and Closure Committee. The local committee allows local entities and individuals to contribute to and pledge support for Red River Army Depot, the Defense Logistics Agency (DLA), and Lone Star Army Ammunition Plant. Lone Star has since been closed. There is now a time for transition in management to continue supporting Red River and DLA. The Texarkana Chamber of Commerce has agreed to take over managing the community support committee. Riverbend has been actively supporting this Military Affairs Committee by way of an annual contribution of \$11,000 paid on a quarterly basis. Mr. Milton asked the rest of the



Board how they would like to continue to support that effort. A suggestion was made to continue with the current contribution for the remainder of this fiscal year and revisit in September for budget planning.

No action taken.

**J. Discussion regarding Riverbend Water Resources District’s future growth plan.**

Kyle Dooley provided a draft organizational chart for the growth of the District as the planning begins on the Regional Water System. The chart includes growth in the maintenance department to ensure there is staff available for all of the new infrastructure. Currently the Administrative Assistant and the HR Manager are one person. With the growth in personnel, those two positions may be separated. There may also be a need to have a dedicated Purchasing Manager along with another person to process accounts payable. There is a proposal for the current fiscal year to hire a Director of Engineering. Because of the need for review and management of the project documents that are in the pipeline in addition to putting eyes on the progress of the intake and pipeline and still having a supervisor for the operations teams. Tina Veal Gooch reiterated that this chart is a draft and these positions may change and evolve as District needs change.

No action taken.

**VII. Riverbend Reports**

**A. Board Members**

No reports

**B. Executive Director/CEO**

Kyle Dooley provided the following updates:

Regional Water System Project: Kim Keefer with Pape-Dawson provided the following updates:

- Continuing the efforts on 30% preliminary design documents
- Draft designs have been received and we are compiling the documentation now.
- Work continues on multiple technical memos - intake structure, intake pipe Inundating the District staff with technical memoranda.
- Continue to take monthly and quarterly water samples from the lake to test for quality. Still no big surprises were found.
- Continue with the initial documentation required for selection of the design consultants for the next phase of work. This includes preparing a TWDB-appropriate advertisement and contract documents.
- ROE obtained from TAC, USACE – approx. 70% of ROE has been obtained.
- Preliminary geotechnical and environmental work continues.
- Work continues on coordination with the Army Corps of Engineers.

TCEQ & Water Rights Application: Lines of communication are still open between the District and those requesting a contested case hearing. Other than that, no new update.

Ultimate Rule Curve and Environmental & Cultural Resources Study: Last Thursday the Corps called to discuss placement of pipelines and the intake. There are 2 separate teams working on the URC and on the new intake with crossover. We are attempting to get a memorandum of agreement from the Corps stating that, while we are not fully cleared to build the intake, we do have a path forward for us to clear the intake location which in turn allows TWDB to release project design and construction funds. The Corps has hit a snag and we are working together to get it resolved. To get a memorandum of agreement to build the full intake, the Cultural and Environmental studies must be complete or the intake built can not take in water that exceeds the amount allowed by the Interim Rule Curve. There were no final decisions made. A call is scheduled for February 3<sup>rd</sup> to iron out the issues.

Industrial Waste Water Plant: We are still working with RRAD to change the existing language in the contract that will cover the payback for the bond to fund the new plant. A budget on this project was presented to the Army because construction costs have increased. This project was not approved to use SRF Funds. There was also discussion regarding moving the industrial plant closer to the the new water plant for ease of maintenance and for economic development to bring other entities in that may need industrial waste processing.

Region D: A meeting was held November 10<sup>th</sup>. The first round of data on water use has been received and the technical consultant has been working on crunching those numbers. The next meeting tentatively scheduled for late March or early April 2022. We are waiting on some preliminary data from TWDB to let Carollo Engineers can begin work.

Other items: The IT service agreement will be changed from Datacast to Roundtable Networks. That transition should happen by the end of February. In addition, the implementation of Incode is on its way. Tyler Technologies is working on building our software now.

No action taken.

## **VIII. Executive Session**

The board stood at ease at 1:25 p.m.

The board reconvened in Executive Session at 1:30 p.m with quorum pursuant to section 551.071, 551.072, 551.073, 551.076, 551.087 of the Texas Open Meetings Act.

The board came out of Executive Session at 2:28 p.m.

The board reconvened with quorum at 2:29 p.m.

## **IX. Next Riverbend Meetings**

Riverbend Regular Meeting, Wednesday, February 23, 2022 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 2:30 p.m. The motion passed unanimously.

**The minutes of the Riverbend Water Resources District Board of Directors meeting, held on January 26, 2022, were read and approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**Tina Veal Gooch, President**

**Attest:**

\_\_\_\_\_  
**Kyle Dooley, Executive Director/ CEO**

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, FEBRUARY 23, 2022**

**AGENDA ITEM VI. A.  
RWRD RESO 20220223-01  
TWCA Risk Management Renewal**



**RIVERBEND RESOLUTION NO. 20220223-01**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO'S TO EXECUTE AN INTERLOCAL AGREEMENT(S) FOR RISK MANAGEMENT SERVICES WITH THE TWCA RISK MANAGEMENT FUND**

**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;

**WHEREAS**, Riverbend Water Resources District currently has an interlocal agreement with the TWCA Risk Management Fund and has a continued need for a risk management plan including property insurance, workers' compensation insurance, board insurance, etc. to support the operation and management of its wet utilities; and

**WHEREAS**, TWCA Risk Management Fund provides said needed risk management services and is fully qualified and certified to perform these services.

