



**REGULAR MEETING
RIVERBEND WATER RESOURCES DISTRICT
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING
WEDNESDAY, FEBRUARY 26, 2025
12:00 P.M.
228 TEXAS AVENUE, SUITE A, NEW BOSTON, TX 75570**

*Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of the Riverbend Water Resources District will conduct a meeting; open to the public, on **Wednesday, February 26, 2025, at 12:00 p.m.**, at the Riverbend Water Resources District (“Riverbend”) office, in the **Conference Room** located at **228 Texas Avenue, Suite A, New Boston, TX 75570.***

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

A G E N D A

- I. CALL TO ORDER & ROLL CALL
- II. INVOCATION & PLEDGE
- III. PUBLIC COMMENTS

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must sign in on the public comment sheet. The time limit is five (5) minutes per speaker, subject to the provisions set forth under Section 551.007 of the Texas Government Code.

- IV. CONSENT AGENDA ITEMS

- A. Discussion and possible action regarding January 22, 2025 Regular Meeting minutes.

V. REPORTS

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

VI. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

The Board of Directors will consider, discuss, and if appropriate, take action on the following item(s):

A. Discussion and possible action regarding approval of a resolution approving the first quarter financials for FY 2025.

Presentation of the first quarter financials for FY 2025 will be by Tara Houck.

Action Item: Consider motion for approval of RESO 20250226-01 approving the first quarter financials for FY 2025.

B. Discussion and possible action regarding approval of a resolution approving the first quarter investment report for FY 2025.

Presentation of the first quarter investment report for FY 2025 will be by Tara Houck.

Action Item: Consider motion for approval of RESO 20250226-02 approving the first quarter investment report for FY 2025.

C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute an interlocal agreement(s) for risk management insurance with the TWCA Risk Management Fund.

This item pertains to the annual renewal of the District's risk management insurance. We are currently part of the TWCA Risk Management Fund and the plan includes property insurance, workers' compensation insurance, and board insurance. Staff recommends continuing with the TWCA Risk Management Fund and consideration of approval to renew the policy.

Action Item: Consider motion for approval of RESO 20250226-03 authorizing the Executive Director/CEO to execute an interlocal agreement(s) for risk management insurance with the TWCA Risk Management Fund.

D. Discussion and possible action regarding approval of a resolution reviewing and updating the Drought Contingency Plan and the Water Conservation Plan of Riverbend Water Resources District.

This item pertains to the review and update of the Water Conservation Plan as well as the Drought Contingency Plan.

Action Item: Consider motion for approval of RESO 20250226-04 adopting updates to the Drought Contingency Plan and the Water Conservation Plan of Riverbend Water Resources District.

E. Discussion and possible action regarding approving a resolution to update to the Engineering Master List.

This item pertains to updating the Engineering Master List. In October of 2021, the Board authorized the Executive Director to review and update the Engineering Master List as needed but not more often than every three years. There is a need to review and update the list currently, but there is also a need to reconsider some of the categories of services that are to be provided now versus what was needed when the list was originally created. This resolution, if approved, would allow the Executive Director to update the categories of services provided when going through the review and update process going forward. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20250226-05 authorizing the Executive Director/CEO to revise the categories of services provided in the original Engineering Master List as part of the review and update process.

F. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to amend the Water Supply Contracts with Member Entities.

This item pertains to an amendment to the Water Supply Contracts dealing with the point of delivery of the system along with the ownership and maintenance of the ground storage tanks by each member entity. This amendment to the water supply contract is to clear up any ambiguity about ownership and maintenance of facilities located beyond the point of delivery as defined by the contract. This amendment states that the member entity has title to and is responsible for the operation and maintenance of all facilities located beyond the point of delivery as defined by the contract. Historically, there has been maintenance performed by TWU for the members on their ground storage tanks, which are beyond the point of delivery, and those costs have then been shared by all entities through the water production rate charged through the True-Up. After meeting with the entities at a Mayor's Meeting, they requested this proposed amendment to clearly define that "group" maintenance of the regional water system will stop at the point of delivery and that each member entity has title to and is responsible for all facilities and pipes located beyond the point of delivery. Staff recommends approval.

Action Item: Consider motion for approval of RESO 20250226-06 granting the Executive Director/CEO signature authority to amend the Water Distribution and Supply Contract with each Member Entity in respect to the title and responsibility for all infrastructure on Member's Entity's side of the meter from the Point of Delivery.

VII. REPORTS

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

VIII. EXECUTIVE SESSION

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

IX. NEXT REGULAR MEETING

Riverbend Regular Meeting, March 26, 2025 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

X. ADJOURNMENT

Kyle Dooley

Kyle Dooley, Executive Director/ CEO
Riverbend Water Resources District

*Persons with disabilities who plan to attend the RWRD Board of Directors' meeting and who may need auxiliary aids or services are requested to contact the RWRD Administrative Offices at (903) 831-0091, as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**CONSENT AGENDA ITEM IV. A.
January 22, 2025
Regular Meeting Minutes**

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

January 22, 2025

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, Lynn Davis, President of the Board, called the meeting to order at 12:02 p.m.

Directors Present:

Lynn Davis, President
Sonja Hubbard, Vice President
Tina Veal Gooch, Treasurer
Van Alexander, Secretary

Directors Absent:

Steve Mayo, Past President

Administration Present:

Kyle Dooley, Executive Director/CEO
Tara Houck, CFO
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. Consent Agenda Items

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

A. Discussion and possible action regarding November 20, 2024 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).

David Weidman provided an update. The board had a fairly extensive discussion on the Clean Rivers Program. The funding received from the state next fiscal year will not be sufficient to maintain the current number of monitoring stations. The the board discussed reducing or maintaining the same number of monitoring stations to reduce cost. They chose to keep the same number of stations and fund the difference. Senator Charles Perry has asked to meet Executive Directors associated with the Rural River Authority Coalition Initiative in Ausitn next week. There are a several vacancies on the SRBA board that need to be filled. Chris Spencer stepped down when he ran for state legislature, Gary Cheatwood's term is expiring and he is stepping down. Reeves Hayter and Wally Kraft, both of Lamar County, also have expiring terms. Please reach out to the governor's appointment office to make nominations to their board. No action taken.

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

Scott Norton, Executive Director provided an update. The inhouse Qualified Sites Program was recognized by Expansions Solutions Magazine as one of the top certified site programs in the southern part of the US. EnviroSafe Demil has excersized the option to purchase an additional 130 acres to add to the 45 they currently own. Pending approval from USDA, that sale will close by the end of the month. Braven Environmental has finalized their JEDI application with the State of Texas. They will announce their project soon. TexAmericas Center is under contract with Braven to purchase 75 acres. There are currently 126 prospects interested in the TAC footprint. No action taken.

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

Sonja Hubbard provided an update. Congressman Steve Womack paid a visit to the Texarkana Regional Airport and he committed to searching for more funding for the airport project. The Texas Legislative budget does have the runway project in the budget. The airplane painting company is moving to the airport as well. The textile manufacturer put their prospective move on hold pending the election. That site has been shown to 4 other entities. No action taken.

Lynn Davis, Board President, introduced Lee Elliott, a New Boston native. He has been hired as the full time Executive Director of the Special Industrial Development Corporation for the City of the New Boston. Mr. Elliott has a long history of industrial, commercial involvement across the state and across the country. He will be an asset to the city and to future development.

VI. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution approving the Fourth Quarter FY 2024 Financials.

Presentation of the fourth quarter financial statements for FY 2024 was made by Tara Houck.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RESO 20250122-01 approving the fourth quarter financials for FY 2024. Motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution approving Fourth Quarter FY 2024 Investment Report.

The presentation of the fourth quarter investment report for FY 2024 was made by Tara Houck.

A motion was made by Van Alexander and seconded by Sonja Hubbard to approve RESO 20250122-02 approving the fourth quarter investment report for FY 2024. Motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution approving the FY 2024 Annual Audit performed by Wilf and Henderson, P.C.

The presentation of the FY 2024 Annual Audit was made by Carolyn Wilder with Wilf and Henderson, P.C. Ms. Wilder stated the audit is clean and the District is in good financial position.

A motion was made by Sonja Hubbard and seconded by Tina Veal Gooch to approve RESO 20250122-03 approving the FY 2024 Annual Audit performed by Wilf and Henderson, P.C. the motion passed unanimously.

