

REGULAR MEETING RIVERBEND WATER RESOURCES DISTRICT PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING WEDNESDAY, JUNE 22, 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, June 22, 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.

AGENDA

- I. CALL TO ORDER & ROLL CALL
- II. <u>INVOCATION & PLEDGE</u>
- 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.

IV. SPECIAL AGENDA ITEM

A. Presentation of the Regional Leadership Award to Marshall Wood for his leadership and dedication to Riverbend and to regional water development.



V. <u>CONSENT AGENDA ITEMS</u>

A. Discussion and possible action regarding May 25, 2022 Regular Meeting minutes.

VI. REGIONAL ENTITY REPORTS

- A. Discussion and possible action regarding activities with Sulphur River Basin Authority.
- B. Discussion and possible action regarding activities with TexAmericas Center.
- C. Discussion and possible action regarding activities with REDI.

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 authorizing the Executive Director/CEO to execute an interlocal agreement for employees' health benefits with TML Health Benefits Pool.

Staff has received the proposed employee medical insurance plan from TML Health Benefits Pool, which would become effective on 10/1/22 for the new fiscal year. There are four new plan options that are being offered by TML for consideration for this upcoming year or we can stay with the current plan. All plan options would be an increase when compared with the total cost from the previous year. Those options, and the current plan costs, are shown in the agenda packet. For all four options, the out-of-pocket cost and/or the deductible costs would go up. The premium cost also increases between 1.93%-9.89% depending on which option is selected. Staying with the current plan would increase the premium 13%, but it holds out-of-pocket and deductible costs at the same rate as this current year. After reviewing the options, staff recommends staying with the current plan for the upcoming year to keep the out of pocket and deductible costs the same for the employees next year.

The current dental and vision plans will remain unchanged for this upcoming plan year.

Action Item: Consider motion for approval of RESO 20220622-01 authorizing the Executive Director/CEO to execute an interlocal agreement for employees' health benefits with TML Health Benefits Pool.



B. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into negotiations for the acquisition of land in connection with the construction of a regional water system.

Staff is currently working on the required properties that will need to be acquired to construct the regional water treatment facilities. We are coming to the point in the process that we may be able to start coming to agreements with property owners and have the need to sign contracts with them to get that property in hand. This item would grant the Executive Director the authority to sign agreements to acquire the property. It would also limit that authority as only up to the budgeted amount for the project, which is currently \$800,000.

Action Item: Consider motion for approval of RESO 20220622-02 authorizing the Executive Director/CEO to enter into negotiations for the acquisition of land in connection with the construction of a regional water system.

VIII. RIVERBEND 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. <u>NEXT REGULAR MEETING</u>

Riverbend True-up Workshop, July 13, 2022 at 10:00 a.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

Riverbend Regular Meeting, July 27, 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, JUNE 22, 2022

CONSENT AGENDA ITEM V. A. May 25, 2022 Regular Meeting Minutes

Regular Called Meeting Riverbend Water Resources District Board Meeting Minutes May 25, 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, Van Alexander, Vice President of the Board, called the meeting to order at 12:03 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

Van Alexander led the invocation and the pledge of allegiance.

III. Public Comments

None.

IV. Special Agenda Items

Item IV. A. & B. were considered under a Consent Agenda for one single motion of approval.

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.

A single motion was made by **Sonja Hubbard** and seconded by **Fred Milton** to approve **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. The motion passed unanimously.

B. Judge Bobby Howell administered the oath of office for Steve Mayo, newly appointed Board Member.

V. CONSENT AGENDA ITEMS

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

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

VI. Regional Entity Reports

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).

No report. No action taken.

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

Sonja Hubbard provided that REDI has been conducting a workforce study with a consultant. A presentation will be made related to that study at the end of next week.

No action taken.

VI. Agenda Items for Individual Consideration

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.

