



**REGULAR MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
PUBLIC NOTICE OF BOARD OF DIRECTORS' MEETING  
WEDNESDAY, FEBRUARY 25, 2026  
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 ("Riverbend") will conduct a meeting; open to the public, on **Wednesday, February 25, 2026, 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 28, 2026 Regular Meeting minutes.

- B. Discussion and possible action regarding approval of a RESO 20260225-01 reviewing and updating Riverbend’s Drought Contingency Plan.

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 2026.**

Presentation of the first quarter financials for FY 2026 will be by Tara Houck.

**Action Item:** Consider motion for approval of RESO 20260225-02 approving the first quarter financials for FY 2026.

**B. Discussion and possible action regarding approval of a resolution approving the first quarter investment report for FY 2026.**

Presentation of the first quarter investment report for FY 2026 will be by Tara Houck.

**Action Item:** Consider motion for approval of RESO 20260225-03 approving the first quarter investment report for FY 2026.

**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 TWA Risk Management Fund.**

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

**Action Item:** Consider motion for approval of RESO 20260225-04 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 authorizing the Executive Director/CEO to act as the administrative agent for a water project impact study as outlined in the Final Mediated Agreement signed by and in response to the declared conflict between Regions C and D 2026 Initially Prepared Water Plans. The administrative duties will include but are not limited to publishing Requests for Qualifications, posting for and organizing joint committee meetings, and ensuring timely payments to firm(s) selected by the joint committee for engineering and or consulting services, etc.**

This item pertains to authorization for staff to act as the administrative agent for the Joint Region C/Region D Water Planning Group Interregional Subcommittee. This subcommittee has need for an administrative agent to help them publish RFQ's, post, schedule, and organize committee meetings, and manage payment to the selected firms for the work provided to the committee. These administrative duties will be very similar to the duties provided by staff to the Region D Water Planning Group. Staff recommends approval.

**Action Item:** Consider motion for approval of RESO 20260225-05 authorizing the Executive Director/CEO to act as the administrative agent for a water project impact study as outlined in the Final Mediated Agreement signed by and in response to the declared conflict between Regions C and D 2026 Initially Prepared Water Plans. The administrative duties will include but are not limited to publishing Requests for Qualifications, posting for and organizing joint committee meetings, and ensuring timely payments to firm(s) selected by the joint committee for engineering and or consulting services, etc.

- E. Discussion and possible action regarding approval of a resolution authorizing the President of the Board of Directors to execute an amendment to the employment contract of the Executive Director/CEO.**

This item pertains to authorizing the President of the Board of Directors to execute an amendment to the Executive Director's contract such that the contract auto-renews for 3-year terms at the beginning of each calendar year provide either party does not provide notice of nonrenewal under the terms of the employment agreement.

**Action Item:** Consider a motion for approval of RESO 20260225-06 authorizing the President of the Board of Directors to execute an amendment to the employment contract of the Executive Director/CEO.

- F. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to negotiate and execute an agreement with legal counsel to represent Riverbend Water Resources District in a potential action related to PFAS contamination.**

This item pertains to a retention agreement in connection with a potential action against several entities including the 3M Company and Dupont related to PFAS contamination from aqueous film-forming foam and other products. Riverbend would be represented by Kessler Topaz Meltzer & Cheek LLP, Nix Patterson, LLP, and Martin Law Group, PLLC. There will be no payment of any fees unless the lawsuit generates a recovery or benefit. The payment of fees is capped at 30% of the amount recovered plus reasonable expenses. Staff recommends approval.

**Action Item:** Consider a motion for approval of RESO 20260225-07 authorizing the Executive Director/CEO to negotiate and execute an agreement with legal counsel to represent Riverbend Water Resources District in a potential action related to PFAS contamination.

## 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 25, 2026 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 25, 2026**

**CONSENT AGENDA ITEM IV. A.  
January 28, 2026  
Regular Meeting Minutes**

**Regular Called Meeting  
Riverbend Water Resources District  
Board Meeting Minutes  
January 28, 2026**

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, Sonja Hubbard, President of the Board, called the meeting to order at 10:03 a.m.

**Directors Present:**

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

**Directors Absent:**

Steve Mayo, Secretary

**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**

Van Alexander led the invocation and the pledge of allegiance.

**III. Public Comments**

None.

**IV. Consent Agenda Items**

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

**A. Discussion and possible action regarding November 19, 2025 Regular Called Meeting Minutes.**

A single motion was made by Lynn Davis and seconded by Van Alexander 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).**

No report. No action taken.

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

Scott Norton, Executive Director provided an update. The TAC Board meeting was moved to Friday, January 30, 2026 due to the weather. Prospect activity remains strong. TAC is now working less on being an environmental oversight committee and more on the negotiating real estate contracts. They also have several letters of intent that are signed and a few still being negotiated. There is one prospect that has extended their letter of intent for their large project due to fine tuning the real estate contract. In addition, for several years TexAmericas has been part of a partnership with 18 other economic development entities and cities to facilitate a Statement of Mutual Cooperation with the Tokyo Metropolitan Government (TMG). The goal of this partnership is to assist small and medium-sized businesses in Tokyo to possibly expand to Texas. Next week, TMG will be visiting the TAC footprint and take a tour of Texarkana. They've visited Dallas and Houston and want to get a feel for small-town Texas. This tour will not only help TAC but also bring exposure to the region for more growth. No action taken.

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

Sonja Hubbard provided an update. A call with the team from the Data Center yielded a request for more time to go over a few contract details. The aviation paint company is drafting an announcement that they have moved to the area to conduct business at Texarkana Regional Airport. The Amazon distribution center is open and a formal announcement will be February 18<sup>th</sup>. No action taken.

## **VI. Agenda Items for Individual Consideration**

### **A. Discussion and possible action regarding approval of a resolution approving the Fourth Quarter FY 2025 Financials.**

Presentation of the fourth quarter financial statements for FY 2025 was made by Tara Houck.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RESO 20260128-01 approving the fourth quarter financials for FY 2025. Motion passed unanimously.

### **B. Discussion and possible action regarding approval of a resolution approving Fourth Quarter FY 2025 Investment Report.**

Tara Houck provided that there was no change in the fourth quarter investment report for FY 2025 from the first presentation in November.