D. 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.

Kyle Dooley provided that this item pertains to the TWDB invitation to submit a full application for additional funding through the Drinking Water State Revolving Fund for the Regional Water System Facility. At the June 28, 2023 Board meeting, the Board authorized the Executive Director to request additional funding from the TWDB for the project. In a pre-application meeting on January 7th with TWDB, TWDB informed the group that we would need to update the resolution to include the specific dollar amount of the possible award from TWDB plus 10% and submit it as part of the application to TWDB. The deadline for the application submittal was January 10th. TWDB advised us to turn in the application with the June 28, 2023 resolution attached and update that resolution at our January board meeting and then submit it to replace the June 28, 2023 resolution.

A motion was made by Van Alexander and seconded by Sonja Hubbard to approve RESO 20250122-04 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. The motion passed unanimously.

E. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute an agreement with Cross Oak Group for professional consulting services.

Kyle Dooley provided that this item pertains to the current agreement with Cross Oak Group for professional consulting services. Cross Oak Group has performed consulting services for RWRD since 2013. This agreement requests to increase the cost from \$5,000 to \$7,500 per month. While this cost increase is significant, there has not been a cost adjustment in the last 6 years and the funds are available in the budget to cover this increase.

A motion was made by Sonja Hubbard and seconded by Tina Veal Gooch to approve RESO 20240122-05 authorizing the Executive Director/CEO to execute an agreement with Cross Oak Group for professional consulting services. The motion passed unanimously.

VII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regional Water System Project: Matt Garcia with Pape-Dawson provided an update. Overall, the Program is gaining momentum, moving closer to the design phase every day. The Environmental Assessment (EA) document is being routed through the Corps of Engineers for signature. After the public comment period that ends on February 9, 2025, the Fort Worth District Commander will be able to sign the final EA. This will allow the Corps to issue a Finding of No Significant Impact, also known as a FONSI. As referenced in the first comment, two public meetings required as part of the FONSI were held on the 7th and 8th of this month in Texarkana, Texas and Atlanta, Texas. There were no adverse comments. The Corps approved of the public meetings format and content allowing the public notification requirement to be met. Once the EA FONSI is issued, the EA will be sent to TWDB for inclusion into the Environmental Information Document (EID) along with Nation Wide Permit 58 dealing with waters of the US. The final comment period for the antiquities permit ends on February 16, 2025 at which time Texas Historical Commission will issue a concurrence on the cultural research completed for the program area. We would like to thank Scott Norton and Jeff Whitten at TexAmericas for their help on the permit. The goal of providing all the environmental information to TWDB is to move into the design phase which allows design documents to be completed, and land and easement acquisitions to begin. Planning activities with design firms on the dredge, intake, tunnel, pump station, raw water transmission, water treatment plant, and finished water lines. These activities have seen incredible progress over the last 2 months. Some of the day to day activities that are occurring are:

- Borings on the lake bottom near the intake location are being conducted from a barge. There are three bores and 10 grab samples remaining before the barge demobilizes.

- Bores near the intake location and road are being scheduled around the weather. The road is currently holding water with the lake at 227.5’.
- Soil test pits are being planned near the raw water pump station site to categorize soil types.
- Outgrant documentation and coordination with the Corps point of contact (she attended the public meetings) has begun.
- Survey Easement Drafts are being drawn for TexAmericas and private property owners.
- Use of the Nation Wide Permit 58 for construction near Waters of the US is under review with regulators.

Kyle Dooley added that he met with TWDB on January 7th. They specifically discussed the strategy to obtain the remaining funds for the project. The Drinking Water SRF offers the best rates, but they have stopped awarding multiple year agreements. The funds must be applied for annually with a cap of \$59 million per project per year. We can apply every year but if the cap stays at \$59 million, that will not get the project complete. TWDB has now suggested Riverbend apply for SWIFT funds. The application deadline is February 3rd, and Riverbend will submit an application for the remaining project funds.

IWW Plant: Bonds have been closed. Eli Hunt, Director of Operations, published the RFQ on November 25th. The deadline for submittal was January 2nd. Burns McDonald and Garver were the two proposals we received. Interviews with Kyle, Dooley, Eli Hunt, Tara Houck, Tina Veal Gooch, and Lynn Davis are scheduled on February 3rd and a decision will be made that week. That will keep us on track for having design complete before the end of the year.

A Mayors’ Meeting was held on Wednesday, January 8th. Discussion centered around ownership of the ground storage tanks in each city and whether or not they are group assets or they belong to each individual entity. The reason for this discussion started because the ground storage tank in the City of New Boston began leaking and the leak lead to discovering that the tank needs to be replaced. In the past, the repairs and maintenance were handled by Texarkana Water Utilities (TWU) because the cost for that was minimal. Now that nearly all of the tanks are nearing end of life, there needs to be a clear point of delivery for the water system so as to better define where ownership of facilities and equipment begins. The meeting resulted in a need to amend each member entity’s water supply contract to define that point of delivery. That item will be brought to the board in February.

There will be a Region D Meeting held on February 19, 2025. The meeting will be held to adopt the Initially Prepared Plan (IPP) and then planning will begin for the approval of the final Regional Water Plan. The IPP must be submitted by March 3. Then a public hearing with a 30-day notice will be scheduled and that will open up a 60-day comment period for constituents to make comments. There will then be one more meeting to approve the final regional water plan that must be submitted by October 20, 2025

No action taken.

VIII. Executive Session

The board stood at ease at 12:55 p.m.

The board reconvened in Executive Session at 1:00 p.m. with quorum pursuant to section 551.072 and 551.074 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:43 p.m.

The board reconvened with quorum at 1:45 p.m.

IX. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, January 22, 2025 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

X. Adjournment

With no additional business to be discussed, a motion was made by Van Alexander and seconded by 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 January 22, 2025, were read and approved on the 26th day of February 2025.

Attest:

Lynn Davis, President

Kyle Dooley, Executive Director/ CEO

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. A.
RWRD RESO 20250226-01
First Quarter FY 2025
Financial Statements**



RIVERBEND RESOLUTION NO. 20250226-01

APPROVING THE FIRST QUARTER FY 2025 FINANCIAL STATEMENTS

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 staff prepares and presents quarterly financial statements, which provide for the fiduciary guidance of Riverbend Water Resources funds.

NOW, THEREFORE, BE IT RESOLVED that the Riverbend Water Resources District Board of Directors accepts and approves the First Quarter FY 2025 financials.

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary

Attached: First Quarter FY 2025 Financials



RIVERBEND WATER RESOURCES DISTRICT

STATEMENT OF NET POSITION

ENTERPRISE FUNDS

DECEMBER 31, 2024

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 101,093	\$ -	\$ 1,434,070	\$ 1,535,163
Accounts receivable	15,102	588,890	708,335	1,312,327
Interest receivable	-	391,526	-	391,526
Interfund accounts	32,061	-	11,629	43,690
Restricted assets:				
Cash and cash equivalents restricted for bond debt reserves	-	5,548,950	3,632,862	9,181,812
Cash and cash equivalents restricted for construction	-	105,927,300	31,350,215	137,277,515
Cash and cash equivalents restricted for operations	-	-	906,817	906,817
Prepaid expenses	-	-	110,706	110,706
Due from North East Texas Regional Water Planning Group	34,343	-	-	34,343
Inventories	-	-	89,750	89,750
Total current assets	182,599	112,456,666	38,244,384	150,883,649
Noncurrent assets:				
Cash and cash equivalents - restricted for bond debt reserves	-	5,753,738	4,225,671	9,979,409
Right to Use Subscription asset (net of accumulated amortization)	-	-	43,952	43,952
Capital assets (net of accumulated depreciation):				
Equipment	-	-	524,627	524,627
Utility system	-	-	14,584,186	14,584,186
Intangible assets	-	-	231,564	231,564
Construction in progress	-	27,667,381	37,633	27,705,014
Total capital assets	-	27,667,381	15,421,962	43,089,343
Total noncurrent assets	-	33,421,119	19,647,633	53,068,752
TOTAL ASSETS	182,599	145,877,785	57,892,017	203,952,401
LIABILITIES				
Current liabilities:				
Accounts payable	3,258	1,717,862	226,591	1,947,711
Payroll liabilities	-	-	46,281	46,281
Interfund accounts	11,629	32,061	-	43,690
Accrued interest payable	-	437,307	453,502	890,809
Accrued compensated absences - current portion	-	-	24,540	24,540
Subscription liability - current portion	-	-	22,487	22,487
Revenue bonds payable - current portion	-	3,450,000	1,270,000	4,720,000
Total current liabilities	14,887	5,637,230	2,043,401	7,695,518
Long-term liabilities:				
Accrued compensated absences - long term	-	-	59,426	59,426
Arbitrage rebate liability	-	1,391,755	-	1,391,755
Revenue bonds payable - long term	-	112,425,000	38,860,000	151,285,000
Total long-term liabilities	-	113,816,755	38,919,426	152,736,181
TOTAL LIABILITIES	14,887	119,453,985	40,962,827	160,431,699
NET POSITION				
Change in net position - current year	51,203	3,027,414	(77,763)	3,000,854
Net investment in capital assets	-	11,234,332	9,864,768	21,099,100
Restricted for bond reserves	-	12,189,260	5,274,202	17,463,462
Restricted for construction	-	1,615	20,037	21,652
Unrestricted	116,510	(28,821)	1,847,981	1,935,670
TOTAL NET POSITION	\$ 167,713	\$ 26,423,800	\$ 16,929,225	\$ 43,520,738

