

**MINUTES OF REGULAR MEETING
FORT BEND COUNTY W.C. & I.D. NO. 2
FORT BEND AND HARRIS COUNTIES, TEXAS**

April 24, 2024

The Board of Directors of Fort Bend County Water Control & Improvement District No. 2 of Fort Bend and Harris Counties, Texas, met in regular session, open to the public, on the 24th day of April 2024, at 6:30 pm, at the District Office, 2331 South Main, Stafford, Texas, within the boundaries of the District, and the roll was called of the duly constituted members of the Board, to-wit:

John K. Rose	President
Jody Court	Vice President
Linda Walker	Secretary
Harvey Koudelka	Assistant Secretary
Linda Burks	Assistant Secretary

And all of the said persons were present except Vice President Court, constituting a quorum.

Also present were Mr. Drew Crow with Quiddity, Ms. Kim Cannon and Ms. Heather Trachtenberg with Allen Boone Humphries Robinson, LLP, Ms. Leslie Cook with RBC Capital Markets, Owen Matherne, Jason Kirby, Ray Casal and Robbie Ginsel.

1. Call meeting to order;

President Rose: Called the meeting to order at 6:30 pm.

2. Pledge of Allegiance to the Flag of our Country and State.

All: Cited the Pledge of Allegiance to the Flag of our Country and State.

3. Audience comments. Comments from the audience (for matters not on the agenda).

This provides an opportunity to comment on non-agenda items in advance of the regular business of the Board of Directors. Comments shall be limited to three (3) minutes per person. By state law, comments by the President or Board members on any item not on the agenda shall be limited to;

- a. Statement of specific factual information given in response to any inquiry;**
- b. A recitation of existing policy in response to any inquiry;**
- c. A proposal to place the subject on the agenda for a future meeting;**

President Rose: Stated no audience comments.

4. Approve Board meeting minutes of April 10, 2024;

Assistant Secretary Burks made a motion to approve the Board meeting minutes of April 10, 2024; Seconded by; President John Rose; Favor: 3 to 0. Secretary Walker was absent when the motion was made.

5. Review Arbitrage Rebate Report for the Series 2019 bonds and authorize any necessary action;

Ms. Heather Trachtenberg with ABHR: Reviewed the Arbitrage Rebate Report for the Series 2019 bonds stating the District does not owe a rebate payment to the Internal Revenue Service, information only no action needed.

6. Update Critical Load Spreadsheet for new contract with Reliant;

General Manager: Reviewed the Critical Load Spreadsheet with the Board informing them of the address changes required. ABHR have made the corrections per the General Manager and will submit. **Secretary Walker made a motion to approve the critical load spreadsheet for the new contract with Reliant; Seconded by; Assistant Secretary Burks; Favor: 4 to 0.**

7. Conduct annual review and receive report from management on identity theft prevention program and adopt identity theft prevention program amendment;

General Manager: Reviewed the Identity Theft Prevention Program that was adopted in 2009 by the Board. The District has not had any incidents during the calendar year 2023 and recommends no changes to the Red Flag Policy. Information only, no action required.

8. Resolution in Support of the Application of Tur-con, Inc. for a Municipal Setting Designation at 810 Industrial Boulevard, Sugar Land, Texas and authorize any necessary action;

District Engineer: Reviewed and discussed the Resolution in Support of the Application of Tur-con, Inc. for a Municipal Setting Designation at 810 Industrial Boulevard, Sugar Land, Texas with the Board. After discussion, the Board requested this item to be tabled until further information is acquired and to be placed on the next Board meeting agenda for discussion and approval.

9. Review and discuss proposed amendment to Fifth Street Water Supply Agreement and feasibility report for additional connections and authorize appropriate action;

District Engineer: Stated the study and analysis for this request has not been completed by Quiddity. Once this is complete the agreement needs to be reviewed and modified based on the information found in the study by ABHR. **Ms. Heather Trachtenberg with ABHR:** Stated ABHR needs an authorization to move forward with a draft of the current agreement

once the study is completed by Quiddity. After discussion, the Board authorized ABHR to move forward with a draft of the current agreement based on the study and analysis from Quiddity.

10. Engineer's Report, including status of the following District projects and authorize any necessary action;

- a. Surface Water Treatment Plant Expansion to 7.8 MGD Phases II
District Engineer: LEM construction Company, Inc., the Contractor, has submitted Progress Payment Request No. 01 for \$1,995,000.00 for work from February 26, 2024. The estimate is in order and recommended for approval by the District for payment. **President Rose: made a motion to approve Progress Payment Request No. 1 as prepared and presented and authorize payment to LEM Construction Company, Inc in the amount of \$1,995,000.00; Seconded by; Assistant Secretary Burks; Favor: 4 to 0.**