A motion was made by Van Alexander and seconded by Lynn Davis to approve RESO 20260128-02 approving the fourth quarter investment report for FY 2025. Motion passed unanimously.

**C. Discussion and possible action regarding approval of a resolution approving the FY 2025 Annual Audit performed by Wilf and Henderson, P.C.**

The presentation of the FY 2025 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. She also provided details on changes made to the draft financials presented in November. One of the changes was the posting of the pension liability provided by Texas County and District Retirement System (TCDRS). Sonja Hubbard asked if the posting of that liability is a transaction that will be completed after the end of the fiscal year going forward or is there a way for it to be handled differently in future years. Ms. Wilder provided that because TCDRS does not calculate the amount until December 31<sup>st</sup> and doesn't release it to participants until much later, that it will be delayed going forward. In future years, that liability amount will decrease based on contributions made to the plan.

A motion was made by Van Alexander and seconded by Lynn Davis to approve RESO 20260128-03 approving the FY 2025 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 negotiate and execute the purchase/acquisition of land needed for the completion of the Industrial Wastewater Facility.**

Kyle Dooley provided that Riverbend is at a point with the Industrial Wastewater Facility project to start the process of acquiring the needed property for both construction and easements for the project. Approval of this resolution would allow the Executive Director/CEO to negotiate and execute the purchase/acquisition of those needed easements and property for the project.

A motion was made by Van Alexander and seconded by Sonja Hubbard to approve RESO 20260128-04 authorizing the Executive Director/CEO to negotiate and execute the purchase/acquisition of land needed for the completion of the Industrial Wastewater Facility. 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.  
Environmental Coordination

- Complete

### Design Progress

- 90% Design for intake and raw water transmission main have been received and are being reviewed.
- 60% Design review workshop for finished water transmission main was held.
- 70% Design for the water treatment plant continues with plans due in March.

### CMAR

- Request for Proposal has been advertised on CIVCAST. Three large companies have shown significant interest.
- Mandatory pre-bid meeting was held.
- Site visits with potential CMARs were completed.

### Land Acquisition

- Final offer letters have been authorized and have begun being sent out.
- Exhibits for TexAmericas locating the site of the Water Treatment Plant and Potable Water Transmission are being created.

### USACE Outgrant Process

- The outgrant package (lease agreement) is under development, with biweekly meetings underway involving USACE real estate specialists and the lake office.
- Preliminary documents have been submitted to USACE to begin the outgrant process.
- The final outgrant package will be submitted upon procurement of property in the flowage easement
- Mitigation meetings continue with the lake office, regional personnel, and real estate personnel.

### Geotechnical Investigations

- Geotechnical reports are 95% complete.

### Power Coordination

- BCECs subcontractor, Power Engineering, started the design of the substation.
- Exploration of alternative power delivery is being conducted.

Kyle Dooley added that we are at the time of year where TWDB is taking applications for funding. We are working on repeating the Drinking Water SRF application which is due March 6. The cap this year is \$50 Million. Brian Strickland with Pape-Dawson will clarify the details on what the actual amount the application can be for. The Drinking Water SRF application submitted last year is still processing. It was delayed due to the late submission of some of the member community's audits. Mr. Dooley has been told that once the last audit is completed, it can be submitted and that application can move forward. TWDB is finalizing a policy related to the submission of audits and what that does to the application process. The policy must be adopted before any new application can be reviewed. The deadline for the SWIFT application is February 2<sup>nd</sup>. This application will be for \$300 million in the event that the Drinking Water SRF application is not approved. Any approved Drinking Water SRF funds will result in a reduction of the amount applied for on the SWIFT application. Finally, Riverbend is working with Pape-Dawson on an amendment to their contract that will allow them to manage the installation and design of our SCADA system that will span across all three sections of the project.

IWW Plant: Eli Hunt, Director of Operations, provided an update. We are focusing now on permitting side for the new plant with TCEQ. Our wastewater permit is up for renewal in May

2026. The application is administratively complete and will now move on to the technical portion. This permit must be received and effective before we can begin construction on the plant. The project will be broken up into two pieces in order to spend the DEAG grant money prior to the deadline of the end of February. One piece is the actual plant and the other is the force-main line. Scott Norton, TexAmericas CEO, provided that if the plant can be considered an economic development project, the review time on that application could possibly be shortened to ensure timely renewal of the permit.

Water Supply Contracts: Ten of the 13 contract amendments have been signed and returned. Kyle will reach out to the remaining members to facilitate the return of the signed contracts.

Mayors' Meeting: Scheduled for tomorrow, January 29, 2026 at 10am to discuss the project and audit completion requirements.

No action taken.

### **VIII. Executive Session**

The board stood at ease at 10:45 a.m.

The board reconvened in Executive Session at 10:50 a.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 11:43 a.m.

The board reconvened with quorum at 11:44 a.m.

### **IX. Next Riverbend Meetings**

Riverbend Regular Meeting, Wednesday, February 25, 2026 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 Lynn Davis to adjourn the meeting at 11:45 a.m. The motion passed unanimously.

**The minutes of the Riverbend Water Resources District Board of Directors meeting, held on January 28, 2026, were read and approved on the 25<sup>th</sup> day of February 2026.**

**Attest:**

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**Sonja Hubbard, President**

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**Kyle Dooley, Executive Director/ CEO**

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, FEBRUARY 25, 2026**

**CONSENT AGENDAT ITEM IV. B.  
RWRD RESO 20260225-01  
Drought Contingency Plan**



**RIVERBEND RESOLUTION NO. 20260225-01**

**APPROVAL OF UPDATES TO 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 Commission on Environmental Quality requires certain entities to have a Drought Contingency Plan and to report on the implementation of the plan; and

**WHEREAS**, Riverbend Water Resources District has 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 Drought Contingency Plan.