Kyle Dooley provided that Marshall Wood had previously been the Treasurer of the Board for Riverbend. This item is to consider appointing Steve Mayo to that position.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** for approval of **RESO 20220525-02** appointing Steve Mayo as the Treasurer of the Board of Directors of Riverbend Water Resources District. The motion passed unanimously.

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.

Kyle Dooley provided that 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.

A motion was made by **Steve Mayo** and seconded by **Sonja Hubbard** to approve **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. The motion passed unanimously.

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.

A motion was made by **Sonja Hubbard** and seconded by **Fred Milton** to approve **RESO 20220525-04** adopting the Purchasing Policy of Riverbend Water Resources District. The motion passed unanimously.

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

Kyle Dooley provided that 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. Riverbend 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 Riverbend 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.

A motion was made by **Fred Milton** and seconded by **Steve Mayo** to approve **RESO 20220525-05** authorizing the Executive Director/CEO to report compliance with required cybersecurity training. The motion passed unanimously.

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.

Kyle Dooley provided that 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.

A motion was made by **Sonja Hubbard** and seconded by **Steve Mayo** to approve **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. The motion passed unanimously.

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

Randy Mansfield, City Administrator for the City of Leary, Texas, provided information on the city's need for assistance with wastewater treatment. He provided information on where it has been treated historically and why that is no longer feasible for future wastewater needs. He provided that the length of pipeline needed would be less than half a mile in order to tie into a wastewater line near the entrance to the truck gate formerly known as the Lone Star Army and Ammunition Plant.

No action taken.

VII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Matt Garcia with Pape-Dawson provided the following update on the Regional Water System Project:

- TWDB has submitted comments on the draft environmental information documentation (EID). The comments were minor and will allow Pape to proceed with finalizing the document. This is one of the steps to get the design monies released from TWDB.
- 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 draft request for qualification documents have been forwarded to Riverbend for review and approval.
- Once the Engineering Feasibility Report (EFR) and the Environmental documentation have been reviewed by TWDB, 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.
 - The Engineering Feasibility Report is complete save for two key components- the specific description of the project and the financial portion. We are working with Kyle to finalize these two components.
- Work continues on coordination with the Army Corps of Engineers.

Pape Dawson is finishing up the EID and EFR. Once the EFR is handed over for review, we will schedule an Advisory Committee meeting/Mayors' meeting near the end of June to discuss project progress before we move forward. Technical memos and draft RFQs for the design team on the project are all being reviewed.

Ultimate Rule Curve: Discussions are ongoing with TWDB and the approval that we need at the USACE level to implement the ultimate rule curve. We are still working with the USACE to get the intake portion of the permitting that we need for the TWDB approvals broken apart from the timeline they have for the ultimate rule curve. TWDB has their own process of approving the EID and the EFR to be able to release funds for design. They gave some cursory comments on the draft which indicated everyone is on the same page. TWDB also has their own NEPA process. But they are willing to move forward with approval of the necessary documents so long as we understand it is contingent on getting the ultimate rule curve approved. TWDB has indicated that, once we get to the portion regarding the intake separated and getting approval, they are prepared to release funds.

USACE: Riverbend and the City of Texarkana, Texas have been working with the Corps, the Caddo Nation and the State Historic Preservation Office (SHPO) on the research design document, or a scope of work, we need to complete the cultural resources study to get the ultimate rule curve approved. The Corps put together the research design document. Texarkana, the Caddo, & Riverbend responded with a joint set of minimal comments on that document. It seems we are all on the same page on how the research needs to be conducted. Several of the comments were related to their confusion in thinking we had a new request as opposed to just trying to implement something that had already been occurring for the last 50 to 60 years. Initially, SHPO believed that discussing the scope of work should not come before the programatic agreement which lays out the entire process with the Corps for implementing the ultimate rule curve. The Corps had a call with SHPO today and they came to a tentative agreement on concurrence on moving forward with the research design document the way it is pending review of the documentation that is required. The most important note from that call today was the agreement on the scope of work and what elevations we need to do the

studies. There are things already inundated with water so there was no reason to go below the interim rule curve of 227.5 up to 233 is where the cultural resources study will look. That gets this project over a hurdle to move forward. We have had calls regarding the intake permitting with Dawson and Associates. They will reach out to the Ft. Worth Corps to discuss and resolve the request to separate the intake permitting and the Ultimate Rule Curve. Dawson believes there are options but the call to the Corps will help them decide which path to pursue.

