

MINUTES  
PECAN GROVE MUNICIPAL UTILITY DISTRICT

May 30, 2017

The Board of Directors (the "Board") of Pecan Grove Municipal Utility District (the "District") met in regular session, open to the public, on the 30<sup>th</sup> day of May, 2017 at the Pecan Grove Country Club, Richmond, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Chad Howard	President
Ryan Yokubaitis	Vice President
G.E. "Buddy" Kluppel	Secretary
Stephen D. Crow	Assistant Secretary/ Assistant Vice President
Charles D. Bertrand	Assistant Vice President/ Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were residents of the District listed on Exhibit A attached hereto; Scott Saenger and Grady Turner of Jones & Carter, Inc. ("J&C"); Fort Bend County Commissioner Andy Meyers; Chief Joe Woolley of the Pecan Grove Volunteer Fire Department ("PGVFD"); Sgt. Bennett of the Fort Bend County Sherriff's Department; Kathy Cruthirds of Tax Tech, Inc.; Mike Ammel, Breah Campbell and Clayton Galloway of Environmental Development Partners, LLC ("EDP"); Melvin Moore of WCA Waste Corporation of Texas; Jorge Diaz of McLennan & Associates, L.P. ("M&A"); Marcus Campbell of Time and Season Property Management ("Time & Season"); and Lynne Humphries, Hannah Brook, and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

REMARKS FROM THE BOARD PRESIDENT

Director Howard opened the meeting at 5:30 p.m., welcomed attendees and invited attendees to take copies of consultant meeting reports distributed on the meeting room tables.

COMMENTS FROM THE PUBLIC

Commissioner Meyers discussed Fort Bend County's efforts to address traffic congestion on Plantation Drive and throughout the District, including a connection to Old Dixie Drive for a more direct access for students attending Travis High School, a crossing sidewalk to Pecan Grove Elementary and solar powered speed signs on Plantation Drive. Commissioner Meyers said Fort Bend County engineering would prepare a design and submit it to the District to post on its website in order to give the

community an opportunity for input before finalizing plans. Director Kluppel requested that Commissioner Meyers assist with extending the sidewalk on the west side of Pitts Road to Water Plant No. 1. He said the prior commissioner constructed the sidewalk along the west side of Pitts Road from Winston Homestead to Pecan Grove Park, with the District paying the cost of materials.

Ms. Ashmore commented regarding possible construction of a District administration building in Pecan Grove Park and asked how much of the park area the building would consume.

Ms. Webb asked when the sidewalk on Old South Drive would be repaired following completion of drainage improvements.

At the request of a resident who could not attend, Director Crow read correspondence received from Brett Bergvall regarding an incident that occurred in Pecan Grove Park on May 26, 2017.

#### CONSENT AGENDA

Director Howard offered Board members the opportunity to remove items from the consent agenda for individual discussion. Director Kluppel moved to approve all items on the consent agenda. Director Yokubaitis seconded the motion, which passed by unanimous vote. Copies of all documents approved as part of the consent agenda are attached, including the bookkeeper's report and the tax assessor collector's report.

#### ADDITIONAL BOOKKEEPING MATTERS

Director Crow requested that certain park improvement expenses invoiced through Time & Season be categorized by the bookkeeper under park improvements on the monthly budget comparison.

#### SECURITY AND PUBLIC SAFETY MATTERS

Chief Woolley reported on PGVFD activity since the last meeting, the status of a Fire Services Agreement between the PGVFD and Fort Bend County Municipal Utility District No. 134D, an upcoming upgrade to the area ISO rating and the status of submission of the PGVFD's 2017 budget to the Board for review and approval.

Sgt. Bennett reviewed patrol statistics for the month of May, 2017 and provided additional information and answered questions regarding the May 26, 2017, incident in Pecan Grove Park. Sgt. Bennett said a police report was filed and is available through the Fort Bend County Sherriff's Department. Director Yokubaitis requested follow up information regarding the reported incident at the June, 2017 Board meeting.

## DEVELOPMENT AND MAINTENANCE OF PARKS

Mr. Campbell reviewed a parks report, a copy of which is attached, and updated the Board on park reservations, maintenance and repairs in District parks. The Board tabled discussion regarding pavilion roof and concrete slabs for park picnic tables and replacement of all toilets on the Pecan Grove Park.

Ms. Humphries reported that Fort Bend County, Precinct 3 ("Precinct 3") has agreed to assist the District with construction of an asphalt parking lot by providing equipment and labor to spread asphalt materials purchased by the District. Following review and discussion, Director Kluppel moved to authorize Director Howard to execute an Interlocal agreement between meetings for Precinct 3 assistance, as discussed. The motion was seconded by Director Bertrand and passed unanimously.

Additional discussion ensued regarding the May 26, 2017, incident in Pecan Grove Park and other general and regularly occurring park rule violations. Following review and discussion, the Board concurred to authorize ABHR to send a letter to Depelchin Children's Center regarding rules and regulations for using District parks. The Board also discussed park rule signage and enforcement challenges. Following review and discussion, Mr. Campbell said he would meet with the parks committee to review park signage and make recommendations for changes, if necessary.