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

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

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Sonja Hubbard, President

ATTEST:

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Steve Mayo, Secretary

Attached: Drought Contingency Plan





# 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 2026**

## **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 25, 2026**

**AGENDA ITEM VI. A.  
RWRD RESO 20260225-02  
First Quarter FY 2026  
Financial Statements**



**RIVERBEND RESOLUTION NO. 20260225-02**

**APPROVING THE FIRST QUARTER FY 2026 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 2026 financials.

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

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Sonja Hubbard, President

ATTEST:

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Steve Mayo, Secretary

Attached: First Quarter FY 2026 Financials



## RIVERBEND WATER RESOURCES DISTRICT

### STATEMENT OF NET POSITION

#### ENTERPRISE FUNDS

DECEMBER 31, 2025

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
<b>ASSETS</b>				
Current assets:				
Cash and cash equivalents	\$ 468,706	\$ -	\$ 552,245	\$ 1,020,951
Accounts receivable	12,330	806,526	3,043,667	3,862,523
Interest receivable	-	278,573	-	278,573
Interfund accounts	-	-	299,791	299,791
Restricted assets:				
Cash and cash equivalents restricted for bond debt reserves	-	5,540,556	3,783,911	9,324,467
Cash and cash equivalents restricted for construction	-	92,762,456	31,033,688	123,796,144
Cash and cash equivalents restricted for operations	-	-	906,437	906,437
Prepaid expenses	-	-	73,591	73,591
Due to North East Texas Regional Water Planning Group	53,239	-	-	53,239
Due from other governments	-	-	376,573	376,573
Inventories	-	-	78,555	78,555
Total current assets	534,275	99,388,111	40,148,458	140,070,844
Noncurrent assets:				
Cash and cash equivalents - restricted for bond debt reserves	-	10,644,774	4,790,066	15,434,840
Capital assets (net of accumulated depreciation):				
Land	-	272,840	-	272,840
Easements	-	14,712	-	14,712
Equipment	-	-	413,354	413,354
Utility system	-	-	14,195,658	14,195,658
Intangible assets	-	-	210,581	210,581
Construction in progress	-	46,217,996	460,991	46,678,987
Right to Use Subscription asset (net of accumulated amortization)	-	-	22,487	22,487
Total capital assets	-	46,505,548	15,303,071	61,808,619
Total noncurrent assets	-	57,150,322	20,093,137	77,243,459
<b>TOTAL ASSETS</b>	534,275	156,538,433	60,241,595	217,314,303
<b>DEFERRED OUTFLOWS OF RESOURCES</b>				
Deferred pension outflows	-	-	180,763	180,763
<b>TOTAL DEFERRED OUTFLOWS OF RESOURCES</b>	-	-	180,763	180,763
<b>LIABILITIES</b>				
Current liabilities:				
Accounts payable	287,978	3,010,101	347,759	3,645,838
Payroll liabilities	-	-	7,422	7,422
Interfund accounts	15,239	284,552	-	299,791
Accrued interest payable	-	431,366	516,440	947,806
Accrued compensated absences - current portion	-	-	62,019	62,019
Revenue bonds payable - current portion	-	3,470,000	1,310,000	4,780,000
Total current liabilities	303,217	7,196,019	2,243,640	9,742,876
Long-term liabilities:				
Accrued compensated absences - long term	-	-	111,697	111,697
Arbitrage rebate liability	-	2,321,721	-	2,321,721
Net pension liability	-	-	811,193	811,193
Revenue bonds payable - long term	-	108,955,000	37,550,000	146,505,000
Total long-term liabilities	-	111,276,721	38,472,890	149,749,611
<b>TOTAL LIABILITIES</b>	303,217	118,472,740	40,716,530	159,492,487
<b>NET POSITION</b>				
Change in net position - current year	3,947	3,926,730	117,378	4,048,055
Net investment in capital assets	-	6,984,282	7,318,914	14,303,196
Restricted for bond reserves	-	17,298,567	10,667,503	27,966,070
Restricted for construction	-	10,158,195	20,036	10,178,231
Unrestricted	227,111	(302,081)	1,581,859	1,506,889
<b>TOTAL NET POSITION</b>	\$ 231,058	\$ 38,065,693	\$ 19,705,690	\$ 58,002,441

# RIVERBEND WATER RESOURCES DISTRICT

## STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION ENTERPRISE FUNDS FOR THE THREE MONTHS ENDED DECEMBER 31, 2025

	<i>Regional Water System Administration Fund</i>	<i>Regional Water System Facilities Fund</i>	<i>Wet Utilities Fund</i>	<i>Total</i>
<b>OPERATING REVENUES</b>				
Charges for services:				
Member fees	\$ 39,350	\$ -	\$ -	\$ 39,350
Army volumetric charge	-	-	923,130	923,130
Army water supply charge	-	-	52,153	52,153
Commercial and residential charge	-	-	29,553	29,553
Infrastructure services	-	-	98,751	98,751
Project admin fees	-	-	12,444	12,444
Other revenue	-	-	4,674	4,674
Total operating revenues	<u>39,350</u>	<u>-</u>	<u>1,120,705</u>	<u>1,160,055</u>
<b>OPERATING EXPENSES</b>				
Accounting and audit	-	-	12,000	12,000
Analyticals	-	-	58,207	58,207
Capital replacement	-	-	310,740	310,740
Community relations	849	-	-	849
Consulting	52,500	-	9,000	61,500
Dues and memberships	364	-	-	364
Equipment maintenance, repair and fuel	-	-	23,753	23,753
Franchise fees	-	-	30,203	30,203
Insurance	-	-	19,518	19,518
Legal and professional fees	1,125	-	-	1,125
Materials	-	-	39,641	39,641
Meetings expense	425	-	-	425
Military affairs	5,500	-	-	5,500
Permits	-	-	17,968	17,968
Repairs	-	-	12,448	12,448
SRBA Partnership	70,000	-	-	70,000
Salaries, wages, payroll taxes and benefits	53,920	-	286,020	339,940
Special projects	659	-	-	659
Supplies	73	-	18,209	18,282
Utilities	-	-	33,569	33,569
Waste disposal	-	-	8,673	8,673
Water purchase cost	-	-	75,378	75,378
Web design and maintenance	930	-	-	930
Infrastructure services	-	-	66,006	66,006
Overhead allocation - water	-	-	74,101	74,101
Overhead allocation - wastewater	-	-	40,126	40,126
Overhead allocation - industrial wastewater	-	-	73,894	73,894
Total operating expenses before depreciation	<u>186,345</u>	<u>-</u>	<u>1,209,454</u>	<u>1,395,799</u>
Operating income (loss) before depreciation	<u>(146,995)</u>	<u>-</u>	<u>(88,749)</u>	<u>(235,744)</u>
Depreciation	-	-	225,117	225,117
Operating income (loss)	<u>(146,995)</u>	<u>-</u>	<u>(313,866)</u>	<u>(460,861)</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenue	-	-	941,068	941,068
Minimum monthly payments	-	3,440,284	-	3,440,284
Interest revenue	942	1,009,092	262,821	1,272,855
Interest expense	-	(518,822)	(622,645)	(1,141,467)
Finance and wire fees	-	(3,824)	-	(3,824)
Total nonoperating revenues (expenses)	<u>942</u>	<u>3,926,730</u>	<u>581,244</u>	<u>4,508,916</u>
<b>Income (loss) before transfers</b>	<u>(146,053)</u>	<u>3,926,730</u>	<u>267,378</u>	<u>4,048,055</u>
<b>Transfers in (out)</b>	<u>150,000</u>	<u>-</u>	<u>(150,000)</u>	<u>-</u>
<b>Changes in net position</b>	<u>3,947</u>	<u>3,926,730</u>	<u>117,378</u>	<u>4,048,055</u>
<b>Net position, beginning of year</b>	<u>227,111</u>	<u>34,138,963</u>	<u>19,588,312</u>	<u>53,954,386</u>
<b>Net position, end of 1st quarter</b>	<u>\$ 231,058</u>	<u>\$ 38,065,693</u>	<u>\$ 19,705,690</u>	<u>\$ 58,002,441</u>

