

Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
Remote Meeting
May 5, 2020
4:00 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on May 5, 2020 with the following Directors present:

President David W. Hafer (on site)
Vice President Nick Dons
Secretary Karen Henderson
Director Rick Whitehurst
Director David Clark

Also Present:

David Smith, General Manager (on site)
Sheila Rushing, Recording Secretary (on site)
Gail Jergins, Director of Finance (on site)
Brad Hill, Capital Projects Manager
Paul McDowell, Field Superintendent
Tim Chovanec, Attorney

Others Present:

Lindsey Kennimer, Snow Garrett Williams (on site)
Carl Krogness, Brown & Gay Engineers
Kara Britt, Brown & Gay Engineers

President Hafer called the meeting to order at 4:00 p.m. and gave the invocation.

Opening Remarks from President of the Board Regarding Remote Meeting Format

On March 16, 2020, Governor Greg Abbott granted the Office of the Attorney General's request to temporarily suspend a limited number of Texas open meetings statutes. This temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public to reduce in-person meetings.

We are meeting by use of the Zoom software application which allows two-way communication for members of the Board of Directors and the public who wish to join us.

Citizen Comments on any Agenda Item

There were no Citizen Comments.

Consent Agenda

1. Minutes of the Regular Meeting April 14, 2020
2. Change Authorization Form No. 29 with Freese & Nichols for the General Engineering Services

After a brief discussion, motion was made by Vice-President Dons, second by Secretary Henderson to approve the Consent Agenda as presented.

Vote on motion.

Ayes: Director Whitehurst, Vice-President Dons, President Hafer, Secretary Henderson and Director Clark.

Noes: None.

Motion carries.

Reports of Manager

Mr. Smith gave a brief report on the following:

1. COVID-19
 - o BWA continues to operate in a reduced on-site mode and although the Governors Order GA-18 provides for certain businesses to begin reopening, various factors necessitate the temporary continuation of the current operational status.
2. AWWA Annual Conference Cancellation / Travel Arrangements
 - o The Annual Conference scheduled for June 2020 has been canceled due to the COVID-19 Pandemic. Staff has taken care of the hotel cancelations, and other procedures are being put in place with regards to airfare booked by individuals.
3. Public Relations
 - o Staff worked with the Consultant and BWA's Attorney to complete a formal written agreement and it was executed on February 14, 2020. Progress on some tasks has been delayed due in part to the ongoing pandemic, however, several activities have occurred and are in progress.

President Hafer asked if staff planned to open with normal business hours or abbreviate the hours of operation when the office opens back up to the public.

Mr. Smith stated that will be discussed as time gets closer to re-opening the office.

Snow Garrett Williams

1. 2019 Annual Audit Presentation

Ms. Kennimer stated that Snow Garrett Williams audited the financial statements of the governmental activities and each major fund of BWA as of and for the year ended December 31, 2019.

It was noted the audit was conducted in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

After briefing the board on various aspects of the audit, Ms. Kennimer stated it was the opinion of Snow, Garrett Williams, that the financial statements for BWA present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of BWA, as of December 31, 2019, and the respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In addition, Ms. Kennimer spoke to the Board with regards to the five (5) year audit comparisons and noted that BWA is in good standing and continues to do a very good job maintaining fund balances.

Ms. Kennimer thanked Mr. Smith and Ms. Jergins for their due diligence in having everything in order and ready when the Auditors arrive, and stated it is very much appreciated by the entire team.

New Business

1. Consider, discuss, and possibly approve 2019 Annual Audit.

Having been previously briefed on the 2019 Annual Audit, motion was made by Vice-President Dons, second by Secretary Henderson to approve the 2019 Annual Audit as presented by Snow Garrett Williams.

Vote on motion.

Ayes: Vice-President Dons, President, Secretary Henderson, Director Clark and Director Whitehurst.

Noes: None.

Motion carries.

2. Consider, discuss, and possibly approve SAPES with Brown & Gay Engineers (BGE) for 2020 Waterline Renewals (Project 2020-112)

This project includes professional engineering services required for the design of improvements to the water distribution system in North Benbrook. Improvements are proposed primarily to address water mains with a significant work order history and include replacing aging water mains that are of substandard material and/or size as well as realignment of a 12-inch water main located behind homes that is difficult to access and maintain. Elimination of several “ring connections”, which have been associated with several water leaks or breaks along and adjacent to Van Deman Drive is also proposed. In addition to the services required for the improvements to be constructed with this project, Staff also requested and received a proposed scope of services and fees required to update the Authority’s Standard Construction Requirements which have not been updated since 2005.

Motion was made by Secretary Henderson, second by Vice-President Dons to approve the Standard Agreement for Professional Engineering Services (SAPES) with Brown & Gay Engineers (BGE) for the proposed 2020 Waterline Renewals project as identified and presented for an amount not to exceed \$286,955.

Vote on motion.

Ayes: President Hafer, Secretary Henderson, Director Clark, Director Whitehurst, and Vice-President Dons.

Noes: None.

Motion carries.

3. Consider, discuss, and possibly approve Change Order No. 2 with Douglas Dailey Construction for the Basin 9 I/I Abatement Construction Project (Project No. 2019-111)

BWA has negotiated Change Order No. 2 with Douglas Dailey Construction, LLC which primarily involves the elimination of one manhole and a change in the replacement method for portions of wastewater mains on Chapin Rd. from open cut replacement to pipe-bursting. If approved, Change Order No. 2 will reduce the total contract amount by \$25,693 (from \$1,218,099.50 to \$1,192,406.50).

After a brief discussion, motion was made by Director Clark, second by Secretary Henderson to approve Change Order NO. 2 with Douglas Dailey Construction, LLC as proposed and authorize the General Manager to execute the document.

Ayes: Secretary Henderson, Director Clark, Director Whitehurst, Vice-President Dons, and President Hafer.

Noes: None.

Motion carries.

Public Comment

There were no Public comments.

Director / Staff Comment

Secretary Henderson made note to the customers with regards to changes on the new BWA Website and encouraged anyone that might have questions, concerns or general comments to contact BWA Staff or email Board Members directly and discuss the issues.

President Hafer closed the open meeting at 4:59 p.m.

Executive Session (5:00 p.m.)

1. 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 551.072, to discuss real estate / real property transaction

Re-Convene Executive Session (5:42 p.m.)

1. Take Any Action Necessary from Executive Session

There was no formal action taken.

There being no further business, the meeting adjourned at 5:43 p.m.

Board President

Date

Recording Secretary