Director Howard noted discussions regarding the possible construction of a District administration building are preliminary and the Board has not yet committed funds to construction of an administration building and will not be able to determine the amount of surplus funds available for construction until the reclaimed water system is bid. Discussion ensued regarding availability of the proposed administration building for District meetings and community use. The Board noted there will be some capital project funds remaining after the reclaimed project from bonds previously sold, so there would be no new taxes levied to pay for an administration building.

## OPERATIONS OF DISTRICT FACILITIES

Mr. Ammel reviewed the EDP operations report, a copy of which is attached, and which was provided in advance to the Board. Mr. Ammel discussed routine repairs completed and requested authorization to make the following repairs:

1. Replacement of the raw water tank level transmitter for the raw water tank at the surface water treatment plant for an estimated cost of \$6,250;
2. Replacement of 5 chemical feed pumps at the surface water treatment plant for an estimated cost of \$3,045 per pump;
3. Repair of the high service pump variable frequency drive at the surface water treatment plant for an estimated cost not to exceed \$13,250;

4. Replacement of the thickening sludge pump no. 1 at the surface water treatment plant for an estimated cost of \$9,761; and
5. Resurface asphalt at the water plant for an estimated cost of \$11,500.

The Board reviewed an alarm monitoring contract with McCann Global Investigations ("McCann").

Following review and discussion, upon a motion by Director Kluppel and a second by Director Crow, the Board voted unanimously to (1) approve the operator's report; (2) authorize the repairs/replacements requested above, as recommended by EDP; and (3) approve an alarm monitoring contract with McCann.

#### TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

The Board next conducted a hearing on the termination of utility service to delinquent accounts. Ms. Campbell reported that the residents on the delinquent list provided to the Directors were mailed written notice prior to this meeting in accordance with the Rate Order, notifying them of the opportunity to appear before the Board to explain, contest or correct the utility service bill, and to show reason why utility service should not be terminated for reason of nonpayment. Director Kluppel moved that, because the customers on the termination list were not present at the meeting to address the Board, and did not submit a written statement on the matter, utility service for such customers should be terminated in accordance with the District's Rate Order. Director Crow seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Mr. Turner reviewed the engineering report, a copy of which is attached and distributed to the Directors in advance of the meeting.

Mr. Turner reported regarding wastewater treatment plant phase I improvements and said the contractor has offered \$5,000 as settlement of the contested backcharge for repair of lift pump no. 1. Mr. Turner said J&C countered with an offer of to split the damages in the amount of \$14,032.50, but the contractor has not responded. Following discussion, the Board concurred that half of \$14,032.50 is acceptable, if the contractor will accept the offer.

Mr. Turner said the contractor is still working on the punch list for the Water Plant No. 1 MCC Replacement and discussion ensued regarding new equipment to increase the booster pump buckets.

Mr. Turner next reported the status of resolving regional drainage issues on FM 359 and reviewed 3 bids for installation of a floodgate on FM 359 and recommended the

Board award the contract to the low bidder, Black Castle General Contractor in the amount of \$232,298.20 because it would result in the most economical completion of the project. Director Yokubaitis requested proposed construction related traffic control information to communicate to District residents.

Mr. Turner reported the status of construction of drainage improvements in Plantation, Section 7 and recommended the Board approve Pay Estimate No. 5 in the amount of \$52,582.60 and final payment to Sustain Sports Solutions, LLC in the amount of \$8,000. Mr. Turner said he would follow up with the Golf Club to get a construction progress update and information regarding schedules for sidewalk restoration.

Mr. Turner discussed the status of review of plans for Jones Creek Slope Repairs and requested authorization to advertise for bids for construction. He updated the Board regarding applications pending for funding of slope repairs through Federal Emergency Management Agency ("FEMA").

Following review and discussion, upon a motion by Director Yokubaitis and a second by Director Crow, the Board voted unanimously to (1) approve the engineer's report; and (2) approve the pay estimates and invoice presented and discussed above, as recommended by J&C; and (3) authorize advertisement for Jones Creek Slope Repairs.

#### DISTRICT WEBSITE AND NEWSLETTER

Ms. Campbell updated the Board regarding publication of the spring newsletter. She noted, contrary to a comment made by Commissioner Meyers, the District has not been provided an article or information from the Commissioner's office.

#### REPORTS FROM DIRECTORS, COMMITTEES, AND DISTRICT CONSULTANTS REGARDING CORRESPONDENCE AND/OR REPORTS RECEIVED DURING THE MONTH

Director Bertrand proposed paying approximately \$4,000 annually for 17 additional mowings of the esplanades on FM 359 through an Interlocal agreement to be administered by the West Fort Bend Management District. Following review and discussion, the Board concurred to place an agenda item on the June, 2017 regular meeting agenda to discuss further and, if applicable, take action.

Director Howard reported to the Board regarding meetings with the Pecan Grove Club to discuss the recent increase in groundwater reduction fees in the District's Rate Order and the District's proposed reclaimed water system and proposed reclaim water fees for reclaimed water customers.

WORKSHOP MEETING TO DISCUSS USE OF WATER BOND SURPLUS

There was no discussion for this agenda item.

ATTORNEY'S REPORT

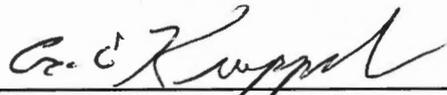
There was no discussion for this agenda item.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board determined it was not necessary to convene in executive session.

There being no additional business to consider, the meeting was adjourned.



  
Secretary, Board of Directors

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