Water Rights Application: Some of the protestants are working on a modeling projects. It seems they are on target to have preliminary data collected soon. Lawyers will meet to discuss scheduling of meetings.

Health Insurance: we are in the process of gathering quotes from a broker for new coverage to compare where we are with other entities. We will keep the board posted on that front.

True-Up meeting is tentatively set for July 13, 2022. A calendar invite will be sent once all are confirmed.

Mr. Dooley provided that Marshall Wood will be in attedence at the next board meeting to for a farewell reception.

No action taken.

VIII. Executive Session

The board stood at ease at 12:38 p.m.

The board reconvened in Executive Session at 12:47 p.m with quorum pursuant to sections 551.071 & 551.074, of the Texas Open Meetings Act.

The board came out of Executive Session at 1:34 p.m.

The board reconvened with quorum at 1:35 p.m.

IX. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, June 22, 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 **Sonja Hubbard** 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.

Tina Veal Gooch, President	
Attest:	
Kyle Dooley, Executive Director/ CEO	

REGULAR CALLED MEETING RIVERBEND WATER RESOURCES DISTRICT WEDNESDAY, JUNE 22, 2022

AGENDA ITEM VII. A. RWRD RESO 20220622-01 TML Health Benefits Pool



RIVERBEND RESOLUTION NO. 20220622-01

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE INTERLOCAL AGREEMENT(S) FOR EMPLOYEES HEALTH BENEFITS WITH TML HEALTH BENEFITS POOL

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 currently has an interlocal agreement with TML Health Benefits Pool for a health benefits plan including health reimbursement and retirement reimbursement for district employees; and

WHEREAS, Riverbend Water Resources District has a continued need for health benefits, health reimbursement arrangement, and retirement reimbursement arrangement services to support the operation and management of its wet utilities; and

WHEREAS, TML Health Benefits Pool provides said needed health reimbursement arrangement and retirement reimbursement arrangement services and is fully qualified and certified to perform these services; and

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is hereby authorized to enter into interlocal agreement(s) with TML Health Benefits Pool to provide health benefits under the employee benefits pool, health reimbursement arrangement, and retirement reimbursement arrangement services for Riverbend Water Resources District.

PASSED and APPROVED this 22nd day of June 2022

	Tina Veal Gooch, President		
ATTEST:			
Fred Milton, Vice President			

Attached: TML Health Benefits Pool Plan Premium Options



MEDICAL COST PROJECTION

Riverbend WRD - PRIVERB1 05/25/22 MEMBER OPTION

13% Increase

Current Plan	2021-2022	2022-2023 Renewal		
	Current Rates	New Rates		
	Copay-1K-3K ER	Copay-1K-3K ER		
	80% / 50%	80% / 50%		
	PPO	PPO		
	\$1,000 In Ded	\$1,000 In Ded		
	\$2,000 Out Ded	\$2,000 Out Ded		
	\$3,000 In OOP	\$3,000 In OOP		
	\$0 Tela Health Copay	\$0 Tela Health Copay		
	\$30 OV/\$60 SP/\$75 UC/\$500 ER Copay	\$30 OV/\$60 SP/\$75 UC/\$500 ER Copay		
	DAW1&2 Rx Plan	DAW1&2 Rx Plan		
EE	\$670.74	\$757.94		
EE + Spouse	\$1,361.60	\$1,538.62		
EE + Child(ren)	\$1,174.40	\$1,327.08		
EE + Family	\$2,102.10	\$2,375.38		

