

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

July 11, 2022

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 11th day of July, 2022, at 6:00 p.m., in the meeting room of the District, 4004 6th 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:

Stephanie Green	President
LaKethia Connor	Vice President
Erin Jackson	Secretary
Michael Whitaker, Jr.	Assistant Secretary
Shirley Williams	Investment Officer

All members of the Board were present, except Directors Whitaker and Connor, thus constituting a quorum. Attending in person were Tonya Pierre ("General Manager"); Jared Martin of Municipal Operations and Consulting, Inc. ("Operator" or "MOC"); Dr. Herman Clay, PhD ("Engineer"); Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); Alan Mund of McKim & Creed, Inc.; Sylvia Patton of Brookwood Community ("Brookwood"); Vinod Kikani of Twin Lakes, LLC ("Twin Lakes"); Russell Walker of Maple Development Group, LLC ("Maple"); and Michael Foley of Riverway Properties ("Riverway"). Also attending via telephone were James Weishuhn of Weishuhn Engineering, Inc. ("Weishuhn"); and Steve Haskins of Protocol Bookkeeping, Inc. ("Bookkeeper");

The President, after finding that 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 6:01 p.m. and declared it open for such business as may regularly come before it.

1. Public Comment.

The President first opened the meeting to public comment. There being no public comments, the President directed the Board to proceed with the agenda.

2. Approve Minutes of Prior Meetings.

The Board then considered approval of the minutes from the regular meeting of June 6, 2022. Upon a **motion** by Director Williams, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of June 6, 2022, as presented.

3. Engineer's Report.

Dr. Clay then presented the Engineer's Report.

Dr. Clay updated the Board regarding the status of the Brookwood Project and reported that the final walk-through inspection occurred last month. Dr. Clay reported that construction on such project is complete and recommended that the Board approve payment of the contractor's final invoice once received by the District.

Dr. Clay then presented the Capacity Report for Brookwood's renovation of two (2) residential buildings located on Texas Farm-to-Market ("FM") 1489. Dr. Clay reminded the Board that such property is not located within the boundaries of the District. Dr. Clay reported that the impact fee owed by Brookwood will be \$1,847.49. Dr. Clay further reported that the existing buildings located on Brookwood's property are all served by a single master water meter. Dr. Clay then reminded the Board that the District's Rate Order requires individual buildings to have separate water meters. Dr. Clay stated his recommendation that the Board waive such requirement and allow the buildings on Brookwood's property to continue to be served by a master water meter to avoid future billing issues for the District. Upon a **motion** by Director Jackson, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the Capacity Report for Brookwood, including waiver of the requirement for individual water meters for buildings at Brookwood.

Next, Dr. Clay presented the Capacity Report for service to Off Lease Only ("OLO"), a used-vehicle detailing shop to be located at 1926 FM 362, which is being developed by Spirit Realty LP ("Spirit"). Dr. Clay reported that the impact fee owed by Spirit is \$50,492.43. Dr. Clay reported that the District does not have wastewater capacity to serve OLO due to prior capacity commitments but explained that certain equipment may be installed to minimize the use of such capacity, including holding tanks, timers and sensors. Dr. Clay further suggested that OLO operate a private onsite wastewater collection system that only discharges into the District's wastewater treatment system at night when the amount of wastewater flow throughout the District is lower. Dr. Clay explained that OLO submitted a revised application for service on June 22nd, which he has not yet had an opportunity to thoroughly review. It was the consensus of the Board to table further discussion of the Capacity Report for OLO until the August 1st Board meeting.

Dr. Clay next reviewed with the Board the Capacity Report for water and wastewater service to a proposed 155-acre 500-home single-family residential project being developed by Maple. Dr. Clay reminded the Board that the District has adequate water and wastewater capacity to serve such development due to such project's location relative to the District. Dr. Clay next reported that the impact fee owed by Maple will be \$1,671,000. Dr. Clay went on to report that the total cost for the construction of water and wastewater lines to serve such development is approximately \$2,123,000. Dr. Clay then noted that such development is located outside of the boundaries of the District and will need to be annexed into the District and designated as a defined area within the District. A discussion then ensued regarding such Capacity Report. Upon a **motion** by Director Jackson, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the Capacity Report for Maple.

Dr. Clay then reminded the Board that Jefferson Triangle Marine Company ("Jefferson") owns the vacant tract of land on Interstate 10 adjacent to the Flying J Travel Center. Dr. Clay reminded the Board that Jefferson requested that the District extend the water and wastewater lines running along the north side of Interstate 10 in order to serve future developments located on such tract. Dr. Clay stated that the District's water and wastewater lines currently do not extend across

