



**REGULAR MEETING
RIVERBEND WATER RESOURCES DISTRICT
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING
WEDNESDAY, JUNE 28, 2023
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 28, 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.

IV. CONSENT AGENDA ITEMS

A. Discussion and possible action regarding May 24, 2023 Regular Meeting minutes.



V. 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.

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 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 10/1/23 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 1.82%-23.71% depending on which option is selected. Staying with the current plan would increase the premium 30%, but it holds out-of-pocket and deductible costs at the same rate as this current year. Dental coverage has an increase of 8%. The current vision plan will remain unchanged for this upcoming plan year. TML Health Benefits Pool requires us to decide to renew our plan in July, but it will be before the next board meeting. This agenda item is requesting authorization to select one of these TML options, execute the needed paperwork to renew, and submit it by TML's July deadline. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20230628-01 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 request additional funding from the Texas Water Development Board (TWDB) to cover costs related to design and construction of the Regional Water System Facility.

This item pertains to the funding for the Johnny L. Branson Regional Water Treatment Facility. RWRD was successful in securing \$200 million in funding through the Texas Water Development Board (TWDB) in 2020. The needed funding was secured using cost estimates from 2019. Since that time, several things have happened in the market and in the construction world that have driven costs up dramatically. Cost estimates for the project have more than doubled since the 2019 cost estimates were done. This is not a unique issue just for this project. This is a statewide, and nationwide issue, as prices everywhere have skyrocketed over the past three to four years. As such, more funding is needed to finish the construction of the Regional Water Treatment Facility. This item, if approved, would authorize staff to prepare an application for more funding through the TWDB Drinking Water State Revolving Fund. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20230628-02 authorizing the Executive Director/CEO to request additional funding from the Texas Water Development Board (TWDB) to cover costs related to design and construction on the Regional Water System Facility.

VII. RIVERBEND 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 True-up Workshop, July 19, 2023 at 10:00 a.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

Riverbend Regular Meeting, July 26, 2023 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, JUNE 28, 2023**

**CONSENT AGENDA ITEM IV. A.
May 24, 2023
Regular Meeting Minutes**

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

May 24, 2023

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

M I N U T E S

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

Pursuant to a notice posted on the District website, the Chair, Van Alexander, President of the Board, called the meeting to order at 12:03 p.m.

Directors Present:

Van Alexander, President
Steve Mayo, Vice President
Fred Milton, Treasurer
Sonja Hubbard, Secretary

Directors Absent:

Tina Veal-Gooch, Past President

Administration Present:

Kyle Dooley, Executive Director/CEO
Eli Hunt, Director of Operations
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. Consent Agenda Items

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

A. Discussion and possible action regarding April 26, 2023 Regular Called Meeting minutes and May 1, 2023 Special Called 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).

Scott Norton, Executive Director/CEO, provided that their new Vice President of Finance will start next week. Legislation moving through the Texas Legislature that allows TAC to complete new market tax credit projects in house and allow them to do manufacturing for our tenants through our third party logistics company passed and is effective immediately. The CEO and the COO of a very big prospect visited on Monday. No action taken.

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

Sonja Hubbard provided that REDI has had help from Congressman Gary VanDeaver's office with accessing broadband & fiber options for internet service on the Texas side property, as well as gaining access to that tract of land. In late June, there is a visit from the Arkansas governor's office to discuss lengthening the runway at Texarkana Airport. No action taken.

VII. Agenda Items for Individual Consideration

A. 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. RWRD is defined as a local government for the purposes of cybersecurity requirements. Local governments must certify their training compliance by August 31, 2023. The governing body of a local government is required to verify and report on the completion of a cybersecurity training program completed by employees of the local government to the department and should retain documentation pertaining to this requirement. All Riverbend 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.

A motion was made by **Sonja Hubbard** and seconded by **Fred Milton** to approve RESO 202300524-02 authorizing the Executive Director/CEO to report compliance with required cybersecurity training. The motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution approving the second quarter FY 2023 Financial Statements.

Kyle Dooley presented the second quarter FY Investment Report.

A motion was made by **Sonja Hubbard** and seconded by **Steve Mayo** to approve **RESO 20230524-02** approving the second quarter FY 2023 Financial Statements. The motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute an amendment to the contract with Carollo Engineers for technical consulting services for the 6th cycle of regional water planning on behalf of North East Texas Regional Water Planning Group.