RIVERBEND WATER RESOURCES DISTRICT

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION ENTERPRISE FUNDS FOR THE THREE MONTHS ENDED DECEMBER 31, 2024

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
OPERATING REVENUES				
Charges for services:				
Member fees	\$ 37,809	\$ -	\$ -	\$ 37,809
Army volumetric charge	-	-	898,074	898,074
Army water supply charge	-	-	42,914	42,914
Commercial and residential charge	-	-	35,408	35,408
Infrastructure Services	-	-	39,542	39,542
Other revenue	-	-	14,170	14,170
Total operating revenues	<u>37,809</u>	<u>-</u>	<u>1,030,108</u>	<u>1,067,917</u>
OPERATING EXPENSES				
Accounting and audit	-	-	16,000	16,000
Analyticals	-	-	52,417	52,417
Capital replacement	-	-	185,525	185,525
Community relations	70,060	-	-	70,060
Consulting	46,084	-	1,020	47,104
Dues and memberships	2,257	-	-	2,257
Equipment maintenance, repair and fuel	-	-	12,486	12,486
Insurance	-	-	18,615	18,615
Legal and professional fees	2,552	-	-	2,552
Materials	-	-	46,438	46,438
Meetings expense	1,818	-	-	1,818
Military affairs	2,750	-	-	2,750
Permits	-	-	16,272	16,272
Repairs	-	-	36,952	36,952
Salaries, wages, payroll taxes and benefits	55,353	-	283,000	338,353
Supplies	10	-	18,248	18,258
Travel and training	2,313	-	-	2,313
Utilities	-	-	37,291	37,291
Waste disposal	-	-	8,731	8,731
Water purchase cost	-	-	66,969	66,969
Web design and maintenance	420	-	-	420
Infrastructure services	-	-	65,966	65,966
Overhead allocation - water	-	-	57,371	57,371
Overhead allocation - wastewater	-	-	62,356	62,356
Overhead allocation - industrial wastewater	-	-	62,866	62,866
Total operating expenses before depreciation	<u>183,617</u>	<u>-</u>	<u>1,048,523</u>	<u>1,232,140</u>
Operating income (loss) before depreciation	(145,808)	-	(18,415)	(164,223)
Depreciation	-	-	221,249	221,249
Operating income (loss)	<u>(145,808)</u>	<u>-</u>	<u>(239,664)</u>	<u>(385,472)</u>
NONOPERATING REVENUES (EXPENSES)				
Facility charges revenue	-	-	927,337	927,337
Minimum monthly payments	-	2,259,023	-	2,259,023
Interest revenue	11	1,285,490	185,993	1,471,494
Project admin fees	-	-	6,889	6,889
Gain (loss) on investment	-	12,583	-	12,583
Bond issuance costs	-	-	(265,000)	(265,000)
Interest expense	-	(525,842)	(464,026)	(989,868)
Finance and wire fees	-	(3,840)	-	(3,840)
Franchise fees expense	-	-	(29,292)	(29,292)
Special projects expense	(3,000)	-	-	(3,000)
Total nonoperating revenues (expenses)	<u>(2,989)</u>	<u>3,027,414</u>	<u>361,901</u>	<u>3,386,326</u>
Income (loss) before transfers	(148,797)	3,027,414	122,237	3,000,854
Transfers in (out)	<u>200,000</u>	<u>-</u>	<u>(200,000)</u>	<u>-</u>
Changes in net position	51,203	3,027,414	(77,763)	3,000,854
Net position, beginning of year	116,510	23,396,386	17,006,988	40,519,884
Net position, end of 1st quarter	<u>\$ 167,713</u>	<u>\$ 26,423,800</u>	<u>\$ 16,929,225</u>	<u>\$ 43,520,738</u>

RIVERBEND WATER RESOURCES DISTRICT

**SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE
REGIONAL WATER SYSTEM ADMINISTRATION
FOR THE THREE MONTHS ENDED DECEMBER 31, 2024**

	<u>Budget</u>	<u>Actual</u>	<u>Variance with Budget</u>	<u>% of Budget</u>
OPERATING REVENUES				
Charges for services	\$ 217,798	\$ 37,809	\$ (179,989)	17.36%
Total operating revenues	<u>217,798</u>	<u>37,809</u>	<u>(179,989)</u>	<u>17.36%</u>
OPERATING EXPENSES				
Advertising	1,200	-	1,200	0.00%
Accounting & audit	5,000	-	5,000	0.00%
Community relations	78,000	70,060	7,940	89.82%
Conferences & seminars	4,700	-	4,700	0.00%
Consulting	200,000	46,084	153,916	23.04%
Dues & memberships	9,083	2,257	6,826	24.85%
Engineering services	20,000	-	20,000	0.00%
Legal & professional fees	27,500	2,552	24,948	9.28%
Meetings expense	6,000	1,818	4,182	30.30%
Military affairs	11,000	2,750	8,250	25.00%
Miscellaneous	100	-	100	0.00%
Office supplies & expense	4,100	10	4,090	0.24%
Regional planning projects	60,000	-	60,000	0.00%
Salaries, wages & benefits	196,193	55,353	140,840	28.21%
Travel & training	18,000	2,313	15,687	12.85%
Web design & maintenance	4,000	420	3,580	10.50%
Total operating expenses	<u>644,876</u>	<u>183,617</u>	<u>461,259</u>	<u>28.47%</u>
NONOPERATING REVENUES (EXPENSES)				
Interest revenue	100	11	(89)	11.00%
Special projects expense	(50,000)	(3,000)	47,000	6.00%
Total nonoperating revenues (expenses)	<u>(49,900)</u>	<u>(2,989)</u>	<u>46,911</u>	<u>-5.99%</u>
Income (loss) before transfers	(476,978)	(148,797)	(328,181)	31.20%
Transfer in	350,000	200,000	(150,000)	57.14%
Use of prior year equity	126,978	-	(126,978)	0.00%
Additional transfer in if necessary	-	-	-	
Change in net position	<u>-</u>	<u>51,203</u>	<u>(51,203)</u>	
Net position, beginning of year	<u>116,510</u>	<u>116,510</u>	<u>-</u>	<u>100.00%</u>
Net position, end of 1st quarter	<u>\$ 116,510</u>	<u>\$ 167,713</u>	<u>\$ (51,203)</u>	<u>143.95%</u>

RIVERBEND WATER RESOURCES DISTRICT

**SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE
REGIONAL WATER SYSTEM FACILITIES FUND
FOR THE THREE MONTHS ENDED DECEMBER 31, 2024**

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
OPERATING REVENUES				
Charges for services	\$ -	\$ -	\$ -	
Total operating revenues	<u>-</u>	<u>-</u>	<u>-</u>	
OPERATING EXPENSES				
Expenses	<u>-</u>	<u>-</u>	<u>-</u>	
Total operating expenses	<u>-</u>	<u>-</u>	<u>-</u>	
Operating income (loss)	<u>-</u>	<u>-</u>	<u>-</u>	
NONOPERATING REVENUES (EXPENSES)				
Minimum monthly payments	8,615,444	2,259,023	(6,356,421)	26.22%
Interest Revenue	4,000,001	1,285,490	(2,714,511)	32.14%
Interest Expense	(2,082,731)	(525,842)	1,556,889	25.25%
Finance and wire fees	(8,501)	(3,840)	4,661	45.17%
Gain/(Loss) on Investments	50,000	12,583	(37,417)	25.17%
Total nonoperating revenues (expenses)	<u>10,574,213</u>	<u>3,027,414</u>	<u>(7,546,799)</u>	<u>28.63%</u>
Change in net position before transfers	10,574,213	3,027,414	(7,546,799)	28.63%
Net position, beginning of year	<u>\$ 23,396,386</u>	<u>23,396,386</u>	<u>-</u>	<u>100.00%</u>
Net position, end of 1st quarter	<u>\$ 33,970,599</u>	<u>\$ 26,423,800</u>	<u>\$ (7,546,799)</u>	<u>77.78%</u>

