



**Benbrook Water Authority  
Regular Board Meeting  
July 7, 2020 at 4:00 pm  
1121 Mercedes Street  
Benbrook, TX 76126**

[NOTICE](#) (click to view)

1. Call To Order
2. Invocation
3. Citizen Comment On Any Agenda Item
4. Consent Agenda
  - Items listed under Consent Agenda are considered routine and are enacted under one motion. The exception to this rule is that a Board Member, Citizen or General Manager may request one or more items to be removed from the Consent Agenda for separate discussion and action.
- 4.I. Minutes Of The Special Meeting June 11, 2020
- 4.II. Snow Garrett Company
  - 2020 Annual Audit Contract
5. Reports Of Manager
  1. 2011 Bond Refunding Opportunity
  2. COVID-19 Update
  3. Public Relations
6. New Business
  - 6.I. Consider, Discuss And Possibly Take Action On Board Of Directors Meeting Times
  - 6.II. Consider, Discuss And Possibly Approve Interlocal Agreement For Refuse And Stormwater Billing And Payment Collection Services With The City Of Benbrook

Documents:

[ILA - REFUSE AND STORMWATER BILLING SERVICES SR \(PDF\).PDF](#)

- 6.III. Consider, Discuss And Possibly Approve Interlocal Agreement For Street Repair Services With The City Of Benbrook

Documents:

[ILA - STREET REPAIR SERVICES SR \(PDF\).PDF](#)

- 6.IV. Consider, Discuss And Possibly Approve Developer Authority Agreement No. 2020-5120 With SJ Dominion Development, LP For Whitestone Heights - Phase II

Documents:

[WHITESTONE HEIGHTS - DAA SR 2020-5120 \(PDF\).PDF](#)

- 6.V. Consider, Discuss And Possibly Approve Developer Authority Agreement No. 2020-5130 With GBR Realty, LP For Whitestone Crest - Phase II

Documents:

[WHITESTONE CREST DAA SR 2020-5130 \(PDF\).PDF](#)

7. Public Comment

All persons wishing to provide public comment should complete a public comment information form and submit it to the General Manager before the meeting.

Documents:

[PUBLIC COMMENT FORM.PDF](#)

8. Director / Staff Comment

Announcements from Board Members and / or Staff; there will be no discussion or formal action taken on these items.

9. Executive Session

Conduct Closed Executive Session Pursuant to Government Code Section 551.071, to consult with the BWA Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, or on Matters in Which the Duty of the Attorney to the BWA under the Texas Disciplinary rules of Professional Conduct Clearly Conflicts with Chapter 551 Government Code.

Any other item set forth in any section of this notice / agenda

Section 551.071, to discuss real estate / real property transaction

10. Re-Convene In Open Meeting

Take any Action Necessary from Executive Session

11. Adjournment

Next regularly scheduled meeting July 21, 2020

12. Work Session

Discussion of current / future agenda items

This facility is wheelchair accessible. For accommodations or to inform us of inaccessibility to this meeting, please call 817-249-1250 for assistance. For sign interpretative services, please call 48 hours in advance.



# ***Staff Report***

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**Meeting Date**

July 7, 2020

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**New Business Item #2**

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## **Subject**

Interlocal Agreement between Benbrook Water Authority and City of Benbrook  
Refuse and Stormwater Billing and Payment Collection Services

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## **Recommendation**

Staff recommends approving the Interlocal Agreement with the City of Benbrook for Refuse and Stormwater Billing and Payment Collection Services as presented.

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## **Background/Analysis**

The City of Benbrook contracts with BWA to place the refuse and stormwater charges on the monthly water bills. BWA bills and collects the fees for the City each month. Part of the agreement for this service is that the City does not charge BWA any stormwater fees.

The current cost is \$0.4958 cents per bill and staff proposes to maintain the current cost. The City of Benbrook agrees with this proposal.

If approved, the agreement will become effective October 1, 2020 and end on September 30, 2021.

## **Financial Impact**

No net financial impact is anticipated, as this agreement provides mutual benefits to the City of Benbrook and BWA.



# ***Staff Report***

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**Meeting Date**

July 7, 2020

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**New Business Item #3**

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## **Subject**

Interlocal Agreement for Street Repair Services  
Benbrook Water Authority and the City of Benbrook for Agreement

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## **Recommendation**

Staff recommends the Board of Directors approve the Interlocal agreement with the City of Benbrook for street repairs at a cost of \$8.91 per square foot as described below.

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## **Background/Analysis**

Benbrook Water Authority currently has an Interlocal agreement with the City of Benbrook for the repair of pavement following BWA repairs of water or wastewater mains or services. The agreement, which benefits the Authority by providing for the repair while reducing staff coordination time, requires the City to coordinate street repairs with its street repair Contractor. The current cost for repairs is \$8.91 per square foot.

The contract rate for 2020-2021 is proposed to remain the same as the current rate per the terms of this Interlocal Agreement. If executed by both parties, agreement will begin October 1, 2020 and end September 30, 2021.