## RIVERBEND WATER RESOURCES DISTRICT

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**SUPPLEMENTARY INFORMATION  
BUDGETARY COMPARISON SCHEDULE  
REGIONAL WATER SYSTEM ADMINISTRATION  
FOR THE THREE MONTHS ENDED DECEMBER 31, 2025**

	<u>Budget</u>	<u>Actual</u>	<u>Variance with Budget</u>	<u>% of Budget</u>
<b>OPERATING REVENUES</b>				
Charges for services	\$ 155,200	\$ 39,350	\$ (115,850)	25.35%
Total operating revenues	<u>155,200</u>	<u>39,350</u>	<u>(115,850)</u>	<u>25.35%</u>
<b>OPERATING EXPENSES</b>				
Accounting & audit	5,000	-	5,000	0.00%
Community relations	3,000	849	2,151	28.30%
Conferences & seminars	4,700	-	4,700	0.00%
Consulting	210,000	52,500	157,500	25.00%
Dues & memberships	9,083	364	8,719	4.01%
Engineering services	10,000	-	10,000	0.00%
Legal & professional fees	20,500	1,125	19,375	5.49%
Meetings expense	6,000	425	5,575	7.08%
Military affairs	22,000	5,500	16,500	25.00%
Office supplies & expense	5,400	73	5,327	1.35%
Salaries, wages & benefits	206,984	53,920	153,064	26.05%
Special projects	110,000	659	109,341	0.60%
SRBA Partnership	70,000	70,000	-	100.00%
Travel & training	18,000	-	18,000	0.00%
Web design & maintenance	4,000	930	3,070	23.25%
Total operating expenses	<u>704,667</u>	<u>186,345</u>	<u>518,322</u>	<u>26.44%</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Interest revenue	100	942	842	942.00%
Total nonoperating revenues (expenses)	<u>100</u>	<u>942</u>	<u>842</u>	<u>-942.00%</u>
<b>Income (loss) before transfers</b>	(549,367)	(146,053)	403,314	26.59%
Transfer in	550,000	150,000	(400,000)	27.27%
<b>Change in net position</b>	633	3,947	803,314	
<b>Net position, beginning of year</b>	<u>227,111</u>	<u>227,111</u>	<u>-</u>	<u>100.00%</u>
<b>Net position, end of 1st quarter</b>	<u>\$ 227,744</u>	<u>\$ 231,058</u>	<u>\$ 803,314</u>	<u>101.46%</u>

## RIVERBEND WATER RESOURCES DISTRICT

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**SUPPLEMENTARY INFORMATION  
BUDGETARY COMPARISON SCHEDULE  
REGIONAL WATER SYSTEM FACILITIES FUND  
FOR THE THREE MONTHS ENDED DECEMBER 31, 2025**

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
<b>OPERATING REVENUES</b>				
Charges for services	\$ -	\$ -	\$ -	
Total operating revenues	<u>-</u>	<u>-</u>	<u>-</u>	
<b>OPERATING EXPENSES</b>				
Expenses	-	-	-	
Total operating expenses	<u>-</u>	<u>-</u>	<u>-</u>	
Operating income (loss)	<u>-</u>	<u>-</u>	<u>-</u>	
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Minimum monthly payments	12,999,575	3,440,284	(9,559,291)	26.46%
Interest Revenue	5,807,235	1,009,092	(4,798,143)	17.38%
Bond Issuance Costs	(3,019,750)	-	-	0.00%
Consulting	(55,000)	-	-	0.00%
Interest Expense	(4,533,145)	(518,822)	4,014,323	11.45%
Finance and wire fees	(11,900)	(3,824)	8,076	32.13%
Total nonoperating revenues (expenses)	<u>11,187,015</u>	<u>3,926,730</u>	<u>(10,335,035)</u>	<u>35.10%</u>
<b>Change in net position before transfers</b>	11,187,015	3,926,730	(10,335,035)	35.10%
<b>Net position, beginning of year</b>	\$ 34,138,963	34,138,963	-	100.00%
<b>Net position, end of 1st quarter</b>	<u>\$ 45,325,978</u>	<u>\$ 38,065,693</u>	<u>\$ (10,335,035)</u>	<u>83.98%</u>