RIVERBEND WATER RESOURCES DISTRICT

**SUPPLEMENTARY INFORMATION
COMPARISON SCHEDULE
WET UTILITIES FUND
FOR THE THREE MONTHS ENDED DECEMBER 31, 2024**

	<u>Budget</u>	<u>Actual</u>	<u>Variance with Budget</u>	<u>% of Budget</u>
OPERATING REVENUES				
Charges for services	\$ 4,043,844	\$ 976,396	\$ (3,067,448)	24.15%
Infrastructure services	158,168	39,542	(118,626)	25.00%
Other revenue	86,541	14,170	(72,371)	16.37%
Total operating revenues	<u>4,288,553</u>	<u>1,030,108</u>	<u>(3,258,445)</u>	<u>24.02%</u>
OPERATING EXPENSES				
Accounting and audit	23,000	16,000	7,000	69.57%
Advertising	2,000	-	2,000	0.00%
Analytical	230,000	52,417	177,583	22.79%
Capital replacement	464,000	185,525	278,475	39.98%
Consulting	60,000	1,020	58,980	1.70%
Equipment maintenance, repair & fuel	65,000	12,486	52,514	19.21%
Equipment rental	11,000	-	11,000	0.00%
Insurance	70,239	18,615	51,624	26.50%
Materials	253,200	46,438	206,762	18.34%
Permits	50,500	16,272	34,228	32.22%
Repairs	280,500	36,952	243,548	13.17%
Salaries, wages, payroll taxes & benefits	1,229,282	283,000	946,282	23.02%
Supplies & materials	80,100	18,248	61,852	22.78%
Utilities	198,000	37,291	160,709	18.83%
Waste disposal	56,000	8,731	47,269	15.59%
Water purchase cost	234,000	66,969	167,031	28.62%
Infrastructure services	158,168	65,966	92,202	41.71%
Overhead allocation - water	205,516	57,371	148,145	27.92%
Overhead allocation - wastewater	223,373	62,356	161,017	27.92%
Overhead allocation - industrial wastewater	225,204	62,866	162,338	27.92%
Total operating expenses	<u>4,119,082</u>	<u>1,048,523</u>	<u>3,061,559</u>	<u>25.46%</u>
Operating income (loss) before depreciation	169,471	(18,415)	(187,886)	-10.87%
Depreciation	883,372	221,249	662,123	25.05%
Operating income (loss)	<u>(713,901)</u>	<u>(239,664)</u>	<u>474,237</u>	<u>-33.57%</u>
NONOPERATING REVENUES (EXPENSES)				
Facility charges revenues	3,760,332	927,337	(2,832,995)	24.66%
Interest revenue	152,000	185,993	33,993	122.36%
Project Admin Fees	20,330	6,889	(13,441)	33.89%
Bond issuance costs	-	(265,000)	(265,000)	
Interest expense	(2,732,348)	(464,026)	2,268,322	16.98%
Franchise fees expense	(113,658)	(29,292)	84,366	25.77%
Total nonoperating revenues (expenses)	<u>1,086,656</u>	<u>361,901</u>	<u>(724,755)</u>	<u>33.30%</u>
Income (loss) before transfers	372,755	122,237	(250,518)	32.79%
Transfers in (out)	(350,000)	(200,000)	150,000	57.14%
Change in net position	<u>22,755</u>	<u>(77,763)</u>	<u>(100,518)</u>	<u>-341.74%</u>
Net position, beginning of year	<u>17,006,988</u>	<u>17,006,988</u>	<u>-</u>	<u>100.00%</u>
Net position, end of 1st quarter	<u>\$ 17,029,743</u>	<u>\$ 16,929,225</u>	<u>\$ (100,518)</u>	<u>99.41%</u>

RIVERBEND WATER RESOURCES DISTRICT

COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION WATER SYSTEM ADMINISTRATION FOR THE THREE MONTHS ENDED DECEMBER 31, 2024

	<u>December 31, 2024</u>	<u>December 31, 2023</u>	<u>\$ Change</u>	<u>% Change</u>
OPERATING REVENUES				
Charges for services:				
Member fees	\$ 37,809	\$ 54,148	\$ (16,339)	-30.17%
Total operating revenues	<u>37,809</u>	<u>54,148</u>	<u>(16,339)</u>	<u>-30.17%</u>
OPERATING EXPENSES				
Accounting & audit	-	3,420	(3,420)	
Community relations	70,060	3,649	66,411	1819.98%
Consulting	46,084	46,558	(474)	-1.02%
Dues & memberships	2,257	2,844	(587)	-20.64%
Legal & professional fees	2,552	3,087	(535)	-17.33%
Meetings expense	1,818	2,430	(612)	-25.19%
Military affairs	2,750	2,750	-	
Office supplies and expense	10	455	(445)	-97.80%
Salaries, wages, payroll taxes & benefits	55,353	55,615	(262)	-0.47%
Travel & training	2,313	1,914	399	20.85%
Web design & maintenance	420	180	240	133.33%
Total operating expenses	<u>183,617</u>	<u>122,902</u>	<u>60,715</u>	<u>49.40%</u>
Operating income (loss) before depreciation	(145,808)	(68,754)	(77,054)	-112.07%
Depreciation	-	-	-	
Operating income (loss)	<u>(145,808)</u>	<u>(68,754)</u>	<u>(77,054)</u>	<u>112.07%</u>
NONOPERATING REVENUES (EXPENSES)				
Interest revenue	11	1	10	1000.00%
Special projects expense	(3,000)	(8,725)	5,725	-65.62%
Total nonoperating revenues (expenses)	<u>(2,989)</u>	<u>(8,724)</u>	<u>5,735</u>	<u>65.74%</u>
Income (loss) before transfers	(148,797)	(77,478)	(71,319)	-92.05%
Transfers in (out)	<u>200,000</u>	<u>115,000</u>	<u>85,000</u>	<u>-73.91%</u>
Change in net position	51,203	37,522	13,681	-36.46%
Net position, beginning of year	<u>116,510</u>	<u>119,053</u>	<u>(2,543)</u>	<u>-2.14%</u>
Net position, end of 1st quarter	<u>\$ 167,713</u>	<u>\$ 156,575</u>	<u>\$ 11,138</u>	<u>7.11%</u>

RIVERBEND WATER RESOURCES DISTRICT

**COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION
REGIONAL WATER SYSTEM FACILITIES FUND
FOR THE THREE MONTHS ENDED DECEMBER 31, 2024**

	<u>December 31, 2024</u>	<u>December 31, 2023</u>	<u>\$ Change</u>	<u>% Change</u>
OPERATING REVENUES				
Charges for services:	-	-	-	
Total operating revenues	-	-	-	
OPERATING EXPENSES				
Regional Water System capital outlay	-	-	-	
Total operating expenses	-	-	-	
Operating income (loss) before bond proceeds	-	-	-	
Bond Proceeds	-	-	-	
Operating income (loss)	-	-	-	-
NONOPERATING REVENUES (EXPENSES)				
Minimum monthly payments	2,259,023	2,379,349	(120,326)	-5.06%
Interest Revenue	1,285,490	1,032,829	252,661	24.46%
Gain (loss) on investment	12,583	546,168	(533,585)	-97.70%
Interest Expense	(525,842)	(510,496)	(15,346)	3.01%
Finance and wire fees	(3,840)	(805)	(3,035)	
Total nonoperating revenues (expenses)	3,027,414	3,447,045	(419,631)	-12.17%
Income (loss) before capital contributions and transfers	3,027,414	3,447,045	(419,631)	-12.17%
Transfers in (out)	-	-	-	0.00%
Net position, beginning of year	23,396,386	11,173,856	12,222,530	109.39%
Net position, end of 1st quarter	<u>\$ 26,423,800</u>	<u>\$ 14,620,901</u>	<u>\$ 11,802,899</u>	<u>80.73%</u>

RIVERBEND WATER RESOURCES DISTRICT

COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION WET UTILITIES FUND FOR THE THREE MONTHS ENDED DECEMBER 31, 2024