## **Financial Impact**

Funding is available from the General Operating Fund Account designated for paving repair.



# Staff Report

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Meeting Date

July 7, 2020

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New Business Item #4

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## Subject

Whitestone Heights Phase 2 Developer-Authority Agreement  
(Agreement No. 2020-5120)

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## Recommendation

Staff recommends the Board of Directors approve the following:

1. Developer-Authority Agreement with SJ Dominion Development, LP and Conatser Construction for the construction of water and wastewater improvements to serve the Whitestone Heights Phase 2 Development;
2. A variance to the BWA's Policies & Procedures for this project, accepting the insurance coverage limits currently in place which the Developer's Engineer provided.

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## Background/Analysis

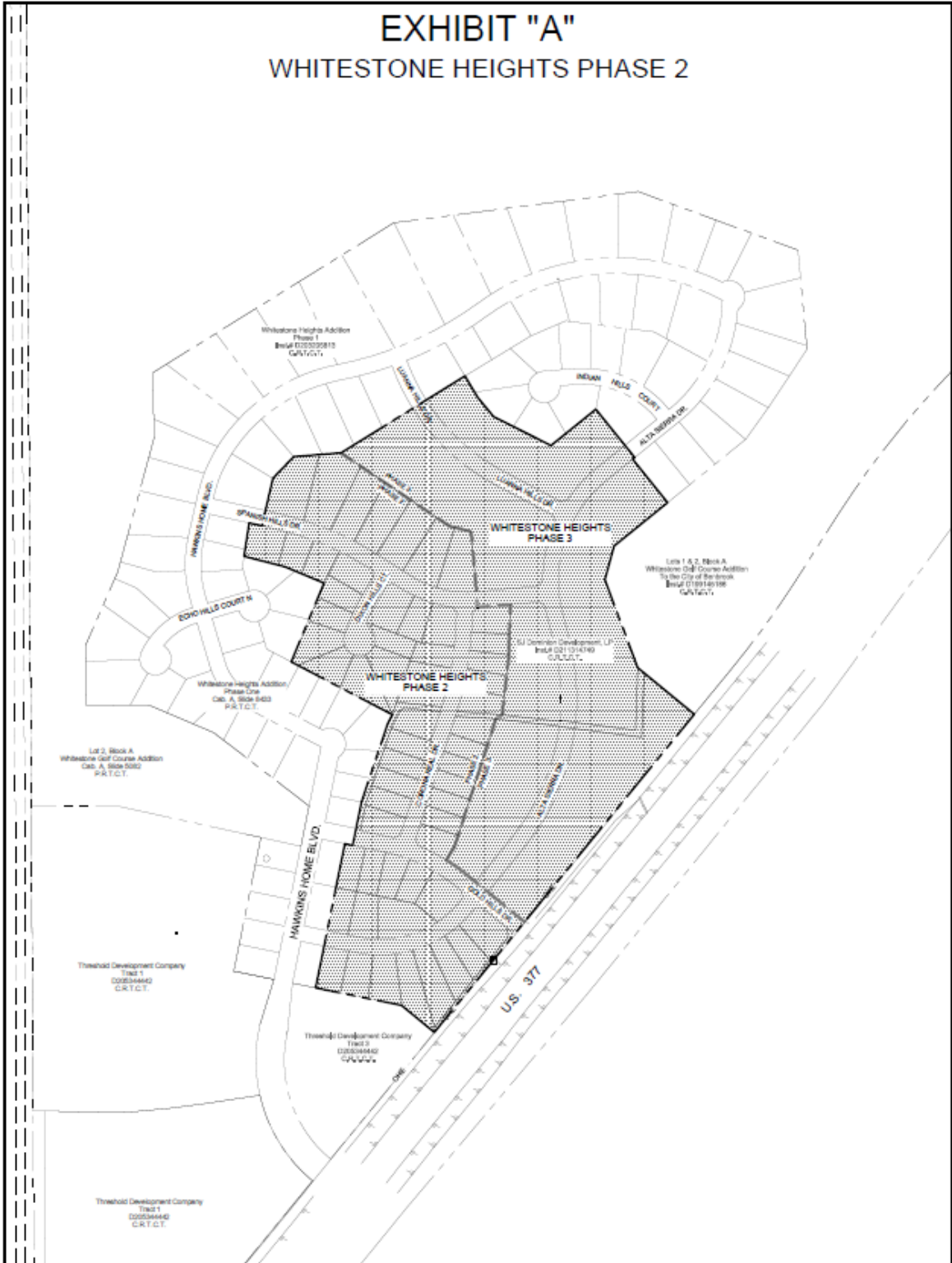
This project involves the construction of approximately 6,500 linear feet of 8 and 12-inch water mains, as well as approximately 4,400 linear feet of sanitary mains and related appurtenances to serve future phases of the Whitestone Heights Development. Utilities proposed with this project are planned to accommodate up to 107 lots within 37.94 acres to be developed. The project is located generally north of the intersection of Hawkins Home Boulevard and US 377 as indicated on the attached Exhibit "A".

The Developer, SJ Dominion Development, LP, and its contractor, Conatser Construction, have submitted a Developer-Authority Agreement for consideration by the Authority. Additionally, BWA has received and reviewed the reports, plans, specifications, and contract documents prepared by the Developer's Engineer and have confirmed the submittals are in general conformance with BWA's Policies and Procedures, with one minor exception. The Engineer has requested a variance to BWA's Policies and Procedures to accept its current professional liability insurance coverage limits (\$3,000,000) in lieu of the \$2M/\$4M limits currently required. BWA Staff and BWA's Attorney recommend approval of this variance.

## Financial Impact

1. The value of improvements to be added to BWA's water and wastewater systems upon completion of this project is estimated to be \$831,630.
2. Administrative/Observation Fees due BWA prior to construction are estimated to be \$41,581.50 (5% of the public water/wastewater improvements cost).
3. Based on the current impact fee schedule in place, 107 lots will result in estimated impact fee revenues of \$556,079 upon buildout of this development.

**EXHIBIT "A"**  
**WHITESTONE HEIGHTS PHASE 2**





# **Staff Report**

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**Meeting Date**

July 7, 2020

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**New Business Item #5**

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## **Subject**

Whitestone Crest Phase 2 Developer-Authority Agreement  
Agreement No. 2020-5130

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## **Recommendation**

Staff recommends the Board of Directors approve the following:

1. Developer-Authority Agreement with GBR Realty, LP and Conatser Construction for the construction of water and wastewater improvements to serve the Whitestone Crest Phase 2 Development.
  2. The corresponding Amendment No. 1 to the Agreement, providing for the Authority's participation in funding the oversizing of water mains in accordance with BWA's Policies & Procedures and in accordance with the Authority's Water & Wastewater Master Plan; and
  3. A variance to the BWA's Policies & Procedures for this project, accepting the insurance coverage limits currently in place which the Developer's Engineer provided.
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## **Background/Analysis**

This project involves the construction of approximately 3,875 linear feet of 8 thru 16-inch water mains and 2,250 linear feet of wastewater mains and related appurtenances to serve Whitestone Crest Phase 2, a 19.17 acre single family residential development (83 lots). The project is located generally west of the intersection of Fire Dance Drive and Trail Ridge Drive, west of Whitestone Crest Phase 1 (constructed in 2016) and north of Whitestone Golf Course. A location map of the project area is shown on the attached Exhibit "A".

The Developer, GBR Realty, LP, and its contractor, Conatser Construction, have submitted a Developer-Authority Agreement for consideration by the Authority. Additionally, BWA has received and reviewed the plans, reports, specifications, and contract documents prepared by the Developer's Engineer and have confirmed the submittals are in general conformance with BWA's Policies and Procedures, with one minor exception. The Engineer has requested a variance to BWA's Policies and Procedures to accept its current professional liability insurance coverage limits (\$3,000,000) in lieu of the \$2M/\$4M limits currently required. BWA Staff and BWA's Attorney have reviewed the request and recommend approval of this variance.

The BWA Water System Master Plan, adopted in 2016, requires a 16-inch water main to be constructed south of Zollie Allen Elevated Tank in order to accommodate future system demands. Accordingly, BWA has required the Developer to plan to construct a portion of the 16-inch main within its project limits, consistent with the Master Plan requirements. The Developer's Engineer has submitted a request for BWA to consider contributing to the construction cost of that portion of the project requiring oversizing of the water main, specifically to reimburse the Developer for the difference in cost between what would otherwise have been required for the Development (8-inch) and what is required in accordance with the Master Plan (16-inch). Staff have reviewed the request, as well as the bid data provided for the project and have determined that the net difference between the cost of the project (including oversizing) and fees otherwise due the Authority in accordance with the Policies & Procedures is \$92,792.60.

# Staff Report

If this Developer-Authority Agreement and corresponding Amendment is approved as presented, once the construction of all water and wastewater improvements is completed by the Developer, conveyed to and accepted by BWA, the Authority would reimburse the Developer the BWA Contribution amount described herein and indicated on Table 1.

## Financial Impact

Funding is available from the Capital Project Construction Reserve Fund Account.

Table 1 – Project Cost Summary

	Description	Total Cost
<b>A</b>	Total Cost - Water Improvements	\$ 392,797.00
<b>B</b>	Total Cost - Wastewater Improvements	\$ 225,351.00
<b>C</b>	Total Water/Wastewater Improvements Cost (A+B)	\$ 618,148.00
<b>D</b>	Upsizing Cost (Variance)	\$ 109,200.00
<b>E</b>	Observation Fee (C x 5%)	\$ 30,907.40
<b>F</b>	Additional Engineering for Upsizing	\$ 14,500.00
<b>G</b>	BWA Contribution (D-E+F)	\$ 92,792.60





