

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, August 18, 2021. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

August 18, 2021

Directors Present

R. Lewis
D. Cleveland
J. Featherston
V. Vernon

Staff Present

R. English
B. Ewart
T. Riggio

Visitors

C. Hay, P.E.,
Enprotec/Hibbs & Todd
J. Berryhill, P. E.,
Enprotec/Hibbs & Todd

Directors Absent

G. Rose

Call to Order

Ray Lewis, Board President, called the meeting to order at 9:02 a.m.

Invocation

By Van Vernon.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting July 21, 2021.

Motion: Cleveland

Second: Featherston

Vote: All ayes

Absent: Rose

B. Public Comments. There were no public comments.

C. Richard English presented the annexation of 11.25 acres in the James W. Moore Survey, Abstract 0344, located in Hood County, Texas, known as Brazos River Authority Maintenance Building and Lake Ranger residence, second reading.

After discussion, a motion was made to annex 11.25 acres in the James W. Moore Survey, Abstract 0344, located in Hood County, Texas, known as Brazos River Authority Maintenance Building and Lake Ranger residence into the Acton Municipal Utility District. (RESOL 21-08-342)

Motion: Vernon

Second: Cleveland

Vote: All ayes

Absent: Rose

- D. Richard English presented the annexation of 3.000 acres in the S. E. Herron Survey, Abstract A-247, located in Hood County, Texas, known as 2449 Bob White Road, first reading.

After discussion, a motion was made to carry over for a second reading.

Motion: Featherston
Second: Cleveland
Vote: All ayes Absent: Rose

- E. Richard English presented a memorandum dated August 12, 2021 with regard to appointment of Board Members to the Brazos Regional Public Utility Agency (BRPUA). Board Members serve 2-year terms. Place 4 currently held by Ray Lewis expires at the end of September. R. Lewis stated he is willing to serve another term. Place 3 alternates every two years between AMUD and JCSUD; Place 3 is currently held by a JCSUD appointment and expires the end of September, therefore Place 3 will be replaced by an AMUD appointment.

After discussion, a motion was made to appoint Ray Lewis to fill Place 4 and John Featherston to fill Place 3 on the BRPUA Board of Directors.

Motion: Cleveland
Second: Vernon
Vote: All ayes Absent: Rose

- F. The Engineer's Report was presented by Chris Hay, P.E. of Enprotec/Hibbs & Todd (eHT). He reported on the following:
- WWTP #1 Improvements – Structural framework, installation of reinforcing steel, and pouring of structural concrete continued in July for the new sequencing batch reactor (SBR), chlorine contact and screening structures and control building foundation is anticipated to continue into August and September. A Construction Status Meeting (CSM) #7 was held July 28th with Staff and field coordination; the next CSM is anticipated for the last week of August.
 - WWTP #2 Improvements – eHT continuing to work through final design and environmental clearance efforts. eHT continuing to work on completion of electrical and mechanical design components to prepare the 90% plan and specification set which should be ready for advertisement as soon as TCEQ reviews and approves the 60% plan and specification set. TCEQ issued the final amended discharge permit May 11, 2021; there is no opportunity for further public comment on this permit. eHT has prepared Requests for Proposals (RFP) for major equipment packages to assist the District in trying to limit potential cost increases due to current material pricing volatility and the revised RFP packages were issued to vendors requesting final pricing in July. eHT received a request to extend the time line to receive the RFP's. The current proposal opening date is targeted for the end of August.

Following opening and evaluation of the proposals and TCEQ approval of the design, eHT anticipates beginning advertisement in September, 2021.

- Tank 4 Disinfectant Residual Improvements – The fiberglass building was delivered to the tank site at the beginning of July. The Contractor has completed major site work and the remaining effort consists of electrical installation and equipment startup, with completion targeted for mid-August.
- Booster Pump Station #9 Improvements – The contractor has issued his notice for substantial completion. A final inspection has been scheduled for August 19th. Upon completion of the final inspection and any subsequent punch list items, the project will be complete and ready for close out; anticipate having the final pay application and recommendation for project acceptance at the next Board Meeting. The new pump is currently in operation feeding Pecan Plantation.
- Lift Station 11 Improvements – eHT continuing with preparation of plans and specifications for the selected alternative including coordination with pump manufacturers regarding the design and selection of submersible pumps, site layout based on the selected alternative and continuation towards 50% plans and specifications for review.
- Standpipe 2 Drainage Improvements – Project awarded to Fort Worth Civil Constructors, LLC at the June 16th Board Meeting; a pre-construction conference will be held August 16th to kick off the construction phase. Construction expected to last approximately 30 days.
- Standpipe 1 Rehabilitation – NG Painting, L.P. has completed the project including the punch list items from the final inspection. The final payment application and recommendation of project acceptance will be listed on the agenda for consideration at the next Board Meeting.
- Hood County CDBG First Time Sewer Service Project in Port Ridglea East – eHT has begun design surveys and will be continuing as contact is made with property owners for survey access. The County does not have records on where the septic tanks are located.
- Blackhawk Circle Water Line Improvements – eHT is currently working on design and preparing plans and specifications; eHT plans to hold a final design review meeting with Staff during the week of August 16th.