Kyle Dooley provided information on a contract amendment with Carollo Engineers. At the November 16, 2022 RWRD Board meeting, the Board authorized the Executive Director to execute an amendment to the funding contract with the Texas Water Development Board (TWDB) for the 6th Cycle of regional water planning on behalf of the North East Texas Regional Water Planning Group (Region D). At that time, TWDB had made more funding available to help complete the remaining tasks in the 6th cycle of planning. TWDB made available up to \$606,747 with their amendment. This release of more funding has led to the need to amend the contract RWRD has in place with Carollo Engineers, who are serving as the Technical Consultant for Region D. The original contract with Carollo Engineers was executed in September of 2021. The original amount of the contract was \$200,691. This amendment would change the amount of the contract to \$580,747. This is the first amendment to this contract, but more are expected throughout this planning cycle as TWDB makes more funding available. Staff recommends approval.

A motion was made by **Fred Milton** and seconded by **Steve Mayo** to approve **RESO 202300524-03** authorizing the Executive Director/CEO to execute an amended contract with Carollo Engineers for technical consulting services for the 6th cycle of regional water planning on behalf of North East Texas Regional Water Planning Group. The motion passed unanimously.

VIII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

We are working towards ending our contract with LJA for consulting services regarding the water rights application. Dawn Pilcher was the consultant on that project, and she has recently left LJA. With Ms. Pilcher's knowledge and history on our project, we would like to execute a contract with Dawn Pilcher's company Tidewater Professional Services to complete the water rights application process with the remaining funds to complete that application.

Water Rights Application: We are waiting on the protestants to complete a modeling project that includes any affect our water rights application would have on their interest in Cooper Lake. We are talking with North Texas to get an update on the progress of that modeling project. They have said the model reveals there is about a 500 acre foot impact on Cooper Lake as a result of our application. Before we meet to discuss the path forward, we would like to see the project findings, so we are prepared with possible solutions. We aren't aware of any other impacts other than this Cooper Lake issue. We will meet with North Texas on June 5th.

Regional Water System Project: TWDB has agreed to provide us with a conditional approval to spend design funds once we submit the EID & EFR along with a letter from the Corps stating that they concur that the project is viable under the interim rule curve. The Corps has stated the letter is written and is awaiting signatures. We need the final budget numbers to finish the EID & the EFR. The review of the documents by TWDB should take about 3 months to complete. The RFQs for the design contracts have been turned in for review and approval. We think the timeline for the RFQ approval should match the review of the required documents.

USACE-Intake Application: The application was submitted in February 2023. The operational side of USACE were minimal. They indicated that the hurdle for our application would be the regulatory side. Two weeks ago, operations, environmental and regulatory met on a conference call. Regulatory began to ask questions that indicated they were not fully knowledgeable on our application or our project. A few days later, a meeting with Regulatory and they were fully up to speed. They indicated that everything looks good and suggested with a few tweaks we could obtain a nationwide permit as opposed to an individual permit. We had a discussion with Stokes & Associates centering around the technical concerns regarding the high water mark of 227.5 at Lake Wright Patman. Based on that quick look, Stokes did not indicate that the tweaks necessary to obtain a nationwide permit would be an issue at all. The big question we had was how this would affect the timeline after design is complete, but with this nationwide permit, the permitting process is sped up and should not affect the project timeline at all.

Ultimate Rule Curve: The Corps has completed the programmatic agreement for the Cultural Resources Study. A notice was sent opening up the 30-day comment period. It will close June 23rd. The Corps is still taking bids for a group to conduct the Cultural Resources Study and the Environmental Study. Mr. Dooley has provided the requested financial assurance memo that indicates funds are available to pay for the studies. Around \$1 million is left from the original \$2.3 million originally agreed upon. The Corps is asking for an additional \$2.8 million to complete the studies.

Member City True-Up: We are hoping that the document is ready for review on July 12th. We will tentatively schedule the meeting to discuss the True-Up on July 19th at 10am. Our regular board meeting is July 26th. TWU will be on hand to answer questions at our meeting. The True-Up will be on the agenda for discussion monthly until it is typically approved at the September meeting along with the Riverbend budgets.

No action taken.

XI. Executive Session

The board stood at ease at 12:20 p.m.

