

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

**December 13, 2023**

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 13<sup>th</sup> day of December 2023, 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, thus, constituting a quorum.

Also present, Mr. John Elder and Mr. Stewart Black with Acclaim Energy, Mr. Harry Thompson and Ms. Kim Cannon with Allen Boone Humphries Robinson, LLP, Mr. Kyle Kasper with Quiddity, Mr. Loren Morales and Mr. Larry Liu with RBC Capital Markets, Owen Matherne, Jason Kirby, Ray Casal, Veronica Estrada, Amanda Boyd, and Robbie Ginsel.

**1. Call meeting to order;**

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

**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 November 15, 2023;**

**Assistant Secretary Koudelka made a motion to approve the Board meeting minutes of November 15, 2023, as presented; Seconded by; Secretary Walker; Favor: 4 to 0.**

**5. Update from Mr. John Elder with Acclaim Energy and authorize any necessary action;**

**Mr. Elder with Acclaim Energy:** Discussed the District's contract with Acclaim Energy. The current Cavallo contract is good through April 30, 2024, effective May 1, 2024, through April 30, 2029, the rate will be \$0.03819. WWTP No. 2 was added under Cavallo at \$0.11922 only through November 30, 2023. Once the Aggregation starts on May 1, 2024, the WWTP 2 will be at the rate of \$0.03819. Mr. Elder also discussed an emergency backup generation plan where large generators could be placed on the District's property if the Board chose, further information will be forthcoming regarding this plan. Information only no action needed.

**6. Discuss renewal of Principal insurance and authorize any necessary action;**

**General Manager:** Reviewed the quotes for the renewal of the District's dental, vision, long-term and short-term disability. Staff recommends going with Equitable with a start date of February 1, 2024. After discussion; **President Rose made a motion to renew the District's insurance with Equitable with an effective date of February 1, 2024; Seconded by; Assistant Secretary Burks; Favor: 4 to 0.**

**7. Unlimited Tax Bonds, Series 2024;**

- Approve Preliminary Official Statement and Official Notice of Sale
- Update on City approval of bond sale
- Engage rating company to perform credit rating analysis for Series 2024 Unlimited Tax Bonds
- Appoint Paying Agent/Registrar
- Authorize advertisement for sale of the Series 2024 Bonds and schedule bond sale.

**Mr. Harry Thompson:** Discussed the Unlimited Tax Bonds, Series 2024 with the Board. **Mr. Loren Morales:** Reviewed the schedule of events for the \$39,000,000 Unlimited Tax Bonds, Series 2024, and the Preliminary Official Statement. After discussion; **Mr. Harry Thompson:** Discussed each agenda item relating to Unlimited Tax Bonds, Series 2024 and asked the Board's approval for each item. After discussion, **Assistant Secretary Koudelka made a motion to approve the Preliminary Official Statement and Official Notice of Sale, engage rating company to perform credit rating analysis for Series 2024 Unlimited Tax Bonds, appoint Bank of NY Melon as the paying agent/registrar and authorize advertisement for sale of the Series 2024 Bonds and schedule bond sale; Seconded by; Secretary Walker; Favor: 4 to 0.**

**8. Adopt Amended Rate Order;**

**Mr. Harry Thompson:** Reviewed the increase in garbage rates for the City of Missouri City with the Board and explained the Rate Order would need to be amended for these changes. After

discussion, **Assistant Secretary Koudelka made a motion to amend the Rate Order as presented; Seconded by; Secretary Walker; Favor: 4 to 0.**

**9. Review and approve report on electricity consumption and energy efficiency measures and authorize any necessary action;**

**Mr. Harry Thompson:** Informed the Board of this report which is an unfunded government mandate and for the District's records only. The District is to evaluate electricity consumption and prepare this report every five years. Information only, no action needed.

**10. Travel Reimbursement Guidelines and Director Expenses for the Association of Water Board Directors winter conference;**

**Mr. Harry Thompson:** Reviewed the travel reimbursement guidelines with the Board. The AWBD Mid-Winter Conference will be held in Dallas on January 19 – January 20, 2024. Secretary Walker: Stated she may attend. Information only no action required.

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

a. Stafford Run Emergency Well Rework

**District Engineer:** Reviewed three options with the Board for moving forward with the well at a reduced capacity. After discussion of all options President Rose made a motion to approve

Option B which entails the following:

- Run a multi-day test with the existing temporary pump and record sand production. The budgetary cost is \$6,800 - \$8,100.

