

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

August 28, 2024

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, Steve Mayo, President of the Board, called the meeting to order at 12:01 p.m.

Directors Present:

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

Directors Absent:

None

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

Lynn Davis led the invocation and the pledge of allegiance.

III. Public Comments

None.

IV. Special Agenda Item

A. Steve Mayo presented the Regional Leadership Award to Fred Milton for his leadership and dedication to Riverbend and to regional water development.

V. Consent Agenda Items

A. Discussion and possible action regarding the July 24, 2024 Regular Meeting minutes.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve the Consent Agenda Item as presented. The motion passed unanimously.

VI. Regional Entity Reports

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

David Weidman provided that all their financial partners have paid their contribution to SRBA's efforts. The board is continuing to review concepts for a new logo. They are continuing work with TWDB on the Flood Infrastructure Fund (FIF) grant application Mr. Wiedmon had a good meeting with Titus County Fresh Water Supply District that resulted in their commitment to execute a partnership with SRBA. He met with Upper Trinity Regional Water District to discuss the inflation adjustment issue. They do support working towards an agreement on that. They talked about potential in kind support in addition to their monetary support. A tour of the Ralph Hall site is scheduled for the end of October. We are starting to develop the information we will apply to the legislature to become part of the Rural River Authorities Coalition. We are in need of examples of rural needs in the basin to present to them. Upper Trinity also reached out to SRBA about working with their conservation fund in a funding capacity so there is potential for funding for SRBA through that avenue as well. A meeting was held with the stakeholders and the senator to discuss the log jam at highway 37. No action taken.

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

Scott Norton, Executive Director, provided an update. The TAC board has reviewed revised 2024 and proposed 2025 budgets. The board approved a purchase tow locomtives from the DEAAG grant they were awarded with the help of ATCOG. The board also approved amendments to their forestry management plan to entice prospects that see the trees on the property as a hinderance to moving forward on projects. Investments for upgrades on the Area D warehouses were approved as well. There was a \$360,000 increase to the environmental clean up contract with the Army to close that ESCA Contract out. They approved to add 500 acres to their Qualified Sites Program on the north end of the west campus near New Boston. A fifth amendment to the contract with Braven was also approved to allow them to clear additional property on their site. Braven also sent their application to the comptroller's office on April 1st for their school district tax abatement through the new Jobs, Energy, Technology, & Innovation Act (JETI) and it is now considered complete. Now it will be submitted to Hooks ISD and the governor for approval so that TAC can negotiate the final contract. They are closing this afternoon on the purchase of the Phelps Tire property on Spur 86 to ensure the entrance to the TAC footprint is clean. They're working with a lithium company on leasing a building with the option to purchase

around 330 acres for their production on the TAC property with no lithium discharge on the property. They will be a huge water user at 1.5 mgd. The location of the discharge on that usage will be discussed with Riverbend as the closing of that contract gets closer. Maverick Pipe sold the building they purchased from TAC to Rowe Casa. No action taken.

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

Sonja Hubbard provided an update. On Friday, August 23rd, the State of Arkansas approved \$16.7 Billion towards the lengthening and strengthening of the runway at Texarkana Regional Airport. That, combined with funds that came from help provided by Congressman Nathaniel Moran and Congressman Bruce Westerman, allows the project to move forward.

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 execute an agreement for Retirement fund management with the Texas County and District Retirement System (TCDRS).

Kristina Fox with TCDRS made a presentation to the board regarding the system origination and program details. TCDRS was created by the Texas Legislature in 1967 to provide Texas county and district employees with retirement, disability and survivor benefits. As a water conservation and reclamation district, Riverbend qualifies to join TCDRS. Riverbend staff has compared the current retirement plan with TCDRS and has come to the conclusion that TCDRS will provide Riverbend staff with better benefits when compared to the current retirement plan. TCDRS combines portions of a 401(k) and a defined benefit plan, like the Teacher Retirement System. Employees save for their own retirement. TCDRS offers its members a lifetime retirement benefit. Kyle Dooley, Executive Director/CEO provided that this lifetime benefit is what makes this retirement system a better option than our current retirement plan. The effective date of the change would be October 1, 2024. There is an increased cost to the District when compared with the current plan, but this cost has been included in the budget documents for FY2025 that will be presented in Agenda Item C. Funds are available in the budget for this possible increase. Staff recommends approval.

