

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

**January 25, 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 25<sup>th</sup> day of January 2023 at 6:30 p.m., 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 Rose	President
Jody Court	Vice President
Linda Walker	Secretary
Harvey Koudelka	Assistant Secretary
Linda Burks	Assistant Secretary

And all of said persons were present, thus constituting a quorum.

Also, attending Mr. Harry Thompson and Ms. Kim Cannon with the law firm of Allen, Boone, Humphries and Robinson, LLP, (ABHR), Mr. Drew Crow with Quiddity, Mr. Loren Morales with RBC Capital Markets, District staff, Ray Casal, Robbie Ginsel, Jason Kirby, and Owen Matherne.

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

**1. Call meeting to order;**

**President Rose:** Called the meeting to order.

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

**All:** Recited the pledge of allegiance to the Flag of our Country and State.

**3. Audience comments;**

**Mr. John Rose:** Discussed the District's tax rate which has stayed consistent, however other jurisdiction rates have been lowered. In comparison of last year's property taxes and this year's property taxes have increased by 11% to 12%. **Mr. John Rose:** Would like the District to look at the tax rate based on the increased valuation and re-evaluate. **Mr. Loren Morales with RBC Capital Markets:** The objective is not to have the tax rates fluctuate. RBC Capital Markets will look at lowering the tax rate once the certified values are available, which would be in the August and September timeframe.

**4. Approve Board meeting minutes of December 14, 2022;**

**Vice President Court made a motion to approve Board meeting minutes of December 14, 2022; Seconded by; Assistant Secretary Burks; Favor 4 to 0.** Assistant Secretary Koudelka abstained due to not being in attendance at the December 14, 2022 Board meeting.

**5. Amendment to the Defined Area Financing Agreement and authorize any necessary action;**

Mr. Harry Thompson with ABHR: Reviewed the Amendment to the Defined Area Financing Agreement with the Board. The amendment would include an addition of language to add the tax rate that could be used for construction repair and maintenance replacement costs. After discussion, **Vice President Court made a motion**

to approve the language addition of the tax rate can be used for construction repair and maintenance replacement costs; Seconded by; Secretary Walker; Favor: 5 to 0.

**6. Accept annual disclosure statements for Investment Officers and bookkeeper;**

**Mr. Harry Thompson with ABHR:** Reviewed the annual disclosure statements for Investment Officer and bookkeeper with the Board. After discussion, **Vice President Court made a motion to accept the annual disclosure statements for Investment Officers and bookkeeper; Seconded by; Assistant Secretary Koudelka; Favor: 5 to 0.**

**7. Authorize participation in the Water Smart Program;**

**General Manager:** Reviewed the Resolution to participate in the Water Smart Program with the Board. **Assistant Secretary Burks:** Stated when materials for the Water Wise Program are delivered to school to let the Board know so they can attend. After discussion, **Assistant Secretary Koudelka made a motion to approve the Resolution to participate in the Water Smart Program; Seconded by; Vice President Court; Favor: 5 to 0.**

**8. Conduct annual review of Investment Policy and adopt Resolution Regarding Annual Review of Investment Policy;**

**Mr. Harry Thompson with ABHR:** Reviewed the current Investment Policy with the Board, no changes are recommended. **Vice President Court made a motion to adopt the Resolution Regarding Annual Review of Investment Policy; Seconded by; Assistant Secretary Burks; Favor: 5 to 0.**

**9. Review, revise and adopt Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions;**

**Mr. Harry Thompson with ABHR:** Reviewed the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions with the Board. After discussion, **Vice President Court made a motion to adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions; Seconded by; Assistant Secretary Koudelka; Favor: 5 to 0.**

**10. Engineer's Report**

- a. Wastewater Plant No. 2 Phase I:  
**District Engineer:** No action required.
- b. Wastewater Plant No. 1 Dewatering Improvements:  
**District Engineer:** LEM Construction Company, Inc. the Contractor, has submitted Progress Payment Request No. 8 and Final for \$235,934.56 for work up to December 31, 2022. The estimate is in order and recommended for approval by the District for final payment along with acceptance of the work. Also included are the Contractor's Affidavits of Guarantee and Bills Paid, the Consent of Surety to Final Release of Retainage along with certificates of Substantial Completion and Acceptance. **President Rose made a motion to approve Progress Payment request No. 8 and Final for \$235,934.56 made payable to LEM Construction Company, Inc. for Wastewater Plant No. 2 Phase I; Seconded by; Vice President Court; Favor: 5 to 0.**