General Services Tasks

1. Legacy Ranch Off-Site Easement Coordination – eHT is in coordination with the Developer’s Engineer to finalize the off-site easement route for sewer service for coordination with Pinnacle for easement acquisition and easement surveys.

After discussion, a motion was made to accept the Engineers Report.

Motion: Featherston
Second: Vernon
Vote: All ayes

Absent: Rose

G. The Operational Report was presented by T J Riggio. He reported unaccounted water for the month of July is 14.78%; 12 month rolling average is 9.92%. He reported we pumped a total of 106.1 million gallons of water in the month of July; 47.7 million gallons was pumped from our water wells; 58.4 million gallons was taken from SWATS. This is the first time we pumped more from SWATS than wells.

T. Riggio reported UTGCD rate calculation for the month of July is \$0.133 per 1,000 gallons. Indian Harbor Fire Department reported 2,000 gallons usage for the month; Pecan Plantation reported 4,000 gallons usage for the month; DCBE/Acton did not report usage. T. Riggio reported during the month of July, Well No's 15P, 20 and 26 were down; Well No. 30 is inactive. Well No. 20, we are waiting on shipping for the Chlorimeter, once everything is here the contractor will move to get the well up and running; Well No. 26 there are currently some water quality issues, should have up and running next month.

Under the wastewater report, T. Riggio reported WWTP No. 1 is at 69% average permitted flow. WWTP No. 2 exceeded the permitted flow for the fourth month in a row at 84% average permitted flow. T. Riggio reported there were 20 wastewater problem calls for the month of July; 0 gravity problem calls and 15 grinder pump problem calls; 14 were E-1 grinder pumps, 1 were Keen pump. The other 5 call outs were the customer problem, not a problem with the grinder pump.

Items highlighted on the major project's lists are as follows:

- Meters – Remote Reads – 120 meters changed out fiscal year to date.
- Tank 4 Disinfectant Residual Improvements – Discussed under Engineer's Report.
- Booster Station #9 Improvements – Discussed under Engineer's Report.
- Stand Pipe 1 Tank Rehab – Discussed under Engineer's Report.

As requested, T. Riggio prepared a report on the breakdown of flows and BOD from both wastewater treatment plants.

After discussion, a motion was made to accept the Operational Report for July, 2021.

Motion: Featherston

Second: Cleveland

Vote: All ayes

Absent: Rose

H. Richard English presented an Order by the Board of Directors of the Acton Municipal Utility District approving and authorizing publication of notice of sale of bonds designated "Acton Municipal Utility District Utility System Revenue Bonds, New Series 2021 B"; and other matters in connection therewith for Board consideration.

After discussion, a motion was made to adopt the Order approving and authorizing publication of notice of sale of bonds designated "Acton Municipal Utility District Utility System Revenue Bonds, New Series 2021 B"; and other matters in connection therewith. (RESOL No. 21-08-343)

Motion: Cleveland
Second: Vernon
Vote: All ayes Absent: Rose

- I. Richard English presented the Texas County and District Retirement System (TCDRS) Plan Provisions for 2022 including Cost of Living Allowance (COLA) for retirees. R. English stated the only required action on an annual basis is to approve the COLA. V. Vernon questioned how many retirees are receiving benefit. There are 6 benefit payees for COLA. Staff also requests to prepay \$8,700 which will keep our funded ratio at 90.7%.

After discussion, a motion was made to adopt the TCDRS Plan provisions for 2022 including the COLA and to prepay \$8,700 to keep the funded ratio at 90.7%.

Motion: Vernon
Second: Cleveland
Vote: All ayes Absent: Rose

- J. Bob Evart presented an update for the Defined Area Tax Rate. The tax is for installation of sewer infrastructure in Phase 1, DCBE; 145 potential connections. A Public Hearing is required to set the tax rate; Staff proposes rolling back the tax rate to \$0.0525 per \$100 valuation; the current rate is \$0.060 per \$100 valuation; the tax expires in 2022.

After discussion, a motion was made to set a Public Hearing for the AMUD Defined Area tax rate September 15, 2021 at 9:00 a.m.

Motion: Cleveland
Second: Vernon
Vote: All ayes Absent: Rose

- K. Bob Evart presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$1,402.96 for the month of July, 2021. Year to date write off accounts are \$19,587.03.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$1,402.96 for the month of July, 2021.