A motion was made by Sonja Hubbard and seconded by Van Alexander to approve RESO 20240828-01 authorizing the Executive Director/CEO to execute an agreement for retirement fund management with the Texas County and District Retirement System. The motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution adopting the 2025 Member Entities' True-Up.

Kyle Dooley provided that TWU made their annual presentation of the Member Entities' True-Up report on Wednesday, July 17th. The proposed water production rate is shown to decrease from \$1.2606/1000 Gallons used to \$1.0895/1000 Gallons used. This is a 13.57%

decrease overall. The administrative overhead cost is proposed to go from 6.72% to 6.49%. In addition to this decrease, a proposal was made regarding the expansion of Highway 82. The original Lake Texarkana Water Supply Corporation Members were offered the option to leave their True-Up rate at \$1.2606/1000 gallons used. This will allow the excess funds over the required \$1.0895 to be placed in an interest bearing account to put forth on the debt for the Highway 82 project. Those members asked for a template resolution to take to their council members for approval before October 1st. We are awaiting those executed resolutions. The board can act on approving the true-up at this meeting, but typically has chosen not to act until the September meeting when the RWRD budget is considered and approved. No action taken.

C. Discussion regarding Regional Water Facility Fund Budget and Debt Service Rate for FY 2025.

Kyle Dooley provided that there have been no updates or changes to this budget or the proposed rate since it was presented in August. The board can act on approving the proposed debt service rate at this meeting, but typically has chosen not to act until the September meeting when the RWRD budget is considered and approved. No action taken.

D. Discussion and possible action regarding approval of a resolution approving the City of Maud Service Contract True-Up.

Kyle Dooley provided that there have been no changes or updates to this proposed True-Up. Typically, the board has chosen not to act until the September meeting when the RWRD budget is considered and approved. No action taken.

E. Discussion regarding the Riverbend Budgets.

i. Revised 2024 Budgets for the Administrative Member Fund, the Wet Utilities Fund, and the Regional Water System Facilities Fund.

Kyle Dooley presented the proposed changes to the FY 2024 Administrative Member Fund Budget, the Wet Utilities Fund Budget, and the Regional Water System Facilities Fund Budget.

ii. Proposed 2025 Budgets for Administrative Member Fund, Wet Utilities Fund, and the Regional Water System Facilities Fund.

Kyle Dooley presented the proposed FY 2025 budgets for the Administrative Member Fund, Wet Utilities Fund, and the Regional Water System Facilities Fund. The proposed Wet Utilities Fund Budget includes a 3% cost of living adjustment.

No action taken.

F. Discussion and possible action regarding approval of a resolution contributing funds to the Sulphur River Basin Authority (SRBA) to help support its water quality protection and water planning efforts in the basin.

Kyle Dooley provided details on this item. For several years, SRBA has been administering the Clean Rivers Program for the Sulphur River Basin along with being engaged in state and regional water planning. Historically, SRBA has struggled to secure funding to support its mission from sources inside the basin itself. In the past few years, that has started to change as cities and water districts in the Sulphur River Basin have started to help fund SRBA annually. Riverbend's member entities benefit directly from the water quality protection that SRBA provides through the Clean Rivers Program and benefit from SRBA's participation in the water planning process. With both of those ideas in mind, staff recommends approval of this resolution to contribute \$70,000 to SRBA annually to begin in fiscal year 2025 to help support their efforts in water quality and water planning.

A motion was made by Van Alexander and seconded by Sonja Hubbard to approve RESO 20240828-05 contributing funds to the Sulphur River Basin Authority (SRBA) to help support its water quality protection and water planning efforts in the basin. The motion passed unanimously.

- G. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute an interlocal agreement with the Ark-Tex Council of Governments (ATCOG) for submission of an application for a Defense Economic Adjustment Assistance Grant for funding for the Industrial Wastewater Facility.

