

**Benbrook Water Authority  
Board of Directors Regular Meeting  
1121 Mercedes Street  
Benbrook, TX 76126  
March 21, 2023  
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on March 21, 2023 with the following Directors present:

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

Also Present:

David Smith, General Manager  
Sheila Rushing, Recording Secretary  
Brad Hill, Capital Improvements Project Manager  
Tim Chovanec, Attorney

President Henderson called the meeting to order at 3:00 p.m. and David Smith gave the invocation.

**Citizen Comments on Agenda Items**

There were no comments.

**Consent Agenda**

1. Minutes of the March 7, 2023 Board of Directors Meeting
2. February 2023 Financial Summary

Motion was made by Secretary Whitehurst, seconded by Vice-President Dons to accept the Consent Agenda as presented.

President Henderson stated she would like to clarify her statement made in the March 7<sup>th</sup> minutes under Director / Staff comments; it should read as follows: Any Board Member planning to be absent from a meeting should contact the Board President as well as the General Manager.

Motion passed (5-0)

## **General Manager's Report and Updates**

Mr. Smith gave a brief update on the following:

1. Robert Cook – Funeral information
2. Capital Improvements
  - Under Contract
  - Future
3. Developments
  - Under Contract

## **New Business**

1. Consider Partial Easement Abandonment Request From Whitestone Commercial

This easement was dedicated to the Benbrook Water & Sewer Authority in 1986 by Trinity Ranch Joint Venture (Vol 8630 Pg 1109. This portion of the easement is approximately 80 feet wide and appears to coincide with a future roadway alignment being considered at that time. Since that time, the entrance to Whitestone Golf Club was constructed, but neither the thoroughfare nor any wastewater facilities were constructed within the easement. Furthermore, BWA no longer anticipates utilizing this property for extension of water or wastewater facilities.

After much discussion, motion was made by Vice-President Dons, seconded by Director Hafer to approve the abandonment of a portion of a variable width BWSA easement as described and presented, subject to reimbursement for appropriate legal fees.

Motion passed (4-1)

2. Consider And Possibly Award The Construction Contract For The Basin 7 Wastewater Improvements And West Park Water Renewal

President Henderson stated this item would be discussed in Executive Session.

3. Consider Professional Services Agreement With Komatsu Architecture For Administration Building Remodel / Expansion Architectural Services

BWA requested and received a proposal from Komatsu Architecture for professional services to be provided. The project will involve two steps: Step one includes establishing and confirming user needs, and conceptual design phase services, evaluation of staffing and spatial requirements, review of zoning requirements, development of various options for BWA's consideration which may involve a combination of renovation and new construction at the Authority's Administration Building site. Step two (final design and construction phase services) would be provided under separate written agreement to be considered by the BWA Board at a future date.

After a brief discussion, motion was made by Secretary Whitehurst, seconded by Vice President Dons to authorize the execution of the agreement with Komatsu Architecture for conceptual design phase services associated with the BWA Administration Building for a lump sum amount of \$108,567.

Motion passed (5-0)

### **Public Comment**

There were no public comments.

### **Director / Staff Comment**

There were no comments.

President Henderson closed the open meeting at 3:27 p.m.

### **Executive Session (3:27 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. 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.

Motion was made by Vice-President Dons, seconded by Secretary Whitehurst move that David Smith is authorized to execute the Basin 7 contract with Texas Pride subject to their timely execution of the proposed contract containing the stated project deadlines.

Motion passed (5-0)

There being no further business, the meeting adjourned at 4:54 p.m.

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Board President

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Date

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Recording Secretary