- c. Clark Plaza Subdivision 2021 8-inch Waterline Improvements:  
**District Engineer:** Aranda Industries, LLC, the Contractor, has submitted Progress Payment Request No. 6 and Final for \$113,461.24 for work up to December 25, 2022. The estimate is in order and recommended for approval by the District for final payment along with acceptance of the work. Also included are the Contractor's Affidavits of Guarantee and Bills Paid, the Consent of Surety to Final Release of Retainage along with the certificates of Substantial Completion and Acceptance. **President Rose made a motion to approve Progress Payment Request No. 6 and Final for \$113,461.24 made payable to Aranda Industries, LLC for Clark Plaza Subdivision 2021 8-inch Waterline Improvements; Seconded by; Assistant Secretary Koudelka; Favor: 5 to 0.**
- d. Miscellaneous development repair and improvement projects;  
**District Engineer:** Stafford Run Road, Park Hill Villas Tract 1 and 2, the Developer for Park Hill Villas submitted the following required easements for recordation.
- Provide 5-foot Waterline Easement dedicated to the District along the entire east property line directly adjacent to but not within the Stafford Run Road right-of-way after the general. This easement would overlay the existing general 10-foot Utility Easement.
  - Provide a 5-foot Sanitary Sewer Easement along the entire property line on the eastside of the 5.3311-acre tract out of Restricted Reserve 'C-2', Clark Plaza One, Section Three, south of Avenue E and east of Stafford Run Road. This follows the rear lot lines of Lots 1 to 24 of Block 3. This easement would overlay the existing general 10-foot Utility Easement. **President Rose made a motion to approve the 5-foot Waterline Easement and 5-foot Sanitary Sewer Easement recordation for Park Hill Villas, along Stafford Run Road for recordation with plat; Seconded by; Vice President Court; Favor: 5 to 0.**
  - 13847 Stafford Road, Yes America Now, the Developer for Yes America Now submitted the required 10-foot Waterline Easement along Stafford road for the District along the entire property line directly adjacent to but not withing the right-of-way. **President Rose made a motion to approve the 10-foot Waterline Easement recordation for Yes American Now along Stafford Road using the District standard form; Seconded by; Vice President Court; Favor: 5 to 0.**
- e. General Engineering, development plats, consent to encroach agreements, easements, facilities, annexations, and development issues.  
 District Engineer: No action required.

**11. General Manager's Report including water and wastewater system operations, Industrial Pretreatment Program and District operations;**

**General Manager:** Reviewed the General Manager's report with the Board, information only no action needed.

**12. Review and discuss Financial Statement for December 2022 and authorize any necessary action;**

**General Manager:** Discussed the Financial Statement for December 2022 with the Board, information only no action needed.

**SUPPLEMENTAL AGENDA:**

1. Approve District expenditures: **Vice President Court made a motion to approve the District expenditures; Seconded by; Assistant Secretary Burks; Favor: 5 to 0.**

**13. Review Quarterly Investment Report**

**General Manager:** Reviewed the Quarterly Investment Report with the Board. **Vice President Court made a motion to approve the Quarterly Investment Report; Seconded by; Assistant Secretary Koudelka; Favor: 5 to 0.**

**14. Discuss and approve write-offs of customer accounts;**

**General Manager:** Reviewed the write-offs of customer accounts with the Board. **Vice President Court made a motion to approve the write-offs of customer accounts; Seconded by; Assistant Secretary Burks; Favor: 5 to 0.** Assistant Secretary Koudelka requests last year's customer write-offs.

**15. Discuss District seal for Board room and authorize any necessary action;**

**General Manager:** Discussed the quote from Scanlin Sign Service for the District seal. The cast bronze seal quote is \$7,459.00. After discussion, the Board requested additional quotes from other companies for an acrylic, cast aluminum and cast bronze.

**16. District operations, including but not limited to; Administrative, Field Service, Wastewater, Groundwater and Surface Water Treatment Plants, Rate Order; general operational tasks and authorize any necessary action;**

**General Manager:**

- **Surface Water Treatment Plant: one rack is down at the plant.**
- **Wastewater Treatment Plant No. 1: An employee fell into an aeration basin due to an unsecured walkway grating, 911 was called and the employee was taken to the hospital, then released to go home. A walk through on Wastewater Treatment Plant No. 1 is scheduled for January 30, 2023.**

**17. Future agenda items;**

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

- Newsletter
- Workshop on Personnel Policy manual – President Rose asked Board members to review the policy and submit any proposed changes.

**18. Adjourn;**

**Vice President Court made a motion to adjourn; Seconded by; Assistant Secretary Koudelka; Favor: 5 to 0.** The meeting was adjourned at 7:50 p.m.



  
Linda Walker, Secretary  
Julius Court - Vice President

## Attachments

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 December 14, 2022	1
Amendment to the Defined Area Financing Agreement	1-2
Accept annual disclosure statements for Investment Officers and bookkeeper	2
Authorize participation in the Water Smart Program	2
Conduct annual review of Investment Policy and adopt Resolution regarding Annual Review of Investment Policy	2
Review, revise and adopt Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions	2
Engineer's Report	2-3
General Manager's Report	3
Review and discuss Financial Statement for December 2022 (including District Expenditures)	3
Review Quarterly Investment Report	4
Discuss and approve write-offs of customer accounts	4
Discuss District seal for Board room	4
District operations	4
Future agenda items	4
Adjourn	4