This item pertains to an interlocal agreement for ATCOG to assist Riverbend in submitting an application for a DEAAG grant for funding to go toward the proposed Industrial Wastewater Facility. The interlocal agreement would be to submit the application for the grant. Then, if successful, there would be another full management agreement between Riverbend and ATCOG for the administration of the grant. That would be a two-year agreement for \$50,000, but would come back to the board for approval, if the application for grant funding is successful. Staff recommends approval.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RESO 20240828- authorizing the Executive Director/CEO to execute an interlocal agreement with the Ark-Tex Council of Governments (ATCOG) for submission of an application for a Defense Economic Adjustment Assistance Grant for funding for the Industrial Wastewater Facility. The motion passed unanimously.

- H. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute a construction contract with Francis Excavating, LLC.

Eli Hunt, Director of Operations, provided that this item is regarding the rehabilitation of a wastewater drying bed at the Ron Collins Wastewater facility. MTG Engineers has been hired for design and construction management services for the project, and recently requested bids for the construction project. Riverbend received four bids. They were from Four Thirteen Inc., Francis Excavating, LLC, Hart Construction, and Texarkana Concrete Construction, Inc. The submittal proposals were evaluated by a team of RWRD staff, as described in the bid documents. Based on that evaluation, staff recommends that Francis Excavating, LLC's proposal offers the best value to RWRD. Funds are available for this project.

A motion was made by Sonja Hubbard and seconded by Lynn Davis to approve RESO 20240828-07 authorizing the Executive Director/CEO to execute a construction contract with Francis Excavating, LLC for the rehabilitation of a drying bed at the Ron Collins Wastewater Facility. The motion passed unanimously.

VIII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regional Water System Project: Brian Strickland with Pape Dawson provided an update. All three design firm contracts were signed for the final portion of planning, design, and bid services. The design firms have identified areas for additional data with regards to geotechnical investigation and survey. Status meetings and site visits have been scheduled for mid-September. The geotechnical investigation for scope has been agreed upon and just this morning a site survey was conducted to mark areas for boring. The borings decrease the risk during tunneling operations and structural foundation design. The Environmental Assessment was reviewed by USACE Fort Worth district and returned for comment. The comments are being addressed and the Environmental Assessment will be returned to the USACE. We expect another round of comments after their second review. We have bi-weekly meetings with the operations division at USACE that will continue throughout the outgrant process. The fieldwork for the antiquities permit was conducted and the data has been reviewed. The final report is being drafted for concurrence from Texas Historical Commission. The Corps has asked us to run RiverWare software for the lake modeling. We have subcontracted a firm specializing in modeling to create it for us and have verified with USACE the inputs to run the program. The output will be a Technical Memorandum with a summary of results. Finally, TWDB is expected to release the Drinking Water State Revolving Funds projects for 2025. RWRD is expected to be above the cut line for the additional funding applied for in March.

Industrial Wastewater Plant: We are waiting to hear back from Hilltop on the funding available for this project. We are waiting to hear back from 2 banks with terms so that we can make an informed decision.

No action taken.

IX. Executive Session

The board stood at ease at 1:17 p.m.

The board reconvened in Executive Session at 1:20 p.m. with quorum pursuant to sections 551.071 and 551.072 of the Texas Open Meetings Act.

The board came out of Executive Session at 1.58 p.m.

The board reconvened with quorum at 2:00 p.m.

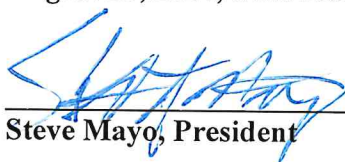
X. Next Riverbend Meetings

Riverbend Regular Meeting, September 25, 2024 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

XI. Adjournment

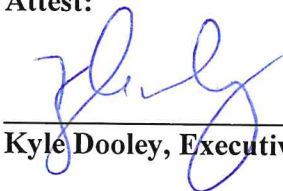
With no additional business to be discussed, a motion was made by Van Alexander and seconded by Lynn Davis to adjourn the meeting at 2:01 p.m. The motion passed unanimously.

The minutes of the Riverbend Water Resources District Board of Directors meeting, held on August 28, 2024, were read, and approved on the 25th day of September 2024.



Steve Mayo, President

Attest:



Kyle Dooley, Executive Director/ CEO