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Director/CEO shall be and is hereby authorized to enter into an interlocal agreement with the TWCA Risk Management Fund to provide continued insurance services for property, workers' compensation, board insurance, etc. for Riverbend Water Resources District.

**PASSED and APPROVED this 23<sup>rd</sup> day of February 2022**

\_\_\_\_\_  
Tina Veal Gooch, President

ATTEST:

\_\_\_\_\_  
Fred Milton, Secretary

Attached: TWCA Risk Management Renewal Forms



**WARRANTY**

Member: Riverbend Water Resources District

**TO: TEXAS WATER CONSERVATION ASSOCIATION RISK MANAGEMENT FUND (the "Fund")**

This warranty shall confirm that the information contained in the 2022-2023 Fund Year Risk Exposures

Update completed and signed \_\_\_\_\_, and presented to the Fund as the basis for  
(Date Exposure Update was signed)

which renewal coverage would apply, remains unchanged as of the date indicated below and there is no additional information which would need to be added to that exposure update in order to make it currently complete. This warranty is given as consideration for the offer of renewal coverage by the Fund.

This is declare and confirm that as of \_\_\_\_\_ no fact, circumstance,  
(Today's Date)

or situation indicating the probability of an occurrence, claim, wrongful act, or action against which indemnification or payment is or would be afforded by the proposed insurance is now known to the Member's Fund Contact as set forth in the Interlocal Agreement between the Member and Fund and said Fund Contact has made a diligent effort to ascertain whether or not an actual or probable claim or action exists. It is agreed by all concerned that if there be actual knowledge of any such occurrence, claim, wrongful act, fact, circumstance, or situation, and it is not disclosed in the exposure update, any claim or action subsequently emanating therefrom shall be excluded from coverage under the proposed insurance.

It is further agreed by all concerned that knowledge or notice of an occurrence, claim, or wrongful act by an agent, servant or employee of the Member shall not in itself constitute no knowledge or notice to the Member, unless the Member's Fund Contact, as designated in the Interlocal Agreement, shall have received notice thereof from its agent, servant, or employee. The Fund Contact shall have a duty to make reasonable and diligent inquiry in this regard. The inadvertent failure of an agent, servant, or employee of the Member to notify the Fund of any occurrence, claim, or wrongful act of which he or she has knowledge shall not invalidate the proposed insurance.

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

**SUPPLEMENT TO  
INTERLOCAL AGREEMENT  
TEXAS WATER CONSERVATION ASSOCIATION  
RISK MANAGEMENT FUND**

In consideration of the Member's request for payment of additional benefits and in further consideration of the Fund's agreement to pay such benefits, the Interlocal Agreement between the Fund and the Member effective the 1 day of July, 2013, is amended by adding thereto the applicable coverages set forth below.

**Volunteers** — If a resolution of the Board of Trustees of the Member has been adopted providing coverage for volunteers as required by law, such volunteers, while acting within the course and scope of their official duties, shall be covered by the Interlocal Agreement as any other employee of the Member political subdivision.

**Elected/Appointed Officials** — If a resolution of the Board of Trustees of the Member has been adopted providing coverage for elected officials as required by law, such elected officials while acting within the course and scope of their official duties, shall be covered by the Interlocal Agreement as any other employee of the Member political subdivision.

The Member agrees to pay the premium for the payroll classifications set forth below.

**Description of Group of Employees**

- |                          |                             |  |
|--------------------------|-----------------------------|--|
| <input type="checkbox"/> | Elected/Appointed Officials | Code 999989  |
| <input type="checkbox"/> | Volunteers                  | Payroll classification corresponding to type and nature of work done by the volunteer. |
| <input type="checkbox"/> | Decline Coverage            |  |

The Member agrees to report to the Fund, in writing on an annual basis or from time-to-time as new people are added, the names, positions, beginning date of service, ending date of service (if applicable), and salary/compensation or the equivalent minimum payroll base of the persons covered under this Supplement. The Member agrees that adequate premium for the above exposures must be collected by the Fund. Therefore, the Member agrees that unless greater compensation is actually received, the minimum reportable annual compensation for premium computation purposes on each person covered under this Supplement shall be \$3,120.

This Supplement shall be subject to all the terms, provision, and conditions of the Interlocal Agreement, and nothing herein contained shall vary, alter, or extend any term, provision, or condition of the Interlocal Agreement except as herein specifically stated.

Effective Date of this Supplement: July 1, 2022      This Supplement Expires: June 30, 2023

Contract Number: **159**

<p><b>MEMBER:</b></p> <p><b>Riverbend Water Resources District</b></p> <p>By: _____ Signature of Authorized Member Official</p> <p>Title: _____</p> <p>Date: _____</p>	<p><b>FUND:</b></p> <p><b>Texas Water Conservation Association Risk Management Fund</b></p> <p>By _____ Signature of Authorized Fund Official</p> <p>Title: <u>Secretary</u></p> <p>Date: _____</p>
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