## RIVERBEND WATER RESOURCES DISTRICT

### BUDGETARY COMPARISON SCHEDULE WET UTILITIES FUND FOR THE THREE MONTHS ENDED DECEMBER 31, 2025

	<i>Budget</i>	<i>Actual</i>	<i>Variance with Budget</i>	<i>% of Budget</i>
<b>OPERATING REVENUES</b>				
Charges for services	\$ 4,104,955	\$ 1,004,836	\$ (3,100,119)	24.48%
Infrastructure services	394,979	98,751	(296,228)	25.00%
Project admin fees	325,307	12,444	(312,863)	3.83%
Other revenue	23,100	4,674	(18,426)	20.23%
Total operating revenues	<u>4,848,341</u>	<u>1,120,705</u>	<u>(3,727,636)</u>	<u>23.12%</u>
<b>OPERATING EXPENSES</b>				
Accounting and audit	24,850	12,000	12,850	48.29%
Analytical	230,000	58,207	171,793	25.31%
Capital replacement	300,000	310,740	(10,740)	103.58%
Consulting	109,500	9,000	100,500	8.22%
Equipment maintenance, repair & fuel	76,000	23,753	52,247	31.25%
Franchise fees	119,069	30,203	88,866	25.37%
Insurance	78,168	19,518	58,650	24.97%
Materials	253,200	39,641	213,559	15.66%
Permits	50,500	17,968	32,532	35.58%
Repairs	280,500	12,448	268,052	4.44%
Salaries, wages, payroll taxes & benefits	1,264,721	286,020	978,701	22.62%
Supplies & materials	80,100	18,209	61,891	22.73%
Utilities	198,000	33,569	164,431	16.95%
Waste disposal	56,000	8,673	47,327	15.49%
Water purchase cost	295,000	75,378	219,622	25.55%
Infrastructure services	395,035	66,006	329,029	16.71%
Overhead allocation - water	267,852	74,101	193,751	27.66%
Overhead allocation - wastewater	145,044	40,126	104,918	27.66%
Overhead allocation - industrial wastewater	267,104	73,894	193,210	27.66%
Total operating expenses	<u>4,490,643</u>	<u>1,209,454</u>	<u>3,268,339</u>	<u>26.93%</u>
Operating income (loss) before depreciation	357,698	(88,749)	(446,447)	-24.81%
Depreciation	886,100	225,117	660,983	25.41%
Operating income (loss)	<u>(528,402)</u>	<u>(313,866)</u>	<u>214,536</u>	<u>-59.40%</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenues	3,710,964	941,068	(2,769,896)	25.36%
Interest revenue	1,300,000	262,821	(1,037,179)	20.22%
DEAAG revenue	3,000,000	-	(3,000,000)	0.00%
Interest expense	(2,483,730)	(622,645)	1,861,085	25.07%
Total nonoperating revenues (expenses)	<u>5,527,234</u>	<u>581,244</u>	<u>(4,945,990)</u>	<u>10.52%</u>
Income (loss) before transfers	4,998,832	267,378	(4,731,454)	5.35%
Transfers in (out)	(550,000)	(150,000)	400,000	27.27%
<b>Change in net position</b>	4,448,832	117,378	(4,331,454)	2.64%
<b>Net position, beginning of year</b>	19,588,312	19,588,312	-	100.00%
<b>Net position, end of 1st quarter</b>	<u>\$ 24,037,144</u>	<u>\$ 19,705,690</u>	<u>\$ (4,331,454)</u>	<u>81.98%</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, 2025**

	<u>December 31, 2025</u>	<u>December 31, 2024</u>	<u>\$ Change</u>	<u>% Change</u>
<b>OPERATING REVENUES</b>				
Charges for services:				
Member fees	\$ 39,350	\$ 37,809	\$ 1,541	4.08%
Total operating revenues	<u>39,350</u>	<u>37,809</u>	<u>1,541</u>	<u>4.08%</u>
<b>OPERATING EXPENSES</b>				
Community relations	849	60	789	1315.00%
Consulting	52,500	46,084	6,416	13.92%
Dues & memberships	364	2,257	(1,893)	-83.87%
Legal & professional fees	1,125	2,552	(1,427)	-55.92%
Meetings expense	425	1,818	(1,393)	-76.62%
Military affairs	5,500	2,750	2,750	100.00%
Office supplies and expense	73	10	63	630.00%
Salaries, wages, payroll taxes & benefits	53,920	55,353	(1,433)	-2.59%
Special projects	659	3,000	(2,341)	-78.03%
SRBA Partnership	70,000	70,000	-	0.00%
Travel & training	-	2,313	(2,313)	-100.00%
Web design & maintenance	930	420	510	121.43%
Total operating expenses	<u>186,345</u>	<u>186,617</u>	<u>(272)</u>	<u>-0.15%</u>
Operating income (loss) before depreciation	(146,995)	(148,808)	1,813	1.22%
Depreciation	-	-	-	-
Operating income (loss)	<u>(146,995)</u>	<u>(148,808)</u>	<u>1,813</u>	<u>-1.22%</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Interest revenue	942	11	931	8463.64%
Total nonoperating revenues (expenses)	<u>942</u>	<u>11</u>	<u>931</u>	<u>-8463.64%</u>
<b>Income (loss) before transfers</b>	(146,053)	(148,797)	2,744	1.84%
<b>Transfers in (out)</b>	<u>150,000</u>	<u>200,000</u>	<u>(50,000)</u>	<u>25.00%</u>
<b>Change in net position</b>	3,947	51,203	(47,256)	92.29%
<b>Net position, beginning of year</b>	<u>227,111</u>	<u>116,510</u>	<u>110,601</u>	<u>94.93%</u>
<b>Net position, end of 1st quarter</b>	<u>\$ 231,058</u>	<u>\$ 167,713</u>	<u>\$ 63,345</u>	<u>37.77%</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, 2025**

	<i>December 31, 2025</i>	<i>December 31, 2024</i>	<i>\$ Change</i>	<i>% Change</i>
<b>OPERATING REVENUES</b>				
Charges for services:	-	-	-	-
Total operating revenues	-	-	-	-
<b>OPERATING EXPENSES</b>				
Regional Water System capital outlay	-	-	-	-
Total operating expenses	-	-	-	-
Operating income (loss) before bond proceeds	-	-	-	-
Bond Proceeds	-	-	-	-
Operating income (loss)	-	-	-	-
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Minimum monthly payments	3,440,284	2,259,023	1,181,261	34.34%
Interest Revenue	1,009,092	1,285,490	(276,398)	-27.39%
Gain (loss) on investment	-	12,583	(12,583)	-
Interest Expense	(518,822)	(525,842)	7,020	-1.35%
Finance and wire fees	(3,824)	(3,840)	16	-0.42%
Total nonoperating revenues (expenses)	3,926,730	3,027,414	899,316	29.71%
<b>Income (loss) before capital contributions and transfer</b>	3,926,730	3,027,414	899,316	29.71%
<b>Transfers in (out)</b>	-	-	-	0.00%
<b>Net position, beginning of year</b>	34,138,963	23,396,386	10,742,577	45.92%
<b>Net position, end of 1st quarter</b>	\$ 38,065,693	\$ 26,423,800	\$ 11,641,893	44.06%

