

## BOARD OF DIRECTORS REGULAR MEETING

#### TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 100 MUNICIPAL DRIVE TROPHY CLUB, TEXAS 76262

Thursday, March 28, 2024

6:30 P.M.

Svore Municipal Boardroom

#### **REGULAR MEETING AGENDA**

VIA VIDEOCONFERENCE - THE PRESIDING OFFICER AND A QUORUM OF THE BOARD OF DIRECTORS WILL BE PHYSICALLY PRESENT AT, AND MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING AT THE LOCATION SPECIFIED ABOVE. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.127, ON A REGULAR, NON-EMERGENCY BASIS, UP TO TWO DIRECTORS' MAY ATTEND AND PARTICIPATE IN THE MEETING REMOTELY BY VIDEOCONFERENCE. SHOULD THAT OCCUR, A QUORUM OF THE MEMBERS WILL BE PHYSICALLY PRESENT AT THE LOCATION NOTED ABOVE ON THIS AGENDA.

#### **CALL TO ORDER AND ANNOUNCE A QUORUM**

#### **CITIZEN COMMENTS**

This is an opportunity for citizens to address the Board on any matter whether or not it is posted on the agenda. The Board is not permitted to take action on or discuss any comments made to the Board at this time concerning an item not listed on the agenda. The Board will hear comments on specific agenda items prior to the Board addressing those items. You may speak up to four (4) minutes or the time limit determined by the President or presiding officer. To speak during this item, you must complete the Speaker's form that includes the topic(s) of your statement. Citizen Comments should be limited to matters over which the Board has authority.

#### **REPORTS & UPDATES**

- Staff Reports
  - a. Capital Improvement Projects
  - b. Operations Reports
  - c. Finance Reports

Attachment: Staff Reports

#### **CONSENT AGENDA**

All matters listed as Consent Agenda are considered to be routine by the Board of Directors and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

- 2. Consider and act to approve the Consent Agenda.
  - a. February 21, 2024, Regular Meeting Minutes

Attachment: February 21, 2024, Regular Meeting Minutes

**REGULAR SESSION** 

3. Discussion and possible action regarding use of District Annex building.

4. Consider and act to appoint two directors to serve on a committee to work with the Town of Trophy Club

Town Council representatives regarding annexation of Town property and matters related thereto.

5. Discussion and possible action regarding District legal services.

6. Discussion and possible action regarding annual winter average analysis and matters related thereto.

7. Discussion and possible action regarding adopted Rate Order No. 2023-0322A Establishing Policies,

Procedures and Rates, Fees and Charges for Water and Sewer Services.

Attachment: Adopted Rate Order No. 2023-0322A

8. Consider and act regarding approval of Contract No. 20240328 with Insituform Technologies, LLC for

wastewater manhole repairs and authorize the General Manager to execute the necessary documents.

**Attachment: Staff Report** 

**FUTURE AGENDA ITEMS** 

Board Members may provide requests for discussion items for a future agenda in accordance with the board's

approved bylaws. No further discussion will be held related to topics proposed until they are posted on a

future agenda in accordance with the Texas Open Meetings Act.

9. Items for future agendas.

10. Next Regular Meeting date – April 17, 2024, at 6:30 p.m.

Attachment: Meeting Calendar

THE BOARD OF DIRECTORS RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES),

AND/OR 418.183 (HOMELAND SECURITY).