- b. Surface Water Transmission Line Projects;
District Engineer: Stated there are two transmission line projects consisting of Phase IV connecting to Water Plant No. 6 and Phase V connection to Wastewater Treatment Plant No. 2. Both are required for the successful expansion of the Surface Water Treatment Plant. Preliminary planning of the transmission line alignments is complete with the proposed route for each line shown on the attached exhibits. These alignments were selected based on available easements, right-of-way, construction cost, existing obstructions and regulatory review and requirements. **President Rose: made a motion to authorize preparation of easement documents and commence obtaining of any necessary easements; Seconded by; Assistant Secretary Koudelka; Favor: 4 to 0.**

- c. Wastewater Treatment Plant No. 1 TPDES Permit Renewal;
District Engineer: Stated the completed permit application is complete and ready for submission to the Texas Commission on Environmental Quality. The permit number is WQ0010086001 and there are no amendments proposed. **President Rose: made a motion to approve submission of TPDES permit renewal application for Wastewater Treatment Plant to the Texas Commission on Environment Quality; Seconded by; Assistant Secretary Koudelka; Favor: 4 to 0.**

- d. Wastewater Treatment Plant No. 1 Rehabilitation;
District Engineer: Stated the existing primary clarifiers were previously covered with self-supporting aluminum covers. This was at the time installed for additional odor reduction. At this time, the previous covers would need to be replaced and appear to be of limited benefit for odor reduction while representing a cost of over \$1M. The existing lift station no. 2, constructed in 1984, is experiencing reliability issues with operation and existing pumping and electrical equipment. Staff are proposing that the possibility of adding the rehabilitation of the lift station pumps, controls and electrical be considered to in include in the scope of this work. It is estimated to be near \$1-1.2M in

construction. After discussion, the Board agreed to add these projects as an alternative to the bid.

- e. Miscellaneous development repair and improvement projects;

District Engineer: Stated no action required.

- f. General Engineering, development plats, consent to encroach agreements, easements, facilities, annexations, and development issues.

District Engineer: Stated no action required.

11. Review and discuss Financial Statement for March 2024 and authorize any necessary action;

General Manager: Reviewed the financial statement for March 2024 with the Board, information only no action required.

12. Review and discuss Quarterly Investment Report and authorize any necessary action;

General Manager: Reviewed the Quarterly Investment Report with the Board. After discussion, **Secretary Walker made a motion to approve the Quarterly Investment Report; Seconded by; Assistant Secretary Koudelka; Favor: 4 to 0.**

13. Approve District expenditures;

Assistant Secretary Koudelka made a motion to approve the District expenditures; Seconded by; Secretary Walker; Favor: 4 to 0.

14. District operations, including but not limited to; Administrative, Field Service, Wastewater and Surface Water Treatment facilities and authorize any necessary action;

General Manager:

- Discussed additional flushing, and a directional flush in Sugar Creek
- Reviewed forklift quotes with the Board, after discussion; **Assistant Secretary Koudelka made a motion to approve the 2013 Toyota refurbished forklift for \$26,900.00; Seconded by; Secretary Walker; Favor: 4 to 0.**
- Informed the Board regarding a customer discouraged by the District not accepting cash for payments, information only.
- The company picnic is on Saturday April 27, 2024, beginning at 11:00 a.m.

15. Discuss garbage collection billing for the city of Stafford and authorize any necessary action;

President Rose: Discussed this agenda item with the Board and the General Manager. Information only, no action needed at this time.

16. Real estate acquisition matters, including Purchase and Sale Agreement;

President Rose: Stated this agenda item will be discussed in executive session.

17. Executive session;

President Rose: convened into executive session at 7:58 p.m.

18. Open session

President Rose: convened into open session at 8:15 p.m. stating there is no action need by the Board for executive session.

18. Future agenda items;

President Rose: Stated any future agenda items needed to discuss now or contact the General Manager, Robbie Ginsel, or himself.

19. Adjourn.

Assistant Secretary Koudelka made a motion to adjourn; Seconded by; President Rose; Favor: 3 to 0. Secretary Walker was absent when the motion was made.



John K. Rose – President

Linda Walker - Secretary

Call meeting to order	1
Pledge of Allegiance to the Flag of our Country and State	1
Audience comments	1
Approve Board meeting minutes of April 10, 2024	2
Review Arbitrage Rebate Report for the Series 2019 bonds	2
Update Critical Load Spreadsheet for new contract with Reliant	2
Conduct annual review and receive report from management on identity theft prevention program and adopt identity theft prevention program amendment	2
Resolution in Support of the Application of Tur-con, Inc. for a Municipal Setting Designation at 810 Industrial Boulevard, Sugar Land, Texas	2
Review and discuss proposed amendment to Fifth Street Water Supply Agreement and feasibility report for additional connections	2-3
Engineer's report	3-4
Review and discuss Financial Statement for March 2024	4
Review and discuss Quarterly Investment Report	4
Approve District expenditures	4
District operations	4
Discuss garbage collection billing for the City of Stafford	4
Real estate acquisition matter including Purchas and Sale Agreement	5
Executive Session	5
Open Session	5
Future agenda items	5
Adjourn	5