

MINUTES  
NORTH FORT BEND WATER AUTHORITY

May 1, 2024

The Board of Directors (the "Board") of the North Fort Bend Water Authority (the "Authority") met in special session, open to the public, on the 1<sup>st</sup> day of May, 2024, at The Club at Falcon Point, 24503 Falcon Point Drive, Katy, Texas, and the roll was called of the members of the Board:

Peter Houghton	President
Robert Patton	Vice President
Dana Hollingsworth	Secretary
Robert Darden	Assistant Vice President
Bruce Fay	Assistant Secretary
Donald Abrahamson II	Assistant Secretary
Michael Rusk	Assistant Secretary

and all of the above were present in person except Director Houghton, thus constituting a quorum.

Also present in person for all or part of the meeting were Craig Lewis; Steve Haas of Cinco Municipal Utility District No. 8; Stan Teerman of Cinco Municipal Utility District No. 10; Leon Bridges and Paula Vitello of Fort Bend County Municipal Utility District No. 50; Rich Patrick of Fort Bend County Municipal Utility District No. 163; Colette Garcia of McGrath & Co., PLLC; Dale Clayton of Inframark, LLC; John Taylor of Masuen Consulting, LLC; Matt Froehlich, Julia Frankovich, Larry Goldberg, Whitney Milberger, and Miriam Valdez of BGE, Inc. ("BGE"); Taylor Watson and Stephanie Bahn of Municipal Accounts & Consulting, L.P.; and Aaron Carpenter and Justine M. Cherne of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Members of the public were provided with the opportunity to make comments. There were no public comments.

APPROVE AUDIT FOR FISCAL YEAR END DECEMBER 31, 2023

Ms. Garcia reviewed the Authority's draft audit for fiscal year end December 31, 2023, and responded to Board members' questions. She reported that a review of the Authority's financial statements and a post audit agreed upon procedures report are anticipated to be completed soon by McCall Gibson Swedlund Barfoot PLLC.

Following review and discussion, Director Abrahamson moved to approve the audit for fiscal year end December 31, 2023, and direct that the audit be filed appropriately and retained in the Authority's official records, subject to final review and comment. Director Hollingsworth seconded the motion, which passed unanimously.

#### OPERATION OF AUTHORITY FACILITIES

Mr. Clayton reminded the Board that Booster Pump No. 6 at the Bellaire Pump Station (the "BPS") was pulled in October 2023 after it became inoperable and after a new motor for Booster Pump No. 4 was installed. He stated that a recommendation was made to the Authority's Capital Planning and Design Committee on April 9, 2024, to order a replacement motor for Booster Pump No. 6 in the amount of \$101,201.00 while BGE continued to gather additional information related to booster pump motor failures at the BPS. He stated the recommendation was made due to the delivery time of three to four months for the replacement motor. Mr. Clayton reported that BGE subsequently determined the probable cause of the booster pump motor failures at the BPS and the recommendation has changed to repairing the motor for Booster Pump No. 6 in the amount of \$43,616.00.

Mr. Froehlich reported that evaluation of the booster pump motor failures at the BPS determined that the motor heaters were not operational, which allowed condensation to form on the motors. He stated that the motor heaters are now operational, and the booster pumps will be monitored over the next several months to determine whether there are any other matters that need to be addressed at the BPS related to booster pump operations. Mr. Froehlich stated that additional evaluation of the previously inoperable motor heaters will be performed to try to determine how long they had been inoperable.

Following discussion, Director Abrahamson moved to approve repair of the motor for Booster Pump No. 6 in the amount of \$43,616.00. Director Hollingsworth seconded the motion, which passed unanimously.

#### REGIONAL PLANNING MATTERS: JOINT PROJECTS AND WATER SUPPLY

Ms. Frankovich reported that, on April 26, 2024, the Environmental Protection Agency issued regulations establishing Maximum Contamination Levels ("MCL") for five specific Per- and Polyfluoroalkyl Substances ("PFAS"): perfluorooctanoic acid, perfluorooctanesulfonic acid, perfluorohexane sulfonic acid, perfluorononanoic acid, and hexafluoropropylene oxide dilmer acid, and included a sixth PFAS, perfluorobutane sulfonate acid, through a Hazard Index MCL for mixtures of PFAS containing specific compounds. She said that additional evaluation of the regulations will be undertaken to determine any required compliance procedures for the Authority.