	<i>December 31, 2024</i>	<i>December 31, 2023</i>	<i>\$ Change</i>	<i>% Change</i>
OPERATING REVENUES				
Charges for services:				
Army volumetric charge	\$ 898,074	\$ 827,043	\$ 71,031	8.59%
Army water supply charge	42,914	62,550	(19,636)	-31.39%
Commercial & residential charge	35,408	45,766	(10,358)	-22.63%
Infrastructure services	39,542	33,207	6,335	19.08%
Other revenue	14,170	4,355	9,815	225.37%
Total operating revenues	1,030,108	972,921	57,187	5.88%
OPERATING EXPENSES				
Accounting and audit	16,000	15,580	420	2.70%
Analyticals	52,417	38,701	13,716	35.44%
Capital Replacment	185,525	32,621	152,904	468.73%
Consulting	1,020	-	1,020	
Equipment maintenance, repair & fuel	12,486	11,682	804	6.88%
Insurance	18,615	17,808	807	4.53%
Materials	46,438	57,447	(11,009)	-19.16%
Permits	16,272	15,872	400	2.52%
Repairs	36,952	20,026	16,926	84.52%
Salaries, wages, payroll taxes & benefits	283,000	311,933	(28,933)	-9.28%
Supplies & materials	18,248	9,246	9,002	97.36%
Utilities	37,291	49,660	(12,369)	-24.91%
Waste disposal	8,731	5,261	3,470	65.96%
Water purchase cost	66,969	104,731	(37,762)	-36.06%
Infrastructure services	65,966	38,344	27,622	72.04%
Overhead allocation - water	57,371	64,489	(7,118)	-11.04%
Overhead allocation - wastewater	62,356	70,092	(7,736)	-11.04%
Overhead allocation - industrial wastewater	62,866	70,668	(7,802)	-11.04%
Total operating expenses	1,048,523	934,161	114,362	12.24%
Operating income (loss) before depreciation	(18,415)	38,760	(57,175)	-147.51%
Depreciation	221,249	218,000	3,249	1.49%
Operating income (loss)	(239,664)	(179,240)	(60,424)	33.71%
NONOPERATING REVENUES (EXPENSES)			-	
Facility charges revenue	927,337	363,671	563,666	154.99%
Interest revenue	185,993	33,658	152,335	452.60%
Project admin fees	6,889	2,879	4,010	139.30%
Bond issuance costs	(265,000)	-	(265,000)	
Interest expense	(464,026)	(62,293)	(401,733)	644.91%
Gain/(Loss) on disposal of assets	-	10,560	(10,560)	-100.00%
Franchise fees expense	(29,292)	(28,098)	(1,194)	4.25%
Total nonoperating revenues (expenses)	361,901	320,377	41,524	12.96%
Income (loss) before transfers	122,237	141,137	(18,899)	-13.39%
Transfers in (out)	(200,000)	(115,000)	(85,000)	73.91%
Change in net position	(77,763)	26,137	(103,899)	-397.52%
Net position, beginning of year	17,006,988	16,021,052	985,936	6.15%
Net position, end of 1st quarter	\$ 16,929,225	\$ 16,047,189	\$ 882,037	5.50%

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. B.
RWRD RESO 20250226-02
First Quarter FY 2025
Investment Report**



RIVERBEND RESOLUTION NO. 20250226-02

APPROVING THE FIRST QUARTER FY 2025 INVESTMENT REPORT

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 has adopted an Investment Policy as required by law to manage the funds of Riverbend Water Resources District; and

WHEREAS, the Investment Policy Reporting Section XIII requires that the Investment Officer prepare and sign a quarterly investment report that includes activity on all interest-bearing accounts held by Riverbend Water Resources District.

NOW, THEREFORE, BE IT RESOLVED that the Riverbend Water Resources District accepts and approves the First Quarter FY 2024 Investment Report.

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary



Attached: First Quarter FY 2025 Investment Report

RIVERBEND WATER RESOURCES DISTRICT

SCHEDULE OF INVESTMENTS

ENTERPRISE FUNDS

For the Three Months Ended December 31, 2024

Funds	Identification Number	Maturity Date	Balance 09/30/24	Interest Income 12/31/24	Transfers In/(Out) Per Policy	Net Deposits/Withdrawals	Balance 12/31/24	Accrued Int Rec 12/31/24
Administrative Fund								
Operations	50003704	Daily checking	\$ 101,538	\$ -	\$ 132,891	\$ (137,364)	\$ 97,065	\$ -
Restricted - Region D Planning	8009740	Money Market	3,802	-	(3,812)	264	254	-
Operations	457060	Daily savings	5,027	11	-	2	5,029	-
Wet Utilities Fund								
Operations	21695	Daily checking	1,385,439	-	(724,342)	772,769	1,433,866	-
Restricted bond sinking	21709	Daily checking	4,655,875	34,728	604,115	(556,520)	4,738,198	-
Restricted bond reserves	21217	Daily checking	611,342	4,605	(4,708)	0	611,239	-
Restricted construction funds	21741	Daily checking	20,037	6,832	(39)	(6,794)	20,036	-
Restricted operations	21733	Money Market	906,970	38	(6,985)	6,794	906,817	-
Restricted bond reserves	139121279	Daily checking	-	9,154	-	2,499,942	2,509,096	-
Restricted - 2024 Construction Escrow	139121058	Daily checking	-	130,637	-	31,199,542	31,330,179	-
Regional Water System Facilities Fund								
Restricted - Minimum Monthly Payments	3011380	Daily Savings	892,520	4,575	(1,782,636)	2,282,027	1,396,486	-
Restricted - 2020A Construction	2037890	Money Market	670	360	4,246,145	(4,246,189)	985	-
Restricted - 2020B Construction	50022709	Money Market	946	14	83,814	(83,829)	945	-
Restricted - 2020A Revenue	8009732	Money Market	4,161,634	13,918	(2,739,052)	0	1,436,500	-
Restricted - 2020B Revenue	8009716	Money Market	3,848,257	22,821	(1,013,065)	(8,000)	2,850,013	-
Restricted - 2020A Interest & Redemption	8009813	Money Market	2,982,145	27,481	3,897,594	(2,956,895)	3,950,324	-
Restricted - 2020B Interest & Redemption	8009724	Money Market	1,538,841	11,796	1,637,159	(1,526,430)	1,661,366	-
Restricted - 2020A Construction Escrow	82-4416-01-0	Bot Short-Term Cash Fund	523,665	5,931	-	193	529,789	1,937
Restricted - 2020B Construction Escrow	82-4405-01-3	Bot Short-Term Cash Fund	479,373	4,610	(80,934)	460	403,509	1,476
Restricted - 2022A Construction Escrow	82-5428-01-4	Bot Short-Term Cash Fund	48,430,564	615,560	(4,246,145)	6,904,003	51,703,982	193,391
Restricted - 2022B Construction Escrow	82-5429-01-2	Bot Short-Term Cash Fund	33,399,100	407,897	-	4,622,671	38,429,668	140,387
Restricted - 2023A Construction Escrow	82-6356-01-6	Bot Short-Term Cash Fund	8,621,944	97,645	-	2,909	8,722,498	31,897
Restricted - 2023B Construction Escrow	82-6357-01-4	Bot Short-Term Cash Fund	6,065,188	68,689	-	2,047	6,135,924	22,438
Restricted - 2022A Construction Escrow	82-5428-01-4	U.S. Treasury Notes	6,832,450	(13,684)	-	(6,818,766)	-	-
Restricted - 2022B Construction Escrow	82-5429-01-2	U.S. Treasury Notes	4,554,967	17,878	-	(4,572,845)	-	-
Total - All Funds			\$ 130,022,294	\$ 1,471,494	\$ 0	\$ 38,766,646	\$ 158,873,768	\$ 391,526

The investment schedule of Riverbend Water Resources District is in compliance with the Public Funds Investment Act and the District's Investment Policy.