The advantages with Option B are the following:

- Low total capital cost
- Obtain additional data on sand production to determine if sand production decreases over time,

The disadvantages with Option B are the following:

- Reduction in well capacity
- This does not remove the sand from being pumped.
- Pumping sand can affect the pump by experiencing a reduction in pumping capacity, pump, and impeller wear (shorter life span), and loss of efficiency.
- Pumping sand can affect the operations of the plant by experiencing an increase in maintenance costs due to removal of excess sand in the storage tanks, and an increase in well pump operations costs due to loss of efficiency.
- Additional work is required to obtain a working well. Option A will need to be completed after Option B. Option A is to install a 500-gpm pump and finish remaining rework items.

- Exploratory in nature and results are not guaranteed.

After discussion **President Rose made a motion to authorize Option B which is to run a multi-day test with existing temporary pump and record sand production and proceed with procuring the replacement pump; Seconded by; Assistant Secretary Koudelka; Favor: 4 to 0.**

b. Texas Instruments Redevelopment Reserves R-4A Plat

**District Engineer:** Stated the Target Corporation, the Developer for the Texas Instruments Redevelopment Reserves R-4A Plat, requested the District accept the Texas Instruments Redevelopment Reserves R-4A Plat with no objections for recordation. Staff request the Board accept the recordation of the Texas Instruments Redevelopment Reserves R-4A Plat using the District's signature block upon final approval by the District's Engineer and Attorney. After discussion, **President Rose made a motion to accept the recordation of the Texas Instruments Redevelopment Reserves R-4A Plat using the District's signature block upon final approval by the District's Engineer and Attorney; Seconded by; Assistant Secretary Koudelka; Favor: 4 to 0.**

c. LCRR Update

**Veronica Estrada:** Reviewed the Lead and Copper Rule Revisions with the Board. Staff requested the Board to review and inform staff of any comments by the end of January. Information only, no action required.

d. Miscellaneous development repair and improvement projects;

**District Engineer:** Stated no action required.

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

**District Engineer:** Reviewed the easement for Braeburn Gardens with the Board, after discussion **President Rose made a motion to approve the easement for Braeburn Gardens; Seconded by; Secretary Walker; Favor: 4 to 0.**

**12. General Manager's Report including Water and Wastewater System Operations, and the Industrial Pretreatment Program;**

**General Manager:** Reviewed the General Manager's Report with the Board. Information only no action needed.

**13. Review and discuss the Financial Statement for November 2023 and authorize any necessary action;**

**General Manager:** Reviewed the Financial Statement for November 2023 with the Board. Information only no action needed.

**14. Approve District expenditures;**

**President Rose made a motion to approve the District expenditures; Seconded by; Assistant Secretary Koudelka; Favor: 3 to 0. Assistant Secretary Burks voted no.**

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

**General Manager:**

- Discussed City of Stafford garbage contract
- Discussed Aqua Metric – smart meters. The staff is requesting Board approval to issue a purchase order to install two base stations with antennas on the EST's for remote meter reads in the amount of \$242,000 and \$50,000 for maintenance and software and to approve the annual agreement with Aqua Metric subject to final review, these amounts are in the budget. After discussion; **President Rose made a motion to approve the purchase order to install two base stations with antennas on the EST's for remote meter reads in the amount of \$242,000 and \$50,000 for maintenance and software and approve the annual agreement with Aqua Metric subject to final review; Seconded by; Assistant Secretary Burks; Favor: 4 to 0.**

**16. Discuss potential real estate acquisitions and authorize any necessary action;**

**President Rose:** Closed Regular Session at 8:32 p.m.

**President Rose:** Opened Regular Session at 8:55 p.m.

**President Rose made a motion to proceed as discussed in Executive Session; Seconded by; Assistant Secretary Koudelka; Favor: 3 to 0.** Secretary Walker was not present when the motion was made.

**17. Future agenda items;**

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

**Discussion items by Board:**

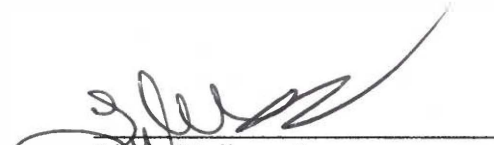
- Odor concern at Kirkwood and Main; staff will prepare a work order and access the issue.
- Concrete not repaired at two homes in South Meadows, Assistant Secretary Burks will send addresses to these homes to the General Manager

**18. Adjourn.**

**Assistant Secretary Burks made a motion to adjourn; Seconded by; Assistant Secretary Koudelka; Favor: 3 to 0.**



John K. Rose – President



Linda Walker - Secretary

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