**RIVERBEND WATER RESOURCES DISTRICT****COMPARATIVE STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION  
WET UTILITIES FUND  
FOR THE THREE MONTHS ENDED DECEMBER 31, 2025**

	<u>December 31, 2025</u>	<u>December 31, 2024</u>	<u>\$ Change</u>	<u>% Change</u>
<b>OPERATING REVENUES</b>				
Charges for services:				
Army volumetric charge	\$ 923,130	\$ 898,074	\$ 25,056	2.79%
Army water supply charge	52,153	42,914	9,239	21.53%
Commercial & residential charge	29,553	35,408	(5,855)	-16.54%
Infrastructure services	98,751	39,542	59,209	149.74%
Project admin fees	12,444	6,889	5,555	80.64%
Other revenue	4,674	14,170	(9,496)	-67.01%
Total operating revenues	<u>1,120,705</u>	<u>1,036,997</u>	<u>83,708</u>	<u>8.07%</u>
<b>OPERATING EXPENSES</b>				
Accounting and audit	12,000	16,000	(4,000)	-25.00%
Analyticals	58,207	52,417	5,790	11.05%
Capital Replacment	-	185,525	(185,525)	-100.00%
Consulting	9,000	1,020	7,980	782.35%
Equipment maintenance, repair & fuel	23,753	12,486	11,267	90.24%
Franchise fees	30,203	29,292	911	3.11%
Insurance	19,518	18,615	903	4.85%
Materials	39,641	46,438	(6,797)	-14.64%
Permits	17,968	16,272	1,696	10.42%
Repairs	12,448	36,952	(24,504)	-66.31%
Salaries, wages, payroll taxes & benefits	286,020	283,000	3,020	1.07%
Supplies & materials	18,209	18,248	(39)	-0.21%
Utilities	33,569	37,291	(3,722)	-9.98%
Waste disposal	8,673	8,731	(58)	-0.66%
Water purchase cost	75,378	66,969	8,409	12.56%
Infrastructure services	66,006	65,966	40	0.06%
Overhead allocation - water	74,101	57,371	16,730	29.16%
Overhead allocation - wastewater	40,126	62,356	(22,230)	-35.65%
Overhead allocation - industrial wastewater	73,894	62,866	11,028	17.54%
Total operating expenses	<u>1,209,454</u>	<u>1,077,815</u>	<u>131,639</u>	<u>12.21%</u>
Operating income (loss) before depreciation	(88,749)	(40,818)	(47,931)	117.43%
Depreciation	225,117	221,249	3,868	1.75%
Operating income (loss)	<u>(313,866)</u>	<u>(262,067)</u>	<u>(51,799)</u>	<u>19.77%</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Facility charges revenue	941,068	927,337	13,731	1.48%
Interest revenue	262,821	185,993	76,828	41.31%
Bond issuance costs	-	(265,000)	265,000	-100.00%
Interest expense	(622,645)	(464,026)	(158,619)	34.18%
Total nonoperating revenues (expenses)	<u>581,244</u>	<u>384,304</u>	<u>196,940</u>	<u>51.25%</u>
<b>Income (loss) before transfers</b>	<u>267,378</u>	<u>122,237</u>	<u>145,141</u>	<u>118.74%</u>
<b>Transfers in (out)</b>	<u>(150,000)</u>	<u>(200,000)</u>	<u>50,000</u>	<u>-25.00%</u>
<b>Change in net position</b>	<u>117,378</u>	<u>(77,763)</u>	<u>195,141</u>	<u>-250.94%</u>
<b>Net position, beginning of year</b>	<u>19,588,312</u>	<u>17,006,988</u>	<u>2,581,324</u>	<u>15.18%</u>
<b>Net position, end of 1st quarter</b>	<u>\$ 19,705,690</u>	<u>\$ 16,929,225</u>	<u>\$ 2,776,465</u>	<u>16.40%</u>

**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, FEBRUARY 25, 2026**

**AGENDA ITEM VI. B.  
RWRD RESO 20260225-03  
First Quarter FY 2026  
Investment Report**



**RIVERBEND RESOLUTION NO. 20260225-03**

**APPROVING THE FIRST QUARTER FY 2026 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 2026 Investment Report.

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

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Sonja Hubbard, President

ATTEST:

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Steve Mayo, Secretary



Attached: First Quarter FY 2026 Investment Report

**RIVERBEND WATER RESOURCES DISTRICT**

**SCHEDULE OF INVESTMENTS**

**ENTERPRISE FUNDS**

**For the Three Months Ended December 31, 2025**

<b>Funds</b>	<b>Identification Number</b>	<b>Maturity Date</b>	<b>Balance 09/30/25</b>	<b>Interest Income 12/31/25</b>	<b>Transfers In/(Out) Per Policy</b>	<b>Net Deposits/ Withdrawals</b>	<b>Balance 12/31/25</b>	<b>Accrued Int Rec 12/31/25</b>
<b>Administrative Fund</b>								
Operations	50003704	Daily checking	\$ 180,573	\$ -	\$ 318,000	\$ (305,829)	\$ 192,743	\$ -
Restricted - Region D Planning	8009740	Money Market	1,010	943	(318,000)	585,324	268,335	-
Operations	457060	Daily savings	5,033	1		2,595	7,628	-
<b>Wet Utilities Fund</b>								
Operations	21695	Daily checking	1,113,113	-	(1,332,199)	771,127	552,040	-
Restricted bond sinking	21709	Daily checking	7,530,727	35,064	1,600,557	(5,781,365)	3,384,983	-
Restricted bond reserves	21217	Daily checking	611,236	4,349	(4,552)	(50)	610,983	-
Restricted construction funds	21741	Daily checking	20,036	34	(37)	0	20,033	-
Restricted operations	21733	Money Market	906,813	6,452	(9,753)	2,925	906,437	-
Restricted - 2024 bond reserves	139121279	Daily checking	2,518,712	196,427	(235,141)	35,914	2,515,912	-
Restricted - 2024 Construction Escrow	139121058	Daily checking	31,098,406	15,942	(18,874)	(117,495)	30,977,979	-
Restricted - DEAAAG Funds	21725	Money Market	35,650	56	-	(31)	35,676	-
Restricted - IWWTP Bond Sinking	570724429	Money Market	-	4,496	-	2,057,603	2,062,099	-
<b>Regional Water System Facilities Fund</b>								
Restricted - Minimum Monthly Payments	3011380	Daily Savings	813,689	6,414	(2,260,229)	2,845,091	1,404,965	-
Restricted - 2020A Construction	2037890	Money Market	6,406	339	2,231,438	(2,147,256)	90,927	-
Restricted - 2020B Construction	50022709	Money Market	2,481	790	583,611	(583,641)	3,241	-
Restricted - 2020A Revenue	8009732	Money Market	5,365,463	28,126	1,833,703	(2,945,750)	4,281,542	-
Restricted - 2020B Revenue	8009716	Money Market	5,414,154	35,097	791,080	(1,320,875)	4,919,457	-
Restricted - 2020A Interest & Redemption	8009813	Money Market	3,947,198	30,324	-	(48,946)	3,928,576	-
Restricted - 2020B Interest & Redemption	8009724	Money Market	1,658,454	12,765	-	(20,430)	1,650,789	-
Restricted - 2020A Construction Escrow	82-4416-01-0	Bot Short-Term Cash Fund	119,594	525	-	(120,119)	-	-
Restricted - 2020B Construction Escrow	82-4405-01-3	Bot Short-Term Cash Fund	384,877	3,592	(30,988)	31,066	388,547	1,168
Restricted - 2022A Construction Escrow	82-5428-01-4	Bot Short-Term Cash Fund	49,100,191	458,309	(2,595,992)	2,606,420	49,568,928	149,011
Restricted - 2022B Construction Escrow	82-5429-01-2	Bot Short-Term Cash Fund	34,184,138	289,811	(552,624)	(6,676,894)	27,244,431	81,900
Restricted - 2023A Construction Escrow	82-6356-01-6	Bot Short-Term Cash Fund	8,993,638	83,947	-	1,810	9,079,395	27,294
Restricted - 2023B Construction Escrow	82-6357-01-4	Bot Short-Term Cash Fund	6,326,660	59,053	-	1,273	6,386,986	19,200
<b>Total - All Funds</b>			<b>\$ 160,338,251</b>	<b>\$ 1,272,855</b>	<b>\$ -</b>	<b>\$ (11,127,528)</b>	<b>\$ 150,482,633</b>	<b>\$ 278,573</b>

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 25, 2026**

**AGENDA ITEM VI. C.  
RWRD RESO 20260225-04  
TWA Risk Management Renewal**



**RIVERBEND RESOLUTION NO. 20260225-04**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO'S TO EXECUTE AN  
INTERLOCAL AGREEMENT(S) FOR RISK MANAGEMENT SERVICES WITH THE  
TWA 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 TWA 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**, TWA 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 TWA Risk Management Fund to provide continued insurance services for property, workers' compensation, board insurance, etc. for Riverbend Water Resources District.

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

\_\_\_\_\_  
Sonja Hubbard, President

ATTEST:

\_\_\_\_\_  
Steve Mayo, Secretary

Attached: TWA Risk Management Renewal Forms



**WARRANTY**

Member: Riverbend Water Resources District

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

This warranty shall confirm that the information contained in the 2026-2027 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 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, 2026      This Supplement Expires: June 30, 2027

Contract Number: **159**

<p><b>MEMBER:</b></p> <p><b>Riverbend Water Resources District</b></p> <p>By: _____ Signature of Authorized Member Official</p> <p>Title: _____</p> <p>Date: _____</p>	<p><b>FUND:</b></p> <p><b>Texas Water Association Risk Management Fund</b></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 25, 2026**

**AGENDA ITEM VI. D.  
RWRD RESO 20260225-05  
Water Project Impact  
Study Administration**



**RIVERBEND RESOLUTION NO. 20260225-05**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO ACT AS ADMINISTRATIVE AGENT FOR A WATER PROJECT IMPACT STUDY AS OUTLINED IN THE FINAL MEDIATED AGREEMENT SIGNED IN RESPONSE TO THE DECLARED CONFLICT BETWEEN REGIONS C AND D 2026 INITIALLY PREPARED WATER PLANS. THE ADMINISTRATIVE DUTIES WILL INCLUDE BUT ARE NOT LIMITED TO PUBLISHING REQUESTS FOR QUALIFICATION, POSTING FOR AND ORGANIZING MEETINGS, AND ENSURING TIMELY PAYMENTS TO THE FIRM(S) SELECTED BY THE JOINT COMMITTEE FOR ENGINEERING OR CONSULTING SERVICES**

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

**WHEREAS**, The North East Texas Regional Water Planning Group (“Region D”) and the Region C Regional Water Planning Group (“Region C”) were established by the Texas Water Development Board (TWDB) on February 19, 1998, and any subsequent additional appointments by the initial coordinating body. The purpose of Region D and Region C shall be to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law, including Texas Water Code Chapter 16 and TWDB rules, including 31 TAC Chapter 355, 357, and 358, in and for their respective Regional Water Planning Areas in the state of Texas; and

**WHEREAS**, On August 1, 2025 both Region C and Region D executed a Final Mediated Agreement resolving to address the declared conflict between the 2026 Region C and Region D Initially Prepared Plans (IPP). This resolution includes conducting a joint impact study on water projects outlined in each IPP; and

**WHEREAS**, Riverbend Water Resources District has been requested by both water planning groups to manage the water project impact study.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Riverbend Water Resources District hereby authorizes the Executive Director/CEO to act as the administrative agent for a water project impact study as outlined in the Final Mediated Agreement signed by and in response to the declared conflict between Regions C and D 2026 Initially Prepared Water Plans. The administrative duties will include but are not limited to publishing Requests for Qualifications, posting for and organizing meetings, and ensuring timely payments to firm(s) selected by the joint committee for engineering or consulting services, etc.