Tara Houck, CPA
Chief Financial Officer

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. C.
RWRD RESO 20250226-03
TWCA Risk Management Renewal**



RIVERBEND RESOLUTION NO. 20250226-03

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

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

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

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

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

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary

Attached: TWCA Risk Management Renewal Forms



WARRANTY

Member: Riverbend Water Resources District

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

This warranty shall confirm that the information contained in the 2025-2026 Fund Year Risk Exposures

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

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

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

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

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

SIGNED: _____ DATE: _____

TITLE: _____

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

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

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

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

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

Description of Group of Employees

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

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

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

Effective Date of this Supplement: July 1, 2025 This Supplement Expires: June 30, 2026

Contract Number: **159**

<p>MEMBER:</p> <p>Riverbend Water Resources District</p> <p>By: _____ Signature of Authorized Member Official</p> <p>Title: _____</p> <p>Date: _____</p>	<p>FUND:</p> <p>Texas Water Conservation Association Risk Management Fund</p> <p>By _____ Signature of Authorized Fund Official</p> <p>Title: <u>Secretary</u></p> <p>Date: _____</p>
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**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. D.
RWRD RESO 20250226-04
Drought Contingency Plan &
Water Conservation Plan**



RIVERBEND RESOLUTION NO. 20250226-04

APPROVAL OF UPDATES TO THE WATER CONSERVATION PLAN AND THE DROUGHT CONTINGENCY PLAN 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, Texas Water Development Board requires certain entities to have a Water Conservation Plan and to report on the implementation of its plan when utilized and Texas Commission on Environmental Quality requires certain entities to have a Drought Contingency Plan and to report on the implementation of its conservation plan; and

WHEREAS, Riverbend Water Resources District has reviewed and approved its Water Conservation Plan on an annual basis beginning September 17, 2015 and reviewed and approved a Drought Contingency Plan on an annual basis beginning August 9, 2017; and

WHEREAS, Riverbend Water Resources District desires to review and update accordingly, its Water Conservation Plan and its Drought Contingency Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby adopts updates to the Water Conservation Plan and the Drought Contingency Plan.

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary

Attached: Water Conservation Plan
Drought Contingency Plan





Riverbend

Water Resources District

WATER CONSERVATION PLAN

RIVERBEND WATER RESOURCES DISTRICT UTILITY DISTRICT

NEW BOSTON. TX

228A Texas Avenue
New Boston, Texas 75570

February 2024

TABLE OF CONTENTS

Page

FOREWORD 3

A. CURRENT AND NEAR-TERM WATER CONSERVATION PLAN 4

 1. Background4

 2. Utility Profile4

 3. Conservation Goals – Current and Five-Year Plan.....5

 4. Conservation Goals – Ten-Year Plan5

B. LONG-TERM WATER CONSERVATION PLAN..... 6

 1. Unaccounted-For Water6

 2. Meter Testing & Repair6

 3. Distribution System Maintenance.....7

 4. Water Rate Structure.....8

 5. Public Education9

FOREWORD

Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Riverbend Water Resources District (“Riverbend”) hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution. Water uses regulated or prohibited under this Water Conservation Plan (the Plan) are essential.

Solicitation of Public Input

Riverbend will periodically schedule public meetings to solicit input about the Plan. Information on the time and place of the meeting will be disseminated by means of utility bill inserts, by posting notice of the meeting at the Riverbend’s office, publishing in the local newspaper, and/or posting on www.rwrd.org.

Public Education

Riverbend will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of public events and utility bill inserts.

Application

The provisions of this Plan shall apply to all persons, customers, and property using water provided by Riverbend. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

A. CURRENT AND NEAR-TERM WATER CONSERVATION PLAN

1. Background

The Red River Army Depot (“RRAD”) is located in Bowie County, Texas approximately 17 miles west of Texarkana and comprises 19,000 acres, of which 9,000 acres are used for ammunition storage with the bulk of the land devoted to recreation, training and forest. The RRAD site has 720 buildings and 702 ammunition storage igloos, which enclose over 8 million square feet of space. The major industrial operations of RRAD include maintenance, repair, and overhaul of major weapon systems and components.

The Riverbend Water Resources District (“Riverbend”) is a special district created under Chapter 9601 of the Special District Local Laws Code of the State of Texas, which currently serves RRAD and approximately 75 retail and commercial customers. The District is comprised of 16 Member Entities, including the cities of Annona, Atlanta, Avery, DeKalb, Hooks, Leary, Maud, Nash, New Boston, Redwater, Texarkana, Texas, Wake Village, TexAmericas Center, as well as the counties of Bowie, Cass, and Red River. These Member Entities pay a fee to the District to provide governance structure for water resources that represent the region through oversight of regional water contracts, to supervise regional water infrastructure issues facing the area, and to protect the ownership and distribution of water resources in the region by serving a primary role in the negotiations for water supply storage and sales in Lake Wright Patman. This document serves as the Water Conservation Plan for the District.

Riverbend wet utilities consist of an Industrial Wastewater Treatment Plant (IWWTP), a Sanitary Wastewater Treatment Plant, and a Water Distribution System (WDS) in which we purchase water from Texarkana Water Utilities. The water distribution system and sanitary treatment plant were constructed in the early 1940’s and the IWWTP was constructed in 1980.

2. Utility Profile

Prior to the transfer of assets to Riverbend, the WDS, IWWTP and Sanitary Wastewater Treatment Plant were owned and operated by TexAmericas Center. Since approximately 95 percent of the current water usage is used by RRAD, many of the questions in the Utility Profile are not applicable.

3. Conservation Goals – Current and Five-Year Plan

Riverbend has and will continue to conserve water via programs outlined in this Plan. The five-year conservation goal of Riverbend provides for the following measures:

- a) Set a goal of 200 gpcd for total gpcd by means of education and installation of water saving devices;
- b) Strive to achieve a 40 gpcd of indoor use for residential customers in both single and multi-family units by means of education and installation of water saving devices;
- c) Work with RRAD personnel to install water meters on selected water service lines;
- d) Achieve and maintain water loss of under 15% of production;
- e) Promote awareness of water conservation initiatives (citizen/corporate education);
- f) Educate users in flow reduction and minimization techniques;
- g) Monitor water conservation progress toward established goals;
- h) Readjust water conservation goals as needed;
- i) Improve record keeping procedures to better track water production numbers, residential water use, commercial water use, and water use by RRAD to help reduce the volume of unaccounted for water; and
- j) Upgrade and repair existing distribution system to help reduce water loss through leaks.

4. Conservation Goals – Ten-Year Plan

In conjunction with implementation of the Five-Year Plan, Riverbend also instates a ten-year plan that will establish the following system goals:

- a) Achieve and maintain water loss of under 10% of production by means of upgrading and replacing water system piping and components;
- b) Work with RRAD personnel to test/replace water meters on selected water service lines;

- c) Coordinate with RRAD to reduce RRAD industrial water use by 5% by means of upgrading equipment and processes to more modern systems;
- d) Continue to promote awareness of water conservation initiatives (citizen/corporate education); and
- e) Continue to educate users in flow reduction and minimization techniques.

B. LONG-TERM WATER CONSERVATION PLAN

This Water Conservation Plan includes provisions for authorized uses of water, testing, and repair of meters and the distribution system, as well as determining rate structures, and educating users about water conservation.

1. Unaccounted-For Water

Riverbend practices the following measures to determine and authorized uses of water:

- a) Riverbend water treatment plant operation's staff follow standard operating procedures which include observations of daily water usage to identify any abnormalities that may indicate the existence of water system leaks;
- b) Riverbend personnel and meter readers make visual observations on a regular basis throughout the Riverbend's service area to check for system leaks;
- c) Riverbend accounting staff review printouts of meter readings for abnormalities that may indicate possible leaks or malfunctions; and
- d) Leaks are identified and repaired promptly.

2. Meter Testing & Repair

Metering all water services is an effective means of improving and maintaining control of water system operations and provides the basis for efficient and equitable cost recovery. Metering provides a database for system performance monitoring, for planning future facilities, and for assessing the effects of water conservation measures. Metering also improves accountability for both water deliveries and for unaccounted water losses. The District meters all water accounts with the exception of water used by the RRAD facilities. All water meters used meet AWWA standards for accuracy (plus or minus 5.0%)

Riverbend meters the quantity of water that is delivered to each residential and commercial customer (RRAD facilities excluded). Meters are read and the quantities are recorded once per month, with billings made monthly to residential and commercial customers.

Periodic testing, repair, and/or change-out of meters are essential to an effective metering program. Meters are tested on a regular basis and meters found to be performing outside accepted parameters for accuracy (plus or minus 5.0%) will be repaired or replaced as required.

Riverbend will institute procedures to improve accounting for unmetered water losses resulting from RRAD usage, flushing of water mains, fire fighting, and main breaks. These procedures should help Riverbend to better estimate actual water losses due to leakage.