ADOPT ORDER COUNTING VOTES AND DECLARING ELECTED CANDIDATES FOR DIRECTOR PRECINCTS 1, 3, 5, AND 7

Mr. Carpenter reviewed the Director appointment process and stated that Director Precincts 1, 3, and 7 were uncontested. He reported that ballots to vote for the contested Precinct 7 position were distributed prior to March 15, 2024, and the deadline for the districts and municipalities located in Precinct 7 to submit completed ballots was April 30, 2024. Mr. Carpenter reviewed the following results for contested Precinct 7: six districts and one municipality voted for Dana Hollingsworth, and three districts voted for Aaron T. Groff, with a majority of the cumulative voting strength voting in favor of Dana Hollingsworth. After review and discussion, Director Fay moved to adopt an Order Counting Votes and Declaring Elected Candidates for Director Precincts 1, 3, 5, and 7, declaring that Craig Lewis, Don Abrahamson, Robert Patton, and Dana Hollingsworth are appointed as directors of the Authority, to serve from May 16, 2024 until May 15, 2028, or until their successors have been duly appointed and have qualified. Director Darden seconded the motion, which passed unanimously.

APPROVE SWORN STATEMENTS, OFFICIAL BONDS, AND OATHS OF OFFICE

The Sworn Statements and Oaths of Office for Craig Lewis, Don Abrahamson, Robert Patton, and Dana Hollingsworth, and the Official Bond for Craig Lewis were presented to the Board. Following review and discussion, Director Darden moved to (1) approve the Directors' Sworn Statements, Official Bond, and Oaths of Office; (2) direct that the Oaths of Office be filed with the Texas Secretary of State; and (3) direct that the documents be retained in the Authority's official records. Director Abrahamson seconded the motion, which passed unanimously.

REORGANIZE THE BOARD OF DIRECTORS AND AUTHORIZE EXECUTION OF DISTRICT REGISTRATION FORM

The Board discussed reorganizing the Board and electing officers. Following discussion, Director Hollingsworth moved to (1) appoint Craig Lewis as Assistant Secretary and reappoint the remaining Directors to their current officer positions, effective May 16, 2024, and (2) authorize execution of a District Registration Form for filing with the Texas Commission on Environmental Quality to reflect the appointment of the Board members and their respective terms. Director Darden seconded the motion, which passed unanimously.

APPOINT COMMITTEE MEMBERS AND DESIGNATE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") VOTING MEMBER REPRESENTATIVE

The Board discussed the Directors' appointments on the Authority's Committees. Following discussion, the Board concurred to additionally discuss the appointments during the May Committee meetings.

Mr. Carpenter reported that Director Fay is the Authority's current AWBD Voting Member Representative. Director Hollingsworth volunteered for the position. Following discussion, Director Abrahamson moved to designate Director Hollingsworth as the Authority's new AWBD Voting Member Representative. Director Darden seconded the motion, which passed unanimously.

RESOLUTION COMMENDING BRUCE FAY FOR SERVICE TO THE AUTHORITY

The Board expressed its appreciation for Director Fay's invaluable contributions to the Authority. Director Fay stated that he was thankful for the opportunity to serve. Following review and discussion, Director Hollingsworth moved to adopt a Resolution Commending Bruce Fay for Service to the Authority. Director Abrahamson seconded the motion, which passed unanimously.

CONFLICT OF INTEREST DISCLOSURE AND LIST OF LOCAL GOVERNMENT OFFICERS

The Board reviewed a memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission. A copy of the memorandum is attached.

Mr. Carpenter reviewed a List of Local Government Officers that the Authority is required to maintain pursuant to Chapter 176 of the Texas Local Government Code. After review and discussion, Director Hollingsworth moved to approve and authorize execution of the List of Local Government Officers and direct that the list be retained in the Authority's official records. Director Abrahamson seconded the motion, which passed unanimously.

CONVENE EXECUTIVE SESSION

The Board did not convene in executive session.

There being no further business to come before the Board, the meeting was adjourned.

(SEAL)



  
Secretary, Board of Directors

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