

**Benbrook Water Authority
Board of Directors Regular Meeting
1121 Mercedes Street
Benbrook, TX 76126
July 11, 2023
3:00 p.m.**

The Board of Directors for the Benbrook Water Authority met in a regular meeting on July 11, 2023 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
Brad Hill, Capital Improvements Project Manager
Tim Chovanec, Attorney
Kristen Fancher, Attorney
Janice Howe, Citizen
Collin O’Leary, Baird Hampton & Brown
Joe LaCroix, Baird Hampton & Brown
Scott Sandlin, Sandlin Homes
Greg & Donna Clem, Citizens
Linda Daniel, Citizen

President Henderson called the meeting to order at 3:02 p.m. and Director Clark gave the invocation.

Citizen Comments on Agenda Items

Mr. Greg Clem addressed some concerns he has with the sewer line on Timberline Dr., along with the Fort Worth Treatment Facility that is supposed to help eliminate the problem with the sewer line backing up in the Timberline area.

Mr. Smith advised Mr. Clem that his concerns will be taken up later in Executive Session, then discussed after in open session.

Consent Agenda

1. Minutes of the June 20, 2023 Board of Directors Meeting
2. Financial Summary for June 2023

3. Semi-annual Report from Capital Improvements Advisory Committee with regards to the Land Use Assumptions and the Capital Improvements Plan.

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

Motion passed (5-0)

Report from Fancher Legal, PLLC

1. Telecom Lease Matters

President Henderson noted that this item would be discussed in Executive Session.

General Manager's Report and Updates

Mr. Smith gave a brief update on the following:

1. Meter Replacement Program
2. General Engineering Services
3. Municipal Water Rates
4. Annual Water Quality Consumer Confidence Report for 2022
5. HB 2815
6. Supervisor Series Training Update
7. Capital Improvements
 - o Under Contract
 - o Future
8. Development

Director Hafer stated that he would like to point out that all the projects that are currently in progress add up to approximately 11 million dollars. He stated that this is a significant amount and shows that BWA is being pro-active to try and address potential problems before they become actual problem areas.

President Henderson closed the open meeting.

Executive Session (3:20 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 (4:36 p.m.)

No formal action was taken from Executive Session

New Business

1. Consider And Possibly Approve Developer Authority Agreement 2023-5110 With Trinity Estates Development Company, LLC For Trinity Estates Residential Development Phase 3

This project involves the construction of water and wastewater facilities to serve a portion of the proposed Trinity Estates Development (Phase 3). A preliminary plat was found by the Benbrook Planning & Zoning Commission to have conformed with development regulations adopted by the City and was therefore approved on January 13, 2022. This phase of development primarily involves 73 residential lots (out of a total of 199 proposed) in the southernmost 22 acres of the overall 75-acre tract shown on the plat.

Motion was made by Director Hafer, seconded by Secretary Whitehurst to approve the Developer Authority Agreement 2023-5110 with Trinity Estates Development Company, LLC for Trinity Estates Residential Development Phase 3 contingent upon approval of amended easement involving BWA infrastructure on this property.

Mr. Clem stated that the additional houses in this development will cause more problems for the current residents already living there. The wastewater is a problem and has not been fixed. The infrastructure is not keeping up with the population and the new Fort Worth Facility is going to take years to complete. He stated that during rain events, the problem gets worse and eventually the sewer runs into the Trinity. He stated it seems unfair to the current residents to build new homes before the problem is fixed.

Mrs. Clem stated she doesn't understand how this agreement can be approved before the problem is fixed. She stated their house is their investment and she doesn't want to be forced to move because of the sewer issue.

Collin O'Leary with Brad, Hampton & Brown Engineering stated that the design was done according to BWA Specifications and that plans were submitted and approved by TCEQ. He stated that the flow in the existing pipe is less than 4% and should not make a big impact.

Joe LaCroix with Brad, Hampton & Brown Engineering stated that overflows are not a regular condition and only appear to happen during heavy rain events. He also stated that steps are being taken to upgrade the existing line.

Motion passed (4-1)

2. Consider And Possibly Approve 2023 Annual Requirements Contract For Granular Activated Carbon (GAC).

In June 2018, BWA entered into a contract agreement with Calgon Carbon Corporation for the supply of granular activated carbon (GAC) filter media to be installed at the Benbrook Water Treatment Plant. The original agreement was for a one (1) year term with

four (4) one-year renewals. The final renewal of the previous agreement expires in August 2023.

The unit price bid for installation of GAC (\$72.18/cubic foot) is approximately 44% higher than the previous renewal rate of (\$50.19). This notable increase in cost, according to the vendor, is the result of recent supply and transportation cost increases having occurred since the COVID-19 pandemic. The contract also provides for post installation laboratory analysis, if needed, for a cost of \$150/filter cell. Previously, the analysis cost was \$250/filter cell. The contract allows for cost escalation subject to proper documentation supporting the price increase and subject to approval by both parties.

After a brief discussion, motion was made by Secretary Whitehurst, seconded by Vice-President Dons to approve the Annual Requirements Contract with Calgon Corporation for granular activated carbon at he unit prices bid and authorize the GM to execute the Agreement.

Motion passed (5-0)

Public Comment

Mr. Clem asked if the Board could answer some questions with regard to the North End Waterline and Mr. Smith advised that there is no discussion under comment section and he could visit with him at a later time.

Director / Staff Comment

There were no comments.

There being no further business, the meeting adjourned at 4:59 p.m.

Board President

Date

Recording Secretary