Riverbend will endeavor to work jointly with RRAD to monitor and reduce water consumption at some of the major Army facilities on the Base. This may include the voluntary installation of meters by the RRAD and evaluation/upgrade of plumbing to high efficiency models.

3. Distribution System Maintenance

The next sections detail the measures that Riverbend has implemented or will implement to help determine and control unaccounted-for water:

3.1 Leak Detection

The water distribution system is under continuous visual inspection for leaks by Riverbend personnel as well as by users. Reported leaks are addressed immediately. A Leak Detection Audit is also performed every 3 years system wide by an outside contractor.

3.2 Repairs

Riverbend requires all new water facilities to be built to strict specifications which are inspected by Riverbend personnel during construction to ensure quality workmanship and materials before the system is accepted for permanent maintenance by Riverbend.

3.3 Pressure

Riverbend will monitor and control pressures in the distribution system such that excessive pressure does not cause pipeline breaks and water loss. Pressure monitoring will become part of the routine distribution system maintenance program.

4. Water Rate Structure

The following tables (2-1 through 2-3) outline the water rate structure for Riverbend’s residential and commercial users (Effective 01 Jan 2003). RRAD currently accounts for greater than 95% percent usage on water and sewer. Fees for the RRAD are negotiated independently from public user fees.

Table 4-1 Wet Utility Rates

RIVERBEND WATER RESOURCES DISTRICT							
WATER/SEWER RATE SCHEDULE							
APPROVED RATES - EFFECTIVE JUNE 1, 2024							
			Commercial Sewer Only	Commercial Water/Sewer	Private Water/Sewer	Private 1" Sprinkler	Commercial Hydrant/Water
Standard Water Rate (\$/1000)				\$6.50	\$3.50	\$3.50	
Standard Sewer Rate (\$/1000)			\$7.00	\$7.00	\$7.00		
Facility Charge							
	Water			\$3.25	\$2.75	\$2.50	
	Wastewater		\$3.25	\$3.25	\$2.75		
Total Charge			\$10.25	\$20.00 (\$/1000)	\$16.00 (\$/1000)	\$6.00 (\$/1000)	\$9.75
Fixed Minimum Charge			\$20.00	\$35.00	\$20.00	\$10.00	\$15.00
	Water Rate			\$10.00	\$7.00	\$7.00	\$10.00
	Sewer Rate		\$15.00	\$15.00	\$10.00		
	Facility Charge Water			\$5.00	\$1.50	\$3.00	\$5.00
	Facility Charge Wastewater		\$5.00	\$5.00	\$1.50		
Backflow Device Annual Calibration*			\$75.00				
Customer Service Inspection**			\$85.00				
Backflow Preventer Monthly Rental							\$250
<p>*The TCEQ requires an annual back flow calibration. You may have it done on your own or Riverbend can assist you. Riverbend's fee for this service is \$75. If you choose to have the calibration done on your own, Riverbend is required to have a certificate on file. If Riverbend does not receive that certificate on file at least 20 days before your annual calibration is due, Riverbend will complete the calibration for you and the fee will be added to your following months' water and sewer invoice.</p> <p>** The TCEQ requires a Customer Service Inspection for all new connections/water meters. This is to prevent cross connections from contaminating the water distribution system. Riverbend is required to have a certificate of inspection on file. The service inspection has to be completed before water service can be turned on. The fee will be added to your first service invoice.</p> <p>Any bill not paid by the 15th of the month following the due date on the invoice will incur a 10% late fee and service will be disconnected. In addition, a \$20 reconnect fee will be required before the service will be restored.</p>							
5/22/2024							

Table 4-2 Connection Fees

Fees	Water Use Categories	
	Private	Commercial
New Connection Fee	\$50.00	\$50.00
Reconnection Fee	\$50.00	\$50.00

Table 4-3 Tap Fees

Estimated Fees	Cost
Water Tap	
1-1/2"	\$957.05
2"	\$2,186.30
4"	\$7,287.57
6"	\$11,301.02
Sewer Tap	
4"	\$293.69
6"	\$326.93

5. Public Education

Riverbend will consider the following measures to educate the public regarding the benefits of water conservation.

5.1 Residential Users

Provide informational literature to existing residential customers along with billing statements to encourage reduction in water use. Literature will explain treatment costs and environmental impacts of excessive water use as well as simple ways to decrease day-to-day usage such as upgrades to high efficiency plumbing models.

5.2 Industrial/Commercial Users

Provide information literature to existing commercial customers to encourage reduction in overall water use, through conservation measures such as process water reuse, minimization, and plumbing upgrades.

5.3 Government Users

Use by RRAD accounts for a large percentage of the water produced by Riverbend. Riverbend will work closely with the RRAD to encourage the

reduction of water use for non-essential military operations and improve water accounting of major water use facilities on the Army base.

5.4 Additional Education

As new programs or literature become available to Riverbend regarding water conservation and water treatment, Riverbend will, in turn, pass this information along to the water users to encourage their reduction of water consumption. Riverbend will also pass along information to its users regarding changes/upgrades to the water treatment/distribution system.

5.5 New Users

When new users begin using the Riverbend's water services, they will be provided with the appropriate informational literature detailing the Riverbend's policies/suggestions for water conservation upon request.



Riverbend

Water Resources District

DROUGHT CONTINGENCY PLAN

RIVERBEND WATER RESOURCES DISTRICT

NEW BOSTON. TX

228A Texas Avenue
New Boston, Texas 75570

CCN# 13201
PWS# 0190021

February 2024

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, Riverbend Water Resources District adopts the following Drought Contingency Plan (the Plan).

Section II: Public Involvement

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by Riverbend Water Resources District by means of direct communication with member cities and the public.

Section III: Wholesale Water Customer Education

Riverbend Water Resources District will periodically provide wholesale water customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of providing a copy of the Plan to each customer either through monthly invoice and/or an e-mail to the customer.

Section IV: Coordination with Regional Water Planning Groups

The water service area of Riverbend Water Resources District is located within the TexAmericas Center footprint as well as Bowie, Red River, and Cass counties and Riverbend Water Resources District will be more than glad to provide a copy of the Plan to any customers or civilians who are interested within these counties.

Section V: Authorization

The Executive Director or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Executive Director, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all customers utilizing water provided by the Riverbend Water Resources District. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Criteria for Initiation and Termination of Drought Response Stages

The Executive Director, or his/her designee, shall monitor water supply and/or demand conditions on a (e.g., weekly, monthly) basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of drought response stages will be made by mail or telephone. The news media will also be informed.

The triggering criteria described below are based on pumping capacities and volume of surface supply.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation – Riverbend Water Resources District will recognize that a mild water shortage condition exists when for a period of **72** consecutive hours **85%** of pumping capacity is utilized or when the volume of surface supply is less than **50%** of capacity.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of **10** consecutive days. Riverbend Water Resources District will notify its wholesale customers and the media of the termination of Stage 1.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation –Riverbend Water Resources District will recognize that a moderate water shortage condition exists when for a period of **72** consecutive hours **90%** of pumping capacity is utilized or when the volume of surface supply is less than **40%** of capacity.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of **10** consecutive days. Upon termination of Stage 2, Stage 1 becomes operative. Riverbend Water Resources District will notify its wholesale customers and the media of the termination of Stage 2.

Stage 3 Triggers -- SEVERE Water Shortage Conditions

Requirements for initiation – Riverbend Water Resources District will recognize that a severe water shortage condition exists when for a period of **72** consecutive hours **95%** of pumping capacity is utilized or when the volume of surface supply is less than **25%** of capacity.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of **10** consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. Riverbend Water Resources District will notify its wholesale customers and the media of the termination of Stage 3.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation - Riverbend Water Resources District will recognize that an emergency water shortage condition exists when major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or natural or man-made contamination of the water supply source(s).

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of **10** consecutive days. Riverbend Water Resources District will notify its wholesale customers and the media of the termination of Stage 4.

Section VIII: Drought Response Stages

The Executive Director, or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VII, shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in daily demand.

Best Management Practices for Supply Management:

Communication with customers to reduce daily demand.

Water Use Restrictions for Reducing Demand:

(a) The Executive Director, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use (e.g., implement Stage 1 or appropriate stage of the customer's drought contingency plan).

(b) The Executive Director, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 2 Response -- MODERATE Water Shortage Conditions

Target: Achieve a 15 percent reduction in daily demand.

Best Management Practices for Supply Management:

Communicate with customers to reduce daily demand and utilize news media to inform and convince public to reduce demand. Pro-rata curtailment will be utilized.