**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

\_\_\_\_\_  
Sonja Hubbard, President

ATTEST:

\_\_\_\_\_  
Steve Mayo, Secretary



**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, FEBRUARY 25, 2026**

**AGENDA ITEM VI. E.  
RWRD RESO 20260225-06  
Employment Contract Amendment**



**RIVERBEND RESOLUTION NO. 20250225-06**

**AUTHORIZING THE PRESIDENT OF THE BOARD OF DIRECTORS TO EXECUTE  
AN AMENDMENT TO THE EMPLOYMENT CONTRACT OF THE EXECUTIVE  
DIRECTOR/CEO**

**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 Management and Professional Services contract between Riverbend and Kyle Dooley was signed and went into effect on April 11, 2019 with an initial term of three years with one-year renewal options each year; and

**WHEREAS**, the Board of Directors desires to adjust the term of the current contract to include a three-year term.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Riverbend Water Resources District approves this resolution authorizing the President of the Board of Directors to execute an amendment to the employment contract of the Executive Director/CEO.

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

\_\_\_\_\_  
Sonja Hubbard, President

ATTEST:

\_\_\_\_\_  
Steve Mayo, Secretary



**REGULAR CALLED MEETING  
RIVERBEND WATER RESOURCES DISTRICT  
WEDNESDAY, FEBRUARY 25, 2026**

**AGENDA ITEM VI. F.  
RWRD RESO 20260225-07  
Legal Counsel Retainer**



**RIVERBEND RESOLUTION NO. 20260225-07**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH LEGAL COUNSEL TO REPRESENT RIVERBEND WATER RESOURCES DISTRICT IN A POTENTIAL ACTION RELATED TO PFAS CONTAMINATION**

**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**, Kessler Topaz Meltzer & Check LLP, Nix Patterson, LLP and Martin Law Group, PLLC may potentially take action against entities or individuals, related to PFAS contamination from aqueous film-forming foam and other products designed, manufactured and/or marketed by those entities or individuals; and

**WHEREAS**, Kessler Topaz Meltzer & Check LLP, Nix Patterson, LLP and Martin Law Group, PLLC provided a representation letter to Riverbend Water Resources District for this potential litigation; and

**WHEREAS**, Riverbend has a need for legal representation in this potential action.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors authorizes the Executive Director/CEO to negotiate and execute an agreement with legal counsel to represent Riverbend Water Resources District in a potential action related to PFAS contamination.

**PASSED and APPROVED this 25<sup>th</sup> day of February 2026**

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Sonja Hubbard, President

ATTEST:

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Steve Mayo, Secretary

Attached: Retention Agreement



Writer's Direct Dial: 610-822-2210  
Email: [jmeltzer@ktmc.com](mailto:jmeltzer@ktmc.com)  
*Please reply to the Radnor Office*

January 30, 2026

Sonja Hubbard  
Riverbend Water Resources District  
228 Texas Avenue, Suite A  
New Boston, TX 75570

***Re: PFAS Litigation***

Dear Sonja

By your signature below, you are acknowledging that Riverbend Water Resources District (the "District") has agreed to be represented by Kessler Topaz Meltzer & Check LLP, Nix Patterson, LLP and Martin Law Group, PLLC (collectively, "Counsel"), in connection with a potential action against the 3M Company, Dupont de Nemours, Inc., EIDP, Inc., The Chemours Company, Corteva, Inc., Tyco Fire Products LP, Chemguard, Inc., BASF Corporation, Buckeye Fire Equipment Co., AGC Chemicals Americas, Inc., Archroma U.S., Inc., Arkema, Inc., ChemDesign Products, Inc., Chemicals Incorporated, Clariant Corp., Deepwater Chemicals, Inc., Dynax Corp., Carrier Fire & Security Americas LLC, Carrier Global Corporation, RTX Corporation and potentially other entities or individuals ("Defendants"), related to PFAS contamination from aqueous film-forming foam and other products designed, manufactured and/or marketed by Defendants.

We have advised you that we have conducted a thorough investigation into the facts and circumstances concerning the alleged misconduct and believe the action to be meritorious. That said, we have not and cannot make any guarantees about the success of the litigation.

The terms under which we will represent the District in this litigation are:

1. We will prosecute the action on a contingency fee basis. This means we will not seek payment of any fees unless the lawsuit generates a recovery or benefit. If non-monetary benefits are achieved, we may base our fee request related to the nonmonetary benefits on an estimate of the economic value of such benefits and/or on prior court awards in which similar benefits were achieved. If there is no recovery or benefit achieved, our firm will not seek to be paid. We will be solely responsible for out-of-pocket expenses in this litigation. The payment of our fees plus reasonable expenses may be subject to court approval. In no event will we request over 30% of the amount recovered or value of the benefit achieved plus reasonable expenses.

2. During the pendency of the action, we may enter into agreements to divide fees with other attorneys for serving as co-lead counsel, local counsel, or for other services performed. In such a case, we will obtain your consent to any proposed division of fees with another law firm after providing you the terms of the division in writing. Unless you otherwise authorize, an agreement to work with another law firm will not increase the maximum amount of fees (as stated above) that we are collectively permitted to seek from the court.
3. The District will cooperate in the prosecution of the action, including providing discovery and deposition testimony if requested.
4. The District will preserve any documents that may be related to the case, as well as any materials you may receive from us during the litigation.
5. The District agrees that our files and documents compiled in connection with our investigation and prosecution of this action constitute the work product and property of Counsel over which Counsel has complete control with respect to its use and/or disclosure.

In addition to the foregoing, with regard to monitoring the status of the litigation, Counsel will provide you with copies of all significant pleadings and briefs in the case. Counsel will also promptly advise you of any significant developments in the case, including any settlement discussions. As appropriate, we will also schedule periodic meetings and conference calls to discuss case development and our strategy in the prosecution of the case. Furthermore, Counsel will consult with you and obtain approval for any proposed resolution of the litigation before entering into a final settlement agreement.

If we determine at any time that the prosecution of this action is no longer feasible or is contrary to justice or the standards of good faith, we are entitled to withdraw from the representation with reasonable notice to you. This agreement shall be governed by the laws of the Commonwealth of Pennsylvania. All disputes, disagreements and claims arising out of or related to this agreement shall be resolved exclusively through binding arbitration pursuant to the Rules of the American Arbitration Association.

Very truly yours,

KESSLER TOPAZ MELTZER & CHECK LLP

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Joseph Meltzer

NIX PATTERSON, LLP

---

Bradley Beckworth

MARTIN LAW GROUP, PLLC

---

Amy Martin

RIVERBEND WATER RESOURCES DISTRICT

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Sonja Hubbard

DRY