**ADJOURN** 

THE STATE OF TEXAS

§

**COUNTIES OF DENTON AND TARRANT** 

§

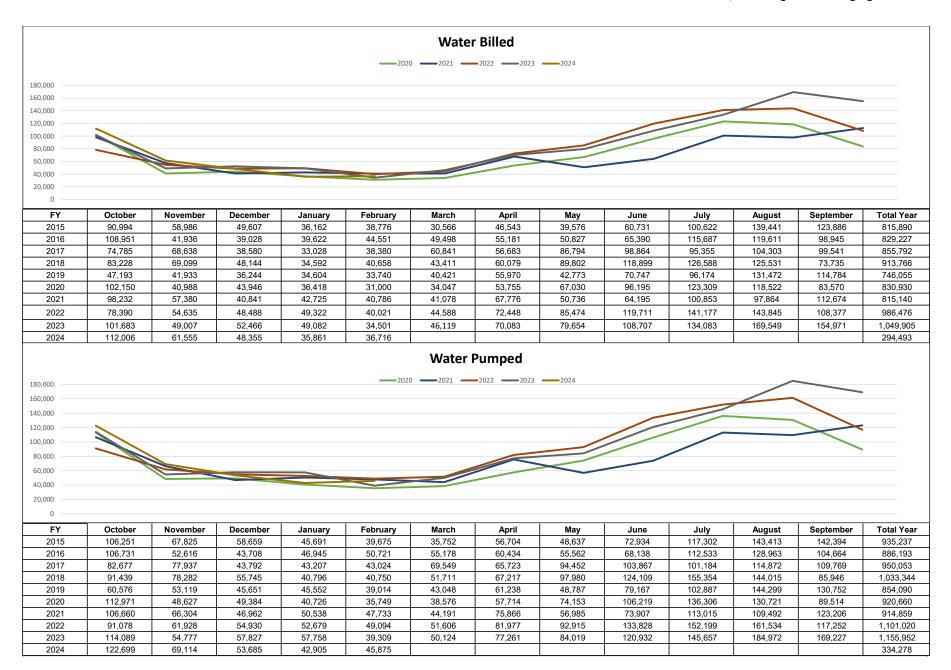
THIS NOTICE CERTIFIES THAT BY 6:30 P.M. ON FRIDAY, MARCH 22, 2024 THE AGENDA OF TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1, BOARD OF DIRECTORS REGULAR MEETING TO BE HELD ON THURSDAY, MARCH 28, 2024 AT 6:30 P.M., WAS POSTED ON THE FRONT WINDOW OF TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 ADMINISTRATION BUILDING, 100 MUNICIPAL DRIVE, TROPHY CLUB, TEXAS, WHICH IS A PLACE CONVENIENT TO THE PUBLIC AND WITHIN THE BOUNDARIES OF THE DISTRICT AND NOTIFICATION WAS POSTED TO THE DISTRICT WEBSITE, IN ACCORDANCE WITH SECTION 49.063 OF THE WATER CODE AND SECTION 551.054 OF THE TEXAS GOVERNMENT CODE, AS AMENDED.

AURIE SLAGHT, DISTRICT SECRETARY	THIS OFFICIAL AGENDA WAS POSTED ON THE WINDOW OF TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 ADMINISTRATION BUILDING ON FRIDAY MARCH 22, 2024 AT:  BY:

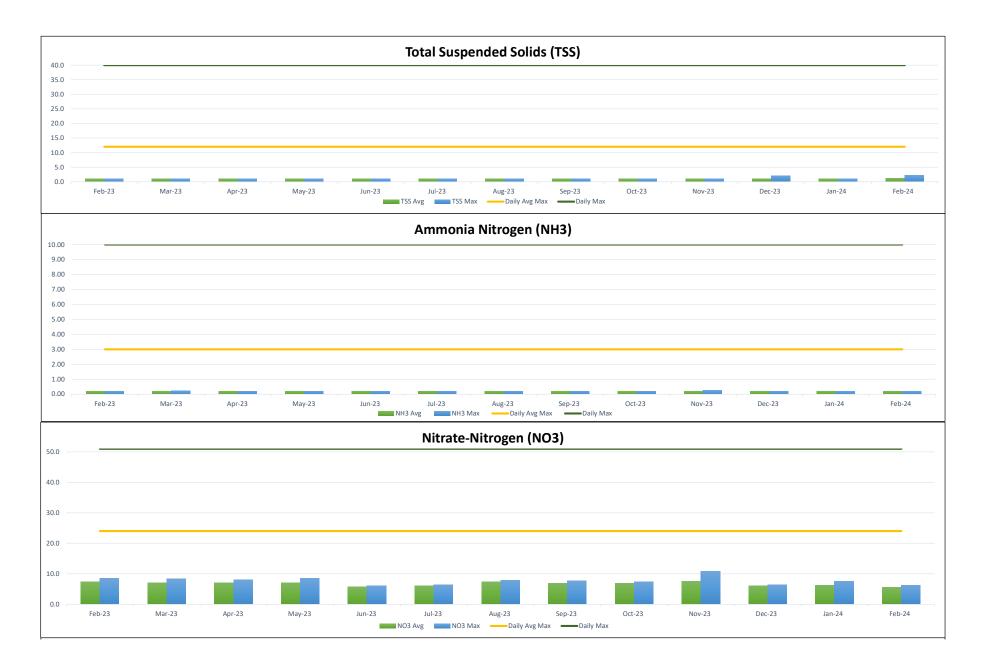


