

# BROOKSHIRE MUNICIPAL WATER DISTRICT

## MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

January 21, 2020

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in emergency session on the 21<sup>st</sup> day of January, 2020, at 6:00 p.m., in the meeting room of the District, 4004 6<sup>th</sup> Street, Brookshire, Texas, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code, whereupon the roll was called of the members of the Board, to-wit:

Edith Penrice-Kelley	President
Albert Wilkins	Vice President
Stephanie Green	Investment Officer
Havanaugh Glover	Secretary
Victor Alardin	Assistant Secretary

All members of the Board were present. Also attending were Tonya Pierre ("General Manager"); John Taylor of Municipal Operations and Consulting, Inc. ("Operator" or "MOC"); Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and all persons on the attached Attendance Roster.

The President, after finding that the notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order at 6:00 p.m. and declared it open for such business as may regularly come before it.

### 1. Discuss Options for Immediate Corrective Action Related to a Collapsed Sewer Line.

Mr. Taylor first explained to the Board about the collapse of one of the District's sewer lines. In response to a question from Director Green regarding steps taken to resolve the situation, Mr. Taylor explained that he reached out to Luna Underground Construction ("Luna") and Texas Pride Utilities ("Texas Pride"), but that he has not received a response from either company. Mr. Taylor further explained that the project will be included in the Texas Commission on Environmental Quality's Sanitary Sewer Overflow ("SSO") Program, and that the District is a participant in such program.

In response to a question from Director Alardin regarding the cost to repair the collapsed sewer line, Mr. Taylor clarified that the bid received from Texas Pride was \$2.36 per foot less than the amount charged to the District by Luna for similar work performed last year. Mr. Taylor further clarified that multiple bids were obtained for such work performed last year, and that the District accepted Luna's bid because such bid was the lowest one received. In response to a question from Director Green regarding funding for such repair, Mrs. Pierre explained that pursuant to the SSO Program, she anticipates that the cost of the repair would be paid from the District's general operating account. In response to a question from Director Kelley regarding the collapsed sewer line, Mr. Taylor clarified that the pipe in question is made of high-density polyethylene and is eight (8) inches in circumference, which is two (2) inches larger than a standard sewer line. In response to a question from Director Kelley regarding the process of repairing the

collapsed sewer line, Mr. Taylor explained that the District is not required to seek approval for the project from the Texas Department of Transportation ("TxDot") because such line runs through an existing line for which TxDot approval was previously received. In response to a question from Director Kelley, Mr. Taylor explained that Dr. Clay will determine the location of the manholes along the sewer line. Mr. Taylor further explained that \$4,000 per manhole is a less expensive option for the District when they are all repaired at the same time as opposed to doing them separately.

Upon a **motion** by Director Alardin, seconded by Director Glover, after full discussion and with all Directors present voting aye, the Board awarded the project for the repair of the collapsed sewer line to Texas Pride, including repair of the two (2) affected manholes. Discussion ensued regarding the funding of such project. Director Kelley proposed to amend the previous motion to reflect the consensus of the Board to fund such project from both the District's general operating account and the SSO Account. Upon a **motion** by Director Kelley, seconded by Director Alardin, after full discussion and with all Directors present voting aye, the Board: 1) awarded the project for the repair of the collapsed sewer line to Texas Pride, including repair of the two (2) affected manholes; and 2) authorized funding for such project from both the District's general Operating account and the SSO Account.

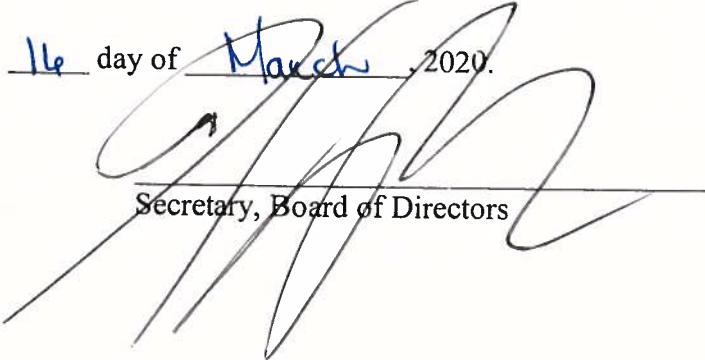
2. **Adopt Order Declaring an Emergency Requiring Immediate Action to Repair/Replace the Collapsed Sewer Line.**

Mr. Barner presented an Order Declaring an Emergency. Upon a **motion** by Director Glover, seconded by Director Alardin, after full discussion and with all Directors present voting aye, the Board approved the Order Declaring an Emergency.

3. **Adjournment.**

There being no further business to come before the Board, upon a **motion** by Director Glover, seconded by Director Alardin, after full discussion and with all Directors present voting aye, the emergency meeting was adjourned.

PASSED AND APPROVED this 16 day of March, 2020.

  
Secretary, Board of Directors