Water Use Restrictions for Reducing Demand:

(a) The Executive Director, or his/her designee(s), will request wholesale water customers to initiate mandatory measures to reduce non-essential water use (e.g., implement Stage 2 or appropriate stage of the customer's drought contingency plan).

(b) The Executive Director, or his/her designee(s), will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.

(c) The Executive Director, or his/her designee(s), will further prepare for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer.

(d) The Executive Director, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 3 Response -- SEVERE Water Shortage Conditions

Target: Achieve a 20 percent reduction in daily demand

Best Management Practices for Supply Management:

Communicate with customers to reduce daily demand and utilize news media to inform and convince public to reduce demand. Pro-rata curtailment will be utilized.

Water Use Restrictions for Reducing Demand:

(a) The Executive Director, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce non-essential water use (e.g., implement Stage 3 or appropriate stage of the customer's drought contingency plan).

(b) The Executive Director, or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer.

(c) The Executive Director, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 4 Response -- EMERGENCY Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the Executive Director shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions, including repairs and/or clean-up as needed.
5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

Section IX: Pro Rata Water Allocation

In the event that the triggering criteria specified in Section VII of the Plan for Stage 3 – Severe Water Shortage Conditions have been met, the Executive Director is hereby authorized initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code, §11.039.

Section X: Contract Provisions

Riverbend Water Resources District will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

Section XI: Enforcement

Surcharge:

During any period when either mandatory water use restrictions or pro rata allocation of available water supplies are in effect, wholesale customers shall pay the following surcharges on excess water diversions and/or deliveries:

1.5 times the normal water charge per 1000 gallons for water diversions and/or deliveries in excess of the monthly allocation from 5 percent through 15 percent above the monthly allocation.

2 times the normal water charge per 1000 gallons for water diversions and/or more than 15 percent above the monthly allocation, to the extent legally permitted.

Fines and/or discontinuation of service:

Mandatory water use restrictions or pro rata allocation of available water supplies may be imposed during drought stages and emergency water management actions. These water use restrictions will be enforced by warnings and penalties as follows:

- On the first violation, customers will be notified by written notice that they have violated the mandatory water use restriction.
- If the first violation has not been corrected after ten (10) days from the written notice, Riverbend Water Resources District may assess a fine up to \$ 100 per violation.
- Riverbend Water Resources District may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed fifty dollars (\$50.00);
- Riverbend Water Resources District maintains the right, at any violation or action level, to disconnect irrigation systems and/or suspend water services to a customer for public safety issues with reconnection fees and possible citations.
- Subsequent violations of the plan shall result in increased fines or upon the occurrence of 3 violations, after notice, the discontinuation of services. Services discontinued under this provision shall be restored only upon payment of a reconnection fee and any other costs incurred by the utility in discontinuing service.

Section XII: Variances

The Executive Director, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.

- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the Executive Director within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Riverbend Water Resources District Board of Directors, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (c) Description of the relief requested.
- (d) Period of time for which the variance is sought.
- (e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information.

Variances granted by the Riverbend Water Resources District Board of Directors shall be subject to the following conditions, unless waived or modified by the Riverbend Water Resources District Board of Directors or its designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XIII: Severability

It is hereby declared to be the intention of the Riverbend Water Resources District Board of Directors) that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Riverbend Water Resources District Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. E.
RWRD RESO 20250226-05
Engineering Master List Update**



RIVERBEND RESOLUTION NO. 20250226-05

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO REVIEW AND UPDATE THE ENGINEERING MASTER LIST AS NEEDED EVERY THREE YEARS

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, a consistent need for engineering firms to provide professional engineering services for the most northeastern region of the State of Texas; and

WHEREAS, Riverbend Water Resources District completed the formal process through publication and notice for Request for Qualifications for Engineering Services for a Master List for Civil, Structural, and Environmental Engineering and Local, State, and Federal Water Planning/Contract Execution for Water and Wastewater Systems and approved an official list on November 28, 2018; and

WHEREAS, the Board authorized the Executive Director/CEO on October 27, 2021, to review and update the Engineering Master List as needed but not more often than every three years.

WHEREAS, Riverbend Water Resources District sees a need to revise the categories initially outlined in the original master list of engineering services needed for Riverbend projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Riverbend Water Resources District hereby authorizes the Executive Director/CEO to revise the categories of services provided in the original Engineering Master List as part of the review and update process.

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary



**REGULAR CALLED MEETING
RIVERBEND WATER RESOURCES DISTRICT
WEDNESDAY, FEBRUARY 26, 2025**

**AGENDA ITEM VI. F.
RWRD RESO 20250226-06
Water Distribution & Supply
Contract Amendment**



RIVERBEND RESOLUTION NO. 20250226-06

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO SIGNATURE AUTHORITY TO EXECUTE AN AMENDMENT TO THE WATER SUPPLY CONTRACTS WITH MEMBER ENTITIES OF RIVERBEND WATER RESOURCES DISTRICT

WHEREAS, Riverbend Water Resources District (“Riverbend”), created in 2009, is a conservation and reclamation district created under and essential to accomplish the purpose of Section 59, Article XVI, Texas Constitution, as set forth in Title 6, Special District Local Laws Code, Subtitle L, Municipal Water Districts, Chapter 9601, and is comprised of member entities (collectively referred to as “the Member Entities”); and

WHEREAS, Riverbend and the Member Entities have executed a Water Distribution and Supply Contract that will provide for long-term regional water service to the region; and

WHEREAS, the Executive Director/CEO was granted signature authority to execute the Water Distribution and Supply Contracts with each Member Entity on June 24, 2020; and

WHEREAS, there is a need to amend the Water Distribution and Supply Contracts with each Member Entity to include language to further define ownership and responsibility for all facilities and pipes beyond the point of delivery.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is immediately granted signature authority to amend the Water Distribution and Supply Contract with each Member Entity in respect to the title and responsibility for all infrastructure on Member’s Entity’s side of the meter past the Point of Delivery.

PASSED and APPROVED this 26th day of February 2025

Lynn Davis, President

ATTEST:

Van Alexander, Secretary

Attached: Water Distribution & Supply Contract Amendment Language



FIRST AMENDMENT TO WATER DISTRIBUTION AND SUPPLY CONTRACT

This FIRST AMENDMENT TO WATER DISTRIBUTION AND SUPPLY CONTRACT (“First Amendment”) is made and entered into by and between the Riverbend Water Resources District (“Riverbend”) and the _____ (“Member Entity”).

Recitals

WHEREAS, Riverbend and Member Entity previously entered into that Water Distribution and Supply Contract dated _____, 2020 (“Contract”); and

WHEREAS, Riverbend and Member Entity desire to amend the Contract to add language to Section 2(f) of the Contract regarding Member Entity’s title and responsibility for all facilities on Member’s Entity’s side of the meter from the Point of Delivery.

NOW, THEREFORE, Riverbend and Member Entity, for and in consideration of the recitals set forth above and terms and conditions below, agree as follows:

1. Title and Responsibility for Facilities. Section 2(f) of the Contract shall be amended to add the following:

Member Entity has title to and is solely responsible for the maintenance and operation of all facilities and infrastructure on Member Entity’s side of the meter from the Point of Delivery, including but not limited to all pipelines, storage tanks, and distribution and treatment facilities used by Member Entity to provide water service to its customers.

2. General Terms and Conditions.

- (a) The recitals above are true and correct and incorporated herein for all purposes.
- (b) In the event of any inconsistencies between the Contract and this First Amendment, the terms of this First Amendment shall control.
- (c) All capitalized terms used but not defined herein shall have the same meanings as defined in the Contract.
- (d) Except as expressly set forth in this First Amendment, the Contract otherwise is unmodified and remains in full force and effect. Each reference in the Contract to itself shall be deemed also to refer to this First Amendment.
- (e) This First Amendment may be executed in duplicate counterparts, each of which will be deemed an original.
- (f) Each of the Parties represents and warrants that it has the right, power, legal capacity, and authority to enter into and perform its respective obligations under this First Amendment.
- (g) This First Amendment shall become effective upon the last date of execution by the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto, acting under authority of their respective governing bodies, have caused this First Amendment to be duly executed as follows:

RIVERBEND WATER RESOURCES DISTRICT

By: _____

Printed Name: Kyle Dooley, P.E.

Title: Executive Director/CEO

Date:

ATTEST:

By: _____

Printed Name: _____

Title: _____

Date: _____

ATTEST:
