

**Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
February 15, 2022
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on February 15, 2022, with the following Directors present:

President Karen Henderson
Vice-President Nick Dons
Secretary Rick Whitehurst
Director David Hafer
Director David Clark

Also Present:

David Smith, General Manager
Sheila Rushing, Recording Secretary
Rhett Clark, Finance Manager
Willie Sutton, Operations Manager
Brad Hill, Capital Improvements Development Manager
Brian Sledge, Attorney
Jessica Brown, Freese & Nichols
Kristin Williamson, Freese & Nichols
Nicholas McCormick, Freese & Nichols

President Henderson called the meeting to order at 3:02 p.m. and Vice-President Dons gave the invocation.

Citizen Comments on Any Agenda Item

No comments were made.

Consent Agenda

1. Minutes of the Regular Meeting February 1, 2022
2. January 2022 Financial Statement.

Motion was made by Secretary Whitehurst, seconded by Director Clark to accept the Consent Agenda as presented.

Motion passed (5-0)

Reports of Manager

Mr. Smith gave a brief report of the following:

1. Miscellaneous
 - Basin 7 East Sanitary Sewer Evaluation Survey

- 2021 Water and Wastewater Master Plan Update
 - Emergency Preparedness Plan
 - Boston Tower Lease Agreement
2. Active Capital Project Updates
 3. Development – Under Contract
 4. Development - Proposed

New Business

1. Award the 2020 Waterline Renewal (Re-Issue) Project to Excel 4 Construction, LLC.

Following completion of design, this project was advertised, and bids received in the summer of 2021. However, no construction progress was made, and the contract was subsequently terminated by the Authority in late Fall 2021. Following termination, the project was re-advertised, and bids received on January 25, 2022.

There were 8 bids received and following evaluation of each bid submitted, it was determined that the lowest responsive bid was submitted by Excel 4, LLC. The Engineer has provided a letter recommending award of the construction contract to Excel 4 Construction, LLC. for the total bid price of \$1,026,399.00

Motion was made by Secretary Whitehurst, seconded by Director Clark to award the 2020 Waterline Renewal (re-issue) Project to Excel 4 Construction LLC.

Motion passed (5-0).

2. Approve a Developer Authority Agreement with TG Benbrook Creekside, LLC., No. 2020-5170

This project involves the construction of water and wastewater facilities to serve Benbrook Creekside Apartments. The development will include construction of approximately 3,305 linear feet of 8-inch water main, various fire hydrants and water valves. In addition, 2,300 linear feet of public wastewater main will be installed.

Motion was made by Secretary Whitehurst, seconded by Director Clark to approve the Developer Authority Agreement with TG Benbrook Creekside, LLC. and Rumsey Construction, Inc. for the construction of water and wastewater improvements to serve Creekside Apartments.

Motion passed (5-0).

3. Approve Developer Authority Agreement with ECONO-FUEL, Inc., and Proline Utility Services, Ltd., for the Construction of water and Wastewater Improvements to serve the Victron Benbrook Addition.

This project involves the construction of water and wastewater facilities to serve Victron Benbrook Addition. This development will include the construction of approximately 1,100 linear feet of 6 thru 12-inch water main, associated valves and hydrants as well as approximately 378 linear feet of wastewater main.

Motion was made by Secretary Whitehurst, seconded by Vice-President Dons to approve the Developer Authority Agreement with ECONO-FUEL, Inc., and Proline Utility Services, Ltd., for the construction of water and wastewater improvements to serve the Victron Benbrook Addition.

Motion passed (5-0).

4. Amendments to BWA Water Well Rules

Attorney, Brian Sledge stated this item would be discussed in Executive Session.

Public Comment

There were no Public Comments.

Director / Staff Comment

There were no comments.

Executive Session (3:24 p.m.)

Conduct Closed Executive Session Pursuant to Chapter 551, Government Code, for: consultation with the BWA attorney regarding pending or contemplated litigation, settlement offers, or other attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); or deliberation regarding security devices (§551.076).

1. Emergency Preparedness Plan
2. Any other item set forth in any section of this notice/agenda.

Reconvene Open Meeting (4:52 p.m.)

Take any action Necessary from Executive Session.

No formal action was taken.

There being no further business, the meeting adjourned at 4:52 p.m.

Board President

Date

Recording Secretary