The board reconvened in Executive Session at 12:24 p.m. with quorum pursuant to section 551.071 and 551.072 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.

X. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, June 28, 2023 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

XI. Adjournment

With no additional business to be discussed, a motion was made by **Steve Mayo** and seconded by **Fred Milton** to adjourn the meeting at 1:35 p.m. The motion passed unanimously.

The minutes of the Riverbend Water Resources District Board of Directors meeting, held on May 24, 2023 were read and approved on the 28th day of June, 2023.

Van Alexander, President

Attest:

Kyle Dooley, Executive Director/ CEO

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, JUNE 28, 2023**

**AGENDA ITEM VI. A.
RWRD RESO 20230628-01
TML Renewal**



RIVERBEND RESOLUTION NO. 20230628-01

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 28th day of June 2023

Van Alexander, President

ATTEST:

Sonja Hubbard, Vice President

Attached: TML Health Benefits Pool Plan Premium Options



MEDICAL COST PROJECTION

Riverbend WRD - PRIVERB1

05/31/23

MEMBER OPTION

5/31/2023 1:15 PM

Current Plan

	2022-2023 Current Rates	2023-2024 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	\$757.94	\$985.32
EE + Spouse	\$1,538.62	\$2,000.20
EE + Child(ren)	\$1,327.08	\$1,725.20
EE + Family	\$2,375.38	\$3,088.00

New Plan Options

2023-2024

	Option 1	Option 2	Option 3	Option 4
	23.71% Increase	10.19% Increase	5.54% Increase	1.82% Increase
	Copay-1K-5K ER	Copay-2K-6K ER	Copay-2500-6K ER	Copay-3K-6K ER
	80% / 50%	80% / 50%	80% / 50%	80% / 50%
	PPO (copay)	PPO (copay)	PPO (copay)	PPO (copay)
	\$1,000 In Ded	\$2,000 In Ded	\$2,500 In Ded	\$3,000 In Ded
	\$2,000 Out Ded	\$4,000 Out Ded	\$5,000 Out Ded	\$6,000 Out Ded
	\$5,000 In OOP	\$6,000 In OOP	\$6,000 In OOP	\$6,000 In OOP
	\$0 Tela Health Copay	\$0 Tela Health Copay	\$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	\$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	DAW1&2 Rx Plan	DAW1&2 Rx Plan
EE	\$937.64	\$835.14	\$799.94	\$771.76
EE + Spouse	\$1,903.42	\$1,695.32	\$1,623.86	\$1,566.68
EE + Child(ren)	\$1,641.72	\$1,462.24	\$1,400.62	\$1,351.28
EE + Family	\$2,938.58	\$2,617.32	\$2,507.00	\$2,418.72

Please sign & date option chosen:

Signature / Date

Signature / Date

Signature / Date

Signature / Date

THIS DOES NOT COMPLETE THE RERATE PROCESS. YOU WILL NEED TO SIGN THE MEMBER OPTION AND RETURN TO YOUR MARKETING CONTACT BY 06/26/2023.

THEN A NEW RERATE NOTICE WILL BE GENERATED AND MAILED TO YOU. THE RERATE SHEET MUST BE SIGNED AND RECEIVED IN AUSTIN BY 07/01/2023 FOR THE NEW BENEFITS AND RATES TO BE EFFECTIVE FOR 10/01/2023.

The information contained in this option includes proprietary information that should not be shared with other competitors or used to circumvent the requirements of Texas Competitive Bidding laws.

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, JUNE 28, 2023**

**AGENDA ITEM VI. B.
RWRD RESO 20230628-02
Water Facility Funding**



RIVERBEND RESOLUTION NO. 20230628-02

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO REQUEST ADDITIONAL
FUNDING FROM THE TEXAS WATER DEVELOPMENT BOARD FOR THE
REGIONAL WATER TREATMENT FACILITY**

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, on May 22, 2019, the Board authorized the Executive Director/CEO to submit an application to the Texas Water Development Board for financial assistance in an amount not to exceed \$200,000,000 to provide for the payment of costs of developing a regional water treatment and raw water conveyance system; and

WHEREAS, there is a need for additional funding for the regional water treatment facility.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is hereby authorized to submit an application as needed for additional funding for the regional water treatment facility.

PASSED and APPROVED this 28th day of June 2023

Van Alexander, President

ATTEST:

Fred Milton, Secretary