New Plan Options	Option 1	Option 2	Option 3	Option 4
2022-2023	9.89% Increase	7.53% Increase	8.41% Increase	1.93% Increase
	Copay-1K-4K ER	Copay-1K-5K ER	Copay-1500-3K ER	Copay-1500-5K ER
	80% / 50%	80% / 50%	80% / 50%	80% / 50%
	PPO (copay)	PPO (copay)	PPO (copay)	PPO (copay)
	\$1,000 In Ded	\$1,000 In Ded	\$1,500 In Ded	\$1,500 In Ded
	\$2,000 Out Ded	\$2,000 Out Ded	\$3,000 Out Ded	\$3,000 Out Ded
	\$4,000 In OOP	\$5,000 In OOP	\$3,000 In OOP	\$5,000 In OOP
	\$0 Tela Health Copay			
	\$30 OV/\$60 SP/\$75 UC/\$500 ER Copay			
	DAW1&2 Rx Plan	DAW1&2 Rx Plan	DAW1&2 Rx Plan	DAW1&2 Rx Plan
EE	\$737.10	\$721.26	\$727.18	\$683.68
EE + Spouse	\$1,496.32	\$1,464.16	\$1,476.18	\$1,387.88
EE + Child(ren)	\$1,290.60	\$1,262.86	\$1,273.22	\$1,197.06
EE + Family	\$2,310.06	\$2,260.44	\$2,278.96	\$2,142.66
	Option 1	Option 2	Option 3	Option 4
Please sign & date option chosen:				
	Signature / Date	Signature / Date	Signature / Date	Signature / Date

DAW1&2 Plan: If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the difference between the brand name and generic price in addition to the appropriate copayment for the brand name. The cost difference between the brand name and generic price does not apply to any individual deductibles or out of pocket amounts. The differential applies to all prescriptions purchased through this program when a generic alternate is available.

NonDAW Plan: If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the appropriate brand copay.

THIS DOES NOT COMPLETE THE RERATE PROCESS. YOU WILL NEED TO SIGN THE MEMBER OPTION AND DO ONE OF THE FOLLOWING BY 06/25/2022:

- 1. Scan an image of the signed member option and email it to underwriting@tmlhb.org, or

2. Fax the signed member option to (512) 719-6541, attn: Underwriting
THEN A NEW RERATE NOTICE WILL BE GENERATED AND MAILED TO YOU. THE RERATE SHEET MUST BE SIGNED AND RECEIVED IN AUSTIN BY 07/01/2022 FOR THE NEW BENEFITS AND RATES TO BE EFFECTIVE FOR 10/01/2022.

REGULAR CALLED MEETING RIVERBEND WATER RESOURCES DISTRICT WEDNESDAY, JUNE 22, 2022

AGENDA ITEM VII. B. RWRD RESO 20220622-02 Authorization for Land Purchase



RIVERBEND RESOLUTION NO. 20220622-02

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO ENTER INTO NEGOTIATIONS FOR THE ACQUISITION OF LAND FOR THE PURPOSE OF LOCATING A REGIONAL WATER SYSTEM

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, in accordance with the rules and regulations of the Texas Water Development Board, Riverbend obtained approval for funding in the amount of \$200 Million to design and construct a new regional water system; and

WHEREAS, Riverbend is now ready to proceed with the purchase of property in order to construct the regional water system, including but not limited to, the water treatment plant, easements, administration offices, maintenance shops, and any and all other water treatment operations in connection with the construction of a regional water system.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is hereby authorized to negotiate the acquisition of land up to the budgeted amount of \$800,000.00 for the purpose of locating a raw water treatment facility, administration offices, maintenance shops, and any and all other water treatment operations in connection with the construction of a regional water system. All contracts will be reviewed by general counsel.

PASSED and APPROVED this 22nd day of June 2022

	Tina Veal Gooch, President		
ATTEST:			
Fred Milton Vice President			