Motion: Cleveland
Second: Featherston
Vote: All ayes Absent: Rose

L. The Financial Report was presented by Bob Evert. He reported Water Revenue for July is up from last month and down from the same period last year. Sewer revenue is up from last month and up from the same period last year. Six new grinder pumps were sold during the month of July; one in Port Ridglea East, two in DCBE, Phase One and three in the Acton Area. Impact Fee revenue is \$98,000 consisting of \$66,500 from water and \$31,500 from sewer. Wholesale water revenue is \$37,523 for the month. Irrigation revenue is \$885 for the month.

B. Evert reported Personnel Services increased in Water, Sewer and Administrative due to five pay periods in July versus four pay periods in June. Under Water Expense, Utility Expenses increased due to more electrical usage during the month; Equipment Repairs increased due to repairs on Vehicle 39 (ignition coil) and Vehicle 66 (replaced DPF assembly and Nox sensors); and Materials & Operations increased due to paying Orchard Development tap fees. Under Sewer Expense, Utility Expenses increased due to more electrical usage; Equipment Repairs decreased due to less equipment repairs this month; and Materials & Operations increased due to Orchard Development tap fees and sales of 6 grinder pumps. Under Administrative Expense, Office Expenses decreased due to less Utility Billing printing and computer expense.

Regarding Capital Items, B. Evert reported on the following: Under Pump Replacement we paid \$7,363 at Well No. 24 for the pump; under Well Rehab we paid \$1,057 for the Chlorimeter at Well No. 20; under Tank Rehab we paid \$700 for engineering at Standpipe No. 2; under SWATS Capacity Restoration we paid \$8,045 for engineering; under WWTP – DCBE Expansion we paid \$424,952 for engineering (\$26,576) and construction (\$398,376); under WWTP – Pecan Expansion we paid \$12,521 for engineering; under Wall/Fence we paid \$6,725 for fence replacement at WWTP No. 2; under Lift Stations we paid \$33,496 for pumps and risers at Lift Station No. 12; under Port Ridglea East Sewer we paid \$234 to Hood County News for Public Notice and under Engineering Fees/Consulting we paid \$1,730 (Capital) for engineering. B. Evert reported cash funds used for Capital Items current month is \$59,349; year to date is \$1,148,751; Bond funds used for Capital Items current month is \$437,473; year to date is \$2,471,529.

B. Evert presented a 13-month cash flow analysis as of July 2021. He presented the Analysis of Undesignated Funds and Designated Funds as of July 2021.

After discussion, a motion was made to accept the Financial Report for July, 2021.

Motion: Featherston
Second: Cleveland
Vote: All ayes

Absent: Rose

M. The General Manager’s Report was presented by Richard English. He reported on the following items:

1. The Regular Meeting for September is scheduled for 9:00 a.m., Wednesday, September 15, 2021. Committee meetings are scheduled Thursday, September 9th.
2. The Budget Workshop Meeting – Tuesday, August 24th at 10:00 a.m.
3. Monthly meeting of the Brazos Regional Public Utility Agency – Wednesday, August 25th at 2:00 p.m. at the JCSUD Office.
4. Semi-Annual Impact Fee Advisory Committee Meeting – August 24th at 3:00 p.m.
5. Office Closed Monday, September 6th for the Labor Day Holiday.
6. Articles – “Drought Forces First-Ever Colorado River Water Cutback to Southwest States” from wsj.com/articles/drought, “San Antonio built a pipeline to rural Central Texas to increase its water supply. Now local landowners say their wells are running dry.” from Texas Tribune; “How Tarrant Regional Water District Responded to the Texas Winter Storm” and “Responding to Freezing Temperatures and Main Breaks at the Fort Worth Water Department” from Municipal Water Leader; “Social Security COLA 2022: How Much Will Benefits Increase Next Year?” from aarp.org/retirement/social-securityinfo.

Open Items –

- a) SWATs Plant Update – Presented water quality reports; source, raw and finished water for the month of July, 2021 and the beginning of August, 2021. Chloride levels are still holding low.
- b) Application to the Texas Department of Agriculture (TDA) for TX CDBG Funding – Discussed under Engineers report.

After discussion, a motion was made to accept the Managers Report.

Motion: Featherston

Second: Vernon

Vote: All ayes

Absent: Rose

N. Items from Board Members:

Vernon:

None

Featherston:

None

Cleveland:

1. With regard to the Water for Texas conference in Austin, suggests the Board cancel attending the conference. Consensus from the Board is to cancel. Staff will check to see if we can get a refund.

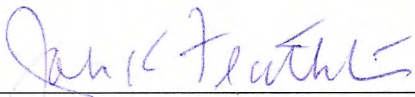
Lewis:
None

Adjournment

A motion was made to adjourn at 10:05 a.m.

Motion: Vernon
Second: Featherston
Vote: All ayes

Absent: Rose



Secretary, Board of Directors
Acton Municipal Utility District