



**REGULAR MEETING
RIVERBEND WATER RESOURCES DISTRICT
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING
WEDNESDAY, MAY 25, 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, May 25, 2022, 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. SPECIAL AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

A. Discussion and possible action regarding approval of a resolution accepting the recommendation of the City of Texarkana, Texas for Steve Mayo to serve as a member of the Board of Directors of Riverbend Water Resources District.

Marshall Wood resigned as a Riverbend Director on April 27, 2022. Mr. Wood represented the City of Texarkana, Texas. The City of Texarkana, Texas accepted Mr.



Wood's resignation and appointed Steve Mayo to be one of their representatives on the Riverbend Board.

Action Item: Consider motion for approval of RESO 20220525-01 accepting the recommendation of the City of Texarkana, Texas for Steve Mayo to serve as a member of the Board of Directors of Riverbend Water Resources District.

- B. **Oath of office, administered by Judge Bobby Howell, for Steve Mayo, newly appointed Board Member.**

V. **CONSENT AGENDA ITEMS**

- A. Discussion and possible action regarding April 27, 2022 Regular Meeting minutes.

VI. **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 AR-TX REDI.

VII. **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 appointing Steve Mayo as the Treasurer of the Board of Directors of Riverbend Water Resources District.**

Marshall Wood had previously been the Treasurer of the Board for Riverbend. This item is to consider appointing Steve Mayo to that position. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20220525-02 appointing Steve Mayo as the Treasurer of the Board of Directors of Riverbend Water Resources District.

- B. **Discussion and possible action regarding approval of a resolution authorizing a requirement of one signature for any amounts under \$50,000.00 and a requirement of two signatures for any amount equal to and over \$50,000.00 and authorizing the addition of certain authorized signatories to the appropriate bank depositories.**



This agenda item pertains to adding Steve Mayo to the authorized signatories list for the District. It also is requesting to allow only one signature being required for amounts under \$50,000. The current limit is \$25,000 and anything over that amount requires two signatures. As we are growing and costs for goods and services have risen drastically, we are routinely having amounts that exceed the \$25,000 threshold and require two signatures, which means a board member coming to the office or staff meeting the board member to sign checks. Raising this limit would help make the purchasing process be more efficient. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20220525-03 authorizing a requirement of one signature for any amounts under \$50,000.00 and a requirement of two signatures for any amount equal to and over \$50,000.00 and authorizing the addition of certain authorized signatories to the appropriate bank depositories.

C. Discussion regarding approval of a resolution adopting the Purchasing Policy of Riverbend Water Resources District.

This agenda item pertains to considering adopting a new Purchasing Policy Manual. We have been working for several months on getting the manual completed. It would put policies and procedures in place to direct all of the District's purchases. This manual will also be very beneficial as we are currently working to set up our new financial software. The policies in the manual will be utilized to set up the operations of the financial software. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20220525-04 adopting the Purchasing Policy of Riverbend Water Resources District.

D. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to report compliance with required cybersecurity training.

House Bill 3834 required state and local government employees to complete a certified training program for cybersecurity. The Texas Department of Information Resource (DIR) in consultation with the Texas Cybersecurity Council is required to certify at least five cybersecurity training programs so state and local government employees can meet the training requirements. RWRD is defined as a local government for the purposes of the cybersecurity requirements. Local governments must certify their training compliance by August 31, 2022. The governing body of a local government is required to verify and report on the completion of a cybersecurity training program by employees of the local government to the department and should retain documentation pertaining to this requirement. All our staff has completed cybersecurity training. This resolution would allow staff to submit the certification to DIR that RWRD has met the yearly requirements for cybersecurity training. There is also a Governing Board Acknowledgement Form that each board member will need to



sign, stating that the district is in compliance with this training requirement. This will not have to be submitted but will be kept for our records annually.

Action Item: Consider motion for approval of RESO 20220525-05 authorizing the Executive Director/CEO to report compliance with required cybersecurity training.

E. Discussion regarding approval of a resolution amending Resolution No. 032116-02 by changing the rate of interest to be borne by the Riverbend Water Resources District Water and Wastewater System Revenue Bonds, Taxable Series 2016B.

This item, if approved, would amend the resolution for the Water and Wastewater System Revenue Bonds, Taxable Series 2016B. Currently, the bond is paid off in 2030. We are paying 4.24% through 2025, and then the interest rate increases to 12% for the remainder of the payback. The amendment would decrease the current rate from 4.24% to 3.10%, and it would stay 3.10% until the bonds are paid off. This amendment to the rate would save the District \$615,101 over the remaining life of the bond. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20220525-06 amending Resolution No. 032116-02 by changing the rate of interest to be borne by the Riverbend Water Resources District Water and Wastewater System Revenue Bonds, Taxable Series 2016B.

F. Discussion regarding the City of Leary and possible future services related to wastewater management.

Leary's City Administrator, Randy Mansfield, would like to discuss with the board possible future wastewater management services and opportunities.

VIII. REPORTS

A. Board Members

B. Executive Director/CEO

IX. 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.

X. NEXT REGULAR MEETING

Riverbend Regular Meeting, June 22, 2022 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

XI. 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, MAY 25, 2022**

**SPECIAL AGENDA ITEM IV. A.
RWRD RESO 20220525-01
Board of Director Appointment
& Oath of Office**



RIVERBEND RESOLUTION NO. 20220525-01

**APPOINTMENT OF DIRECTORS TO THE BOARD 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, the resignation of Marshall Wood on April 27, 2022 opened an available position to the Board of Directors of Riverbend Water Resources District; and

WHEREAS, the City of Texarkana, Texas has appointed Mr. Steve Mayo to the Board of Directors of Riverbend Water Resources District; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby accepts the recommendation of the City of Texarkana, Texas to appoint Steve Mayo to the Board of Riverbend Water Resources District.

PASSED and APPROVED this 25th day of May 2022

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**CONSENT AGENDA ITEM V. A.
April 27, 2022
Regular Meeting Minutes**

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

April 27, 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 12:12 p.m.

Directors Present:

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

Directors Absent:

Marshall Wood, Treasurer

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

Sonja Hubbard led the invocation and the pledge of allegiance.

III. Public Comments

Tina Veal Gooch provided that Marshall Wood has resigned his position on the Board of Directors for Riverbend. Mr. Wood has been a board member since 2009. He has been part of the success Riverbend has had and will continue to have. Mrs. Veal Gooch read Mr. Wood's resignation letter. She also provided that the council of the City of Texarkana, Texas voted to appoint Steve Mayo to replace Mr. Wood on the Riverbend Board

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 March 23, 2022 Regular Called Meeting Minutes.

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

V. Regional Entity Reports

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

Kelly Mitchell, board member for SRBA, provided on information with ongoing projects. In conjunction with several other water authorities and entities, they are updating the Water Availability Model for the Sulphur River Basin for the metroplex and their water planning needs. He is also keeping in mind what Riverbend and our immediate surrounding area needs for water planning. Kyle Dooley provided that regarding the Clean Rivers Program, SRBA has been very helpful with moving monitoring spots to gather more accurate data on the availability of surface water. Fred Milton thanked Mr. Mitchell for his commitment to the SRBA board.

No action taken.

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

Scott Norton, Executive Director, provided that the activity of prospects interested in property on the TexAmericas footprint is still very strong. Three prospective tenants are expressing interest in 65 acres, 140 acres and 225 acres. One of these tracts of land is expected to be under contract within 60 days. Tina Veal Gooch congratulated Mr. Norton for receiving the Wilbur Award. The Wilbur Award is presented annually to individuals, organizations, and student leaders who epitomize the power of one entity or individual to positively impact our community or region as models of effective leadership by leading the way in working together for excellence, pride and progress for our community.

No action taken.

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

Sonja Hubbard provided that Governor Asa Hutchison visited a couple of weeks ago to officially certify the Arkansas side site. This site is one of eight properties that are shown to economic development groups.

Mike Malone, Texarkana Chamber of Commerce President, applauds the economic efforts of Riverbend and TexAmericas Center.

Bowie County Judge Bobby Howell provided that the county is doing well. He expressed appreciation for the community support.

No action taken.

VI. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution approving the second quarter FY 2022 Financial Statements.

Tara Houck, CFO, presented the Second Quarter FY 2022 Financial Statements.

A motion was made by **Fred Milton** and seconded by **Van Alexander** to approve **RESO 20220427-01** approving the second quarter FY 2022 Financial Statements. The motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution approving the second quarter FY 2022 Investment Report.

Tara Houck, CFO, presented the Second Quarter FY 2022 Investment Report.

A motion was made by **Van Alexander** and seconded by **Sonja Hubbard** to approve **RESO 20220427-02** approving second quarter FY 2022 Investment Report. The motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to negotiate and enter into an agreement with Dawson & Associates for consulting services.

Kyle Dooley provided provided information on the need for consulting services related to permits for construction on the water intake. Dawson & Associates has technical expertise with the USACE and their regulatory processes. This contract will help Riverbend successfully obtain the necessary permits for the treatment facility intake. The proposal includes a 2-month agreement and if additional months are needed there is a monthly retainer of about \$22,500 per month.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve **RESO 20220427-03** authorizing the Executive Director/CEO to negotiate and enter into an agreement with Dawson & Associates for consulting services. The motion passed unanimously.

VII. Riverbend Reports

A. Board Members

Fred Milton publicly thanked Marshall Wood for all of his hard work and dedication to the success of Riverbend.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

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

- 30% preliminary design documents and PER are complete. The designs are 99% complete and are in final QA & QC.
- Technical memos are in the hands of Riverbend staff for final review and acceptance. These technical memoranda outline processes, materials and sometimes sizing for the improvements. They become part and parcel of the Engineering Feasibility Report (EFR) submission to TWDB.
- TWDB has been incredibly helpful throughout the process. They have agreed to do a cursory review of the environmental statement before letters are sent to all the various agencies saying it is available for review.
- Continue with the documentation required for selection of the design consultants for the next phase of work. This includes preparing a TWDB-appropriate advertisement and contract documents. These documents will be sent to Riverbend soon.
- Once the Environmental Documentation are reviewed, the documents enter a public review period and barring any huge issues, this check marks a box to release funds for the design portion of the contract. Pape Dawson recommends running the Design consultation selection process semi-concurrently with the TWDB review process to make up some of the lag that has occurred due to the Corps approvals.
- Work continues on coordination with the Army Corps of Engineers.

Ultimate Rule Curve: Work continues with the Corps. Discussions have begun and will continue every other week, regarding other policy issues outside of the Environmental and Cultural Resources Study. The draft research design documents related to the Environmental Study were sent out for review to the State Historical Preservation Officer, the Caddo Nation, and the City of Texarkana, Texas. There is a call set for May 9, 2022 to discuss the comments received on those draft research design documents.

Water Rights Application: There have been recent discussions with those in protest of our application. The modeling project that SRBA is now involved in, is inclusive of our new water rights application. This modeling is to study the affect this water rights application will affect their interest in Cooper Lake. The completion of the modeling project should be this summer. The relevant data will be shared with us as soon as they can.

No action taken.

VIII. Executive Session

The board stood at ease at 12:50 p.m.

The board reconvened in Executive Session at 12:55 p.m with quorum pursuant to sections 551.071 and 551.074 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:40 p.m.

The board reconvened with quorum at 1:42 p.m.

IX. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, May 25, 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 **Fred Milton** and seconded by **Van Alexander** to adjourn the meeting at 1:45 p.m. The motion passed unanimously.

The minutes of the Riverbend Water Resources District Board of Directors meeting, held on March 23, 2022, were read and approved on the _____ day of _____, 2022.

Van Alexander, Vice President

Attest:

Kyle Dooley, Executive Director/ CEO

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**AGENDA ITEM VII. A.
RWRD RESO 20220525-02
Board Officer Appointment**



RIVERBEND RESOLUTION NO. 20220525-02

ELECTING A NEW TREASURER TO THE BOARD OF DIRECTORS 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 is required by law to elect officers to its Board of Directors; and

WHEREAS, Riverbend Water Resources District last elected officers of the Board of Director on September 22,2021 and affirmed that election through RESO 20210922-02; and

WHEREAS, due to the resignation of Marshall Wood from the Board of Directors, Steve Mayo has been appointed by the City of Texarkana, Texas, on April 25, 2022 to replace Mr. Wood on the Board of Directors of the Riverbend Water Resources District; and

WHEREAS, Riverbend Water Resources District desires to fill the position of Treasurer on the Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby elects and affirms Steve Mayo as Treasurer to join the 2022 Elected Officers, as follows:

Tina Veal Gooch-President, Van Alexander-Vice President, Fred Milton-Secretary, Steve Mayo-Treasurer, Sonja Hubbard-Past President

PASSED and APPROVED this 25th day of May 2022

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**AGENDA ITEM VII. B.
RWRD RESO 202200525-03
Authorized Bank Signatories
& Check Signature Limits**



RIVERBEND RESOLUTION NO. 20220525-03

AUTHORIZING A REQUIREMENT OF ONE SIGNATURE FOR ANY AMOUNTS UNDER \$50,000.00 AND A REQUIREMENT OF TWO SIGNATURES FOR ANY AMOUNTS EQUAL TO AND OVER \$50,000.00, AND AUTHORIZING THE ADDITION OF CERTAIN AUTHORIZED SIGNATORIES TO THE APPROPRIATE BANK DEPOSITORIES

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, the establishment of certain levels of approval benefit the district in managing its resources and maintaining flexibility for the daily operation of the wet utilities ensures that the appropriate level of oversight in finances is maintained; and

WHEREAS, the establishment and addition of certain authorized signatures by representatives of the district at appropriate bank depositories is an appropriate management tool;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District approves this resolution authorizing the following:

- 1) a requirement of one authorized signature for amounts under \$50,000.00 and a requirement of two authorized signatures for anything equal to and over \$50,000.00 for the approval and decision-making of bank depository services;
- 2) a designation of authorized signatories as follows:

Tina Veal-Gooch
Van Alexander
Fred Milton
Steve Mayo
Sonja Hubbard
Kyle Dooley; and



3) the authorized number of signatures and authorized signatories shall be applicable to the following bank depositories:

State Bank of Dekalb;
Texana Bank;
Bank of Oklahoma;
Texar Federal Credit Union; and
Regions Bank

PASSED and APPROVED this 25th day of May 2022

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**AGENDA ITEM VII. C.
RWRD RESO 20220525-04
Purchasing Policy**



RIVERBEND RESOLUTION NO. 20220525-04

**AUTHORIZING THE APPROVAL OF THE PURCHASING POLICY 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;

WHEREAS, the establishment of certain levels of approval benefit the district in managing its resources and maintaining flexibility for the daily operation of the wet utilities ensures that the appropriate level of oversight and standard operating procedures for purchasing is maintained; and

WHEREAS, Riverbend Water Resources District desires to review and update accordingly, its policies and procedures regarding the principles and criteria involved in the handling of district purchases; and to make readily available these policies and procedures to the public in written form.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby adopts its Purchasing Policy.

PASSED and APPROVED this 25th day of May 2022

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary

Attached: Purchasing Policy





**PURCHASING POLICY
AND PROCEDURE MANUAL
Adopted: 5/25/2022**

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SECTION 1. INTRODUCTORY STATEMENT

A. Policy – It is the policy of the Riverbend Water Resources District (District) to maintain a Purchasing Policy and Procedure Manual to inform all employees of the required purchasing policies and procedures of the District. Further, it is the duty of all employees to ensure that the approved policies and procedures are followed.

B. Objectives - The objectives of the Purchasing Policy and Procedure Manual include the following:

1. To ensure that the District's purchasing policies and procedures are in compliance with the purchasing requirements contained in the Texas Water Code, Texas Local Government Code, and other applicable laws which govern the District.
2. To ensure compliance with the District's internal controls and with established best business practices.
3. To promote fair and ethical purchasing practices which foster open competition and impartiality.
4. To encourage participation and bidding by all qualified vendors, to include historically underutilized, disadvantaged, minority and women-owned businesses.
5. To maintain a high level of public confidence in the District's purchasing practices, and to avoid any actual or perceived conflicts of interest.
6. To promote efficiency and effectiveness in the purchasing process, helping to ensure that the District receives the best value for each dollar spent.
7. To help ensure a uniform understanding and application of the District's purchasing policies and procedures.
8. To standardize the policies and procedures for making common and reoccurring purchases.
9. To help inform and train employees about the District's purchasing policies and procedures.
10. To assure that each purchase has proper authorization, account coding and documentation for budgetary and audit control.

C. Official Policy – This manual contains the approved purchasing policies and procedures of the District. The policies reflected herein have been approved by the Board of Directors. This manual will serve as the primary medium of communication to inform and guide District employees about Purchasing Policies and Procedures.

D. Responsibilities –

1. Executive Director – The Executive Director shall oversee these policies and procedures and may direct the issuance of additional written procedures to amplify or clarify the policies herein.
2. Purchasing Manager – The Accounting Operational Specialist shall serve as the Executive Director’s designated representative to administer said policies and procedures, including:
 - a. Program Management - Overall management of the District’s purchasing activities in accordance with the laws governing the District and the policies and procedures contained herein. Preparation and distribution of the Purchasing Policy & Procedure Manual, to include periodic review and revision of the Manual as needed to 1) ensure compliance with laws governing the District, 2) to better clarify approved policies and procedures, or 3) as directed by the Executive Director.
 - b. Disposal of Property - Administration of the sale, disposal, or recycling of unserviceable or unneeded property in accordance with the laws governing the District.
 - c. Records and Reporting - Prepare and/or maintain records, reports and other documents as necessary to comply with statutory and District requirements.
3. District Employees – Employees are required to be informed about, and to follow the policies and procedures contained in this manual and any additional written procedures used to amplify or clarify the policies herein.

E. Compliance - The District follows ethical purchasing practices that are in compliance with statutory requirements and good business practices. We expect District employees will be self-motivated to follow these policies and procedures. The District can maintain high standards only if each employee does their share and complies with the policies and procedures. It is every employee’s duty to follow the purchasing policies and procedures of the District; otherwise, appropriate disciplinary policies will apply.

F. Supervisors’ Special Role –

1. Supervisors have a special role in training and guiding employees in the proper practices of this manual. Supervisors have a duty to take immediate action to prevent and remedy violations. Whenever in doubt and for expert advice, Supervisors should ask for assistance from the Purchasing Manager.
2. Supervisors, Purchasing Manager, and the Executive Director shall work together to investigate all reported or suspected violations, and take appropriate action to prevent any further violations.

G. Further Changes – The District may revise, cancel, or otherwise change any of the published or unpublished purchasing policies and procedures as and when necessary for the good of the District and our employees. Notice of proposed changes shall be provided to employees before becoming effective, with proper notice of effective date.

H. Disclaimer – The contents of this policy and procedures manual are not intended to address all possible methods, opportunities or requirements related to the District's procurement activities; nor is it intended to supersede any statutory requirements. As such, any procurement related questions that are not specifically addressed by this manual should be forwarded to the Executive Director.

SECTION 2. GENERAL

A. Code of Ethics – Ethics is a set of moral principals or values governing an individual or group. As a public employee, most everything you do is subject to open records and public scrutiny; therefore, it is imperative that all District employees maintain the highest ethical standards. It is the policy of the District that the following ethical principles will govern the conduct of every employee involved directly or indirectly in the District's procurement process.

1. Responsibility to the District – Employees will avoid any activities that would compromise or give the perception of compromising the best interest of the District. Employees will avoid any appearance of unethical or compromising behavior in all relationships, actions and communications. All employees are expected to conduct the procurement practices of the District in a fair, honest, courteous and impartial manner. At no time shall employees allow their personal preferences or personal relationship with a vendor or contractor to affect their decisions or duties regarding procurement. If you have any doubt about such matters, consult with the Purchasing Manager or the Executive Director.
2. Conflict of Interest – Employees will avoid any activity that would create a conflict, or the perception of a conflict between personal interest and the interest of the District. In accordance with District policy and pertaining directly to the District's purchasing activities, employees will never solicit or accept money, loans, gifts, favors, or anything of value, from present or potential vendors which might influence or appear to influence any purchasing decision.
3. Conflict of Interest Questionnaire – Pursuant to the requirements of Section 176.002(a) of the Texas Local Government Code (Attachment B), vendors, contractors and others who wish to conduct business with the District are required to complete and submit a Conflict of Interest Questionnaire.
4. Protection of Information – As a measure to protect the integrity of the procurement process, employees shall not discuss, disclose or release any information obtained through, or as part of a Request for Bid, Request for Proposal, Request for Information, or Request for Qualification, until officially released by either the Purchasing Manager, or other authorized employee of the District. In addition, any information obtained during the procurement process which has been labeled by the vendor as confidential or proprietary information, shall be protected as such for as long as the information is retained by the District, or to extent required or allowed by law.

B. Vendor Standards of Conduct – Just as it is important for District employees to discharge their duties in a manner designed to promote public trust and confidence in the District, it is also important that the District require similar conduct of its approved vendors, contractors and business partners. As such, any vendor, contractor, business or individual wishing to conduct business with the District shall be expected to comply with the following standards of conduct:

- To not offer District employees any gifts, loans, or any other thing of value.
- To not offer District employees any fee or compensation for the services they provide as an employee of the District.
- To not ask District employees for any special favor or consideration that is not provided or available to every other vendor or business related competitor.
- To not ask a District employee to disclose any information that is not available to every other vendor or business related competitor through normal information or communication channels.
- To not offer employment to a District employee or a member of their family in exchange for the services they provide as an employee of the District.
- To not ask District employees to endorse the products or services of a vendor.
- To not ask District employees to hand out or post advertising materials on behalf of a vendor.

C. Debarred Vendors List – The Purchasing Manager will maintain a list of vendors who have been debarred from conducting business with the District. Depending on the reason for debarment, the vendor may be prohibited from doing business with the District for a period of up to three consecutive years, or until the reason for debarment has been corrected to the satisfaction of the District. A vendor may be debarred for the following reasons:

- Failure to comply with the District's policies and procedures for conducting business with the District.
- Failure to comply with the terms and conditions of a contract with the District.
- Failure to provide products or services as ordered or requested.
- Failure to comply with State or District requirements regarding conflict of interest.
- Failure to comply with State or Federal laws.
- Failure to follow ethical standards of conduct.
- Failure to repair, replace or provide adequate compensation for property or equipment damaged by the vendor to the satisfaction of the District.

In addition, the District will not purchase any goods or services from a vendor that is listed on the State of Texas Debarred Vendors List, and may exclude vendors listed on the Federal Excluded Parties List. With the exception of applicable statutory requirements, all recommendations to debar a vendor from conducting business with the District must be approved by the Executive Director.

D. Adequate Funding –Directors, Managers and Supervisors are responsible for ensuring the availability of adequate budgeted funds **prior** to authorizing any expenditure. If an expense line item exceeds appropriations, the requesting Supervisor or Director should contact the Finance Department.

E. Account Coding –Directors, Managers and Supervisors are responsible for ensuring that all authorized expenditures are coded with the appropriate account code. Questions regarding the proper use of account codes should be forwarded to the Finance Department.

F. Vendor Insurance Requirements – All vendors, contractors, subcontractors, and businesses who perform or provide construction, maintenance, or other services on District property must provide written proof of Workers' Compensation Insurance Coverage for their employees. Depending on the size of the project or type of service being provided, the District may also require that additional forms of insurance be provided. Questions regarding the District's insurance requirements, to include required types of insurance or specific limits of coverage, should be forwarded to the Purchasing Manager. Written proof of insurance must be received by the District within seven (7) days after notice of award of bid and before any work begins, or services are provided.

G. Best Value – All purchases for the District shall be awarded to the vendor who provides the best value to the District. When determining best value, the District may consider factors other than the purchase price of the goods or services as long as they have been indicated in the written solicitation for bid, specification, or contract requirements that the bid or contract will be awarded to either the lowest responsible bidder or to the bidder who provides goods or services at the best value to the District. These factors include among other things:

- Reputation of the bidder and the bidder's goods and services.
- The quality of the bidder's goods and services.
- The extent to which the goods or services meet the District's needs.
- Total long-term cost to the District, to include purchase price, life expectancy, cost of maintenance and operation, training requirements, operating efficiency, disposal value, and other factors contributing to the overall acquisition or cost of an item.
- Other lawful factors or criteria as may apply.

Any time that the lowest bidder is not selected, "Best Value" justification must be explained in writing and attached to the associated procurement recommendation or request.

H. Planning – The most efficient and cost effective methods of procurement require thoughtful planning. As such, employees are expected to make a diligent effort to plan for the procurement of needed commodities and services prior to the actual time the need occurs. Commodity & Service Contracts, well managed inventories and diversified sourcing are just some of the components of an efficient and cost effective procurement program. Employees should use the following timelines as a guide when planning for procurement:

- 0 to 1 Business Days – Emergency Purchase
- 1 to 3 Business Days – Rush Purchase
- 3 to 5 Business Days – Normal Purchase
- 30 to 90 Calendar Days – Formal or Competitive Sealed Bid

The above timelines are intended to serve merely as a general guide for the purposes of procurement planning. The actual amount of time required to successfully procure a specific commodity or service can be affected by many factors, such as the dollar amount of the purchase, availability of the commodity or service, competition in the market place, complexity of the purchase, availability of funding, required level of approval, and other factors.

I. Warranty – Most newly purchased commodities and many services come with some form of standard warranty, and many have the option to purchase extended warranties. Often, warranty information is provided at time of purchase. Sources such as the Texas Commercial Code and the Federal Consumer Protection Agency may also provide warranty and buyer protection information regarding specifically listed commodities and services sold or manufactured either in the State of Texas or the United States. As a result, employees are encouraged to pursue warranty replacement or service when possible and practical.

Employees are encouraged to contact both the Operations Department and Purchasing Manager to find out whether or not a particular commodity or service is covered under warranty prior to repair or replacement.

J. Payment - Payment for all purchases shall be accomplished in accordance with the policies and procedures established by the Finance Department.

K. Tax Exemption – As a political subdivision of the State of Texas, the District is exempt from the Texas Limited Sales, Use and Excise Tax. As such, employees shall ensure that purchases do not include costs for taxes which the District is exempt from paying. A Texas Certificate of Exemption from Sales Tax form should be on file with all vendors of the District. Questions regarding the tax exempt status of the District should be directed to the Finance Department.

L. Purchase Orders – A Purchase Order issued by the Purchasing Section is required for most purchases of \$2,500 or more. For those purchases that require a Purchase Order, request, approval and issuance of the Purchase Order shall occur prior to making the purchase. The only exceptions are those commodities and services that have been specifically exempted from the Purchase Order requirement by the Executive Director. The Purchasing Manager shall maintain a list of all commodities and services that are exempt from the Purchase Order requirement. Additionally, the Purchasing Manager may issue a purchase order for any purchase of any dollar amount if; 1) requested by the vendor, 2) to ensure compliance with the requirements of certain Cooperative Purchasing Contracts or 3) it is believed that the issuance of a Purchase Order is needed to clarify, or help ensure vendor compliance with the terms and conditions of a purchase.

SECTION 3. BIDDING REQUIREMENTS

An employee shall not knowingly or intentionally make or authorize separate, sequential, or component purchases to avoid competitive bidding requirements. As such, employees should consider the budgeted or total annual aggregate costs of the commodity or service when determining bidding requirements. Questions regarding bidding requirements should be forwarded to the Purchasing Manager or Executive Director.

A. Purchases of less than \$5,000 (No Bids) – The following shall apply to normal purchases that have a total cost of less than \$5,000:

1. Do not require competitive bids. However, the Responsible Supervisor shall make reasonable efforts to confirm that the best value is being obtained for the District. As such, employees are encouraged to contact the Purchasing Manager to discuss possible sourcing options or for other assistance as needed.
2. Upon purchase of commodities and services, the invoice or sales receipt shall be forwarded to the Purchasing Manager for processing payment.

B. Purchases from \$5,000 to less than \$25,000 (Informal Bids) – The following shall apply to normal purchases that have a total cost of at least \$5,000, but less than \$25,000:

1. Reasonable efforts shall be made to obtain at least three (3) written competitive bids from three (3) separate vendors.
2. The Responsible Supervisor shall contact the Purchasing Manager to discuss sourcing options and for other assistance prior to solicitation of bids.
3. The Executive Director shall have the discretion to require any commodity or service to be centrally purchased by the Purchasing Manager when it is believed to be in the best overall interest of the District. The Purchasing Manager shall maintain a list of all such designated commodities and services.
4. All bids must be summarized in writing and reviewed by the Responsible Supervisor to confirm compliance with specifications and other requirements of the District.
5. Written bids must contain the vendor's name and contact information, a sufficiently clear description of the commodity or service being bid, the date the bid was submitted or received and the total cost of the bid.
6. Selection of bid shall be based on the "best value" to the District. The Responsible Supervisor shall provide written justification any time it is determined that the best value to the District is not the lowest bid received.
7. The Responsible Supervisor shall submit a copy of all bids received and any applicable written justification regarding recommendation or selection of bid to the Purchasing Manager.
8. The Purchasing Section shall review all submitted documents for compliance with the policies and procedures contained herein, and shall issue purchase orders as appropriate.

C. Purchases from \$25,000 to less than \$50,000 (Formal Bids) – The following shall apply to normal purchases that have a total cost of at least \$25,000, but less than \$50,000:

1. Require formal competitive bids pursuant to written uniform specifications, and must be coordinated with the Purchasing Manager.
2. Reasonable efforts shall be made to obtain written competitive bids pursuant to uniform written specifications from at least three (3) bidders.
3. The Responsible Supervisor shall be responsible for providing information as needed or requested by the Purchasing Manager to develop the written uniform specifications and scope work.
4. The Purchasing Manager shall be responsible for development of the request for bid documents and the solicitation and receiving of bids.
5. Selection of bid shall be based on “best value” to the District, with final approval of either the Executive Director or Board of Directors as appropriate.

D. Purchases of \$50,000 or more (Competitive Sealed Bids) - The following shall apply to normal purchases that have a total cost of \$50,000 or more, over the life of the contract including all renewals:

1. Require competitive sealed bids pursuant to written uniform specifications and must be coordinated with the Purchasing Manager.
2. Notice of the bid request and of the time and place at which the bids will be publicly opened and read aloud must be published at least once a week for two (2) consecutive weeks in the newspaper, or an Electronic Notification/Bidding Source and on the District’s website. The date of the first publication shall be at least twenty-one (21) days before the date set to open bids.
3. Selection of bid shall be based on “best value” to the District, as awarded by the Board of Directors.

SECTION 4. PURCHASES EXEMPT FROM BIDDING REQUIREMENTS

A. Sole or Single Source Purchases – To be approved as a sole or single source purchase, the commodity or service must meet at least one of the following:

1. - Functional requirements of the District can be satisfied by only one source.
 - Competition is excluded due to the existence of patents, copyrights, secret processes or natural monopolies.
 - Purchase of captive replacement parts or components for equipment.
 - Purchase of power, gas, water, or other utility services where deregulation of service is not a factor.
2. Whenever a Requesting Department believes that a commodity or service is obtainable from only one source, the Responsible Supervisor shall send a memorandum to the Purchasing Manager requesting sole or single source status. The Requesting Department is encouraged to contact the Purchasing Manager to discuss possible sourcing options, suitable substitutions or other related issues prior to creating the memorandum.
3. The Purchasing Manager may take additional action as may be necessary to confirm the sole or single source availability of a commodity or service.
4. A list of all confirmed sole or single source commodities and services shall be maintained by the Purchasing Manager.

B. Emergency Purchases – Emergency purchases should only occur after a Department has made an assessment that the failure to make an immediate purchase of a commodity or service would adversely affect the health, safety, or welfare of the public.

1. During normal working hours, the Requesting Department shall contact the Purchasing Manager and request assistance in making the Emergency Purchase. The Requesting Department shall submit an Emergency Purchase memorandum to the Purchasing Manager stating the nature of the emergency and how by not making the purchase, the health, safety or welfare of the public would be adversely affected.
2. Should the emergency occur after normal working hours, the employee shall make reasonable and necessary purchases to address the emergency, subject to approval of the Responsible Supervisor. The Emergency Purchase memorandum shall be submitted to the Purchasing Manager the next business day by the Responsible Supervisor.
3. Approval and/or ratification of emergency purchases shall occur in accordance with the approved levels of purchasing authority contained herein.
4. If the amount of the emergency purchase is \$25,000 or more, an agenda item shall be prepared for the next meeting of the District's Board of Directors to inform the Board of Directors of the purchase.

C. Professional and Consulting Services – State law provides specific statutory requirements for the acquisition of certain types of Professional and Consulting Services. As such, the Requesting Department should contact the Purchasing Manager as needed to discuss applicability and possible statutory requirements.

D. Cooperative Purchasing Contracts – The District participates in a number of Cooperative Purchasing Programs. In addition to meeting requirements for bidding, Cooperative Purchasing Programs often provide reduced costs and time associated with the procurement of certain available commodities and services. As a result, employees are encouraged to contact the Purchasing Section to discuss possible procurement opportunities that may be available through various Cooperative Purchasing Programs.

E. Other Possible Types of Exempt Purchases – Other possible types of exempt purchases include personal property sold at a public auction by a state licensed auctioneer, personal property sold by another governmental entity, services and commodities sold by organizations representing blind or severely disabled persons, and others. As such, employees are encouraged to contact the Purchasing Section as needed to discuss possible exemption of bidding requirements and/or other possible statutory requirements.

Procurement Authority

Background

Procurement authority is the power to award, or to approve the award of, legally binding procurement agreements (contracts and purchases) on behalf of the District's operational and capital improvement needs. The purpose of this policy is to control the commitment of District funds, including purchasing and contracting activities, and to ensure that Riverbend's procurement authority complies with regulatory requirements and is designed to promote efficiency to authorize the purchase of goods, works and services in accordance with Riverbend's adopted budget, up to the dollar value indicated.

General Policy Provisions:

A. Levels of Approval — The following may approve expenditures that are in compliance with the laws that govern the District and the policies and procedures contained herein:

Position	Level of Approval
Designated Supervisors	Less than \$ 5,000
Administration	Less than \$20,000
Executive Director	Less than \$50,000
Board of Directors	\$50,000 or more

B. Change Orders — The following shall apply to the approval of Change Orders associated with Capital Improvement Projects.

1. The Executive Director or his designee may approve Change Orders for increases in cost of less than \$50,000.
2. The District's Board of Directors must approve all Change Orders for decreases or increases in cost of \$50,000 or more.
3. The sum of all Change Order for a particular Capital Improvements Project may not increase the original contract amount by more than twenty-five percent (25%). The original contract may not be reduced by more than twenty-five percent (25%) without the consent of the vendor.

A report of all such contracts / purchases and Change Orders less than \$50,000 on behalf of the District executed by the Executive Director shall be reported to the Board of Directors.

The Executive Director shall be authorized to administer this policy and to keep it updated in accordance with State law and sound business / accounting practice.

Adopted: May 25, 2022

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

 Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

 Signature of vendor doing business with the governmental entity

 Date

VERIFICATION REQUIRED BY TEXAS GOVERNMENT CODE CHAPTER 2279

By signing below, Company hereby verifies the following:

- 1. Company does not boycott Israel; and
- 2. Company will not boycott Israel during the term of the contract.

SIGNED BY: _____

Print Name of Person: _____
Signing, Title, and Company _____

Date signed: _____

Government Code § 2270.002. Provision Required in Contract

Effective: September 1, 2017

A governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- (1) does not boycott Israel; and
- (2) will not boycott Israel during the term of the contract.

The following definitions apply:

(1) "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

(2) "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

(3) "Governmental entity" means a state agency or political subdivision of this state.

State law requires verification from a Company for contracts involving goods or services (regardless of the amount) before the Governmental Entity can enter into the contract.

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**AGENDA ITEM VII. D.
RWRD RESO 20220525-05
Cybersecurity Training**



RIVERBEND RESOLUTION NO. 20220525-05

ACKNOWLEDGING RIVERBEND WATER RESOURCES DISTRICT COMPLIANCE WITH HOUSE BILL 3834 REGARDING REQUIRED CYBERSECURITY TRAINING

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

WHEREAS, the State of Texas House of Representatives amended the government code by passing House Bill 3834 in June 2019 requiring state agencies and local governments to complete a certified cybersecurity training program; and

WHEREAS, Riverbend Water Resources District employees attended via webinar a certified training program created by the Texas Department of Information Resources (DIR); and

WHEREAS, the Texas Department of Information Resources (DIR) requires that an authorized individual employed with each local government, such as Riverbend Water Resources District, verify and report on the completion of a cybersecurity training program by employees to the DIR and should retain documentation pertaining to this requirement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District, authorizes the Executive Director/CEO to verify and report the completion of the cybersecurity training to the Texas Department of Information Resources.

PASSED and APPROVED this 25th day of May 2022

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, MAY 25, 2022**

**AGENDA ITEM VII. E.
RWRD RESO 20220525-06
Refinance of Taxable
Series Bond 2016B**



RIVERBEND RESOLUTION NO. 20220525-06

RESOLUTION BY THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT AMENDING RESOLUTION NO. 032116-02 BY CHANGING THE RATE OF INTEREST TO BE BORNE BY THE RIVERBEND WATER RESOURCES DISTRICT WATER AND WASTEWATER SYSTEM REVENUE BONDS, TAXABLE SERIES 2016B

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

WHEREAS, the Board of Directors of the District adopted Resolution No. 032116-02 entitled “A RESOLUTION authorizing the issuance of ‘RIVERBEND WATER RESOURCES DISTRICT, WATER AND WASTEWATER SYSTEM REVENUE BONDS, TAXABLE SERIES 2016B’; pledging net revenues of the District’s water and wastewater system to the security of and the payment of the principal of and interest on such obligations; providing for the sale and delivery thereof, including the approval and execution of a Paying Agent/Registrar Agreement and a Bond Purchase Letter; enacting provisions incident and related to the purposes and subject of this Resolution; and providing an effective date” on March 21, 2016 (the “Original Resolution”); and

WHEREAS, in lieu of authorizing refunding bonds to refund the referenced Bonds (the “Bonds”), the Holder of 100% of said Bonds, being Regions Bank (the “Holder”) and the District have agreed to amend the Original Resolution in order to reduce the rate of interest to be borne by said Bonds, resulting in a debt service savings to the District; and

WHEREAS, pursuant to Section 28 of the Original Resolution, the District has received an instrument executed by such Holder, which instrument refers to the following amendments and specifically consents to and approves such amendments; and

WHEREAS, it is hereby officially found, determined and declared that the meeting at which this Resolution has been adopted was open to the public, and public notice of the date, hour, place and subject of said meeting, including this Resolution, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code.

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

1. The Board of Directors of the District hereby incorporates the recitals set forth in the preamble hereto as if set forth in full at this place and further finds and determines that said recitals are true and correct.
2. That the second paragraph of Section 2 of the Original Resolution is hereby deleted and replaced in its entirety with the following:



“The Bonds shall bear interest on the unpaid principal amounts from the date of their delivery to the initial purchaser at 4.24% per annum until June 1, 2022, on which date the interest rate on the Bonds will reset to 3.10% per annum until maturity or prior redemption, (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Bonds shall be payable on April 15 and October 15 in each year, commencing October 15, 2016, until maturity or prior redemption.”

3. That Section 8(b) of the Original Resolution, entitled “Form of Bond”, is hereby amended by deleting the text immediately under the heading “Interest Rate:” and replacing said text with the following:

“4.24% until June 1, 2022
and 3.10% thereafter”

4. That Regions Bank, as Paying Agent/Registrar, is hereby authorized and directed to make conforming changes to the Initial Bond, as set forth in its written consent, which is attached hereto as Exhibit A.

5. That all other terms, provisions and covenants contained in the Original Resolution shall remain in full force and effect.

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

PASSED, APPROVED AND EFFECTIVE, this the 25th day of May, 2022.

Van Alexander, Vice President

ATTEST:

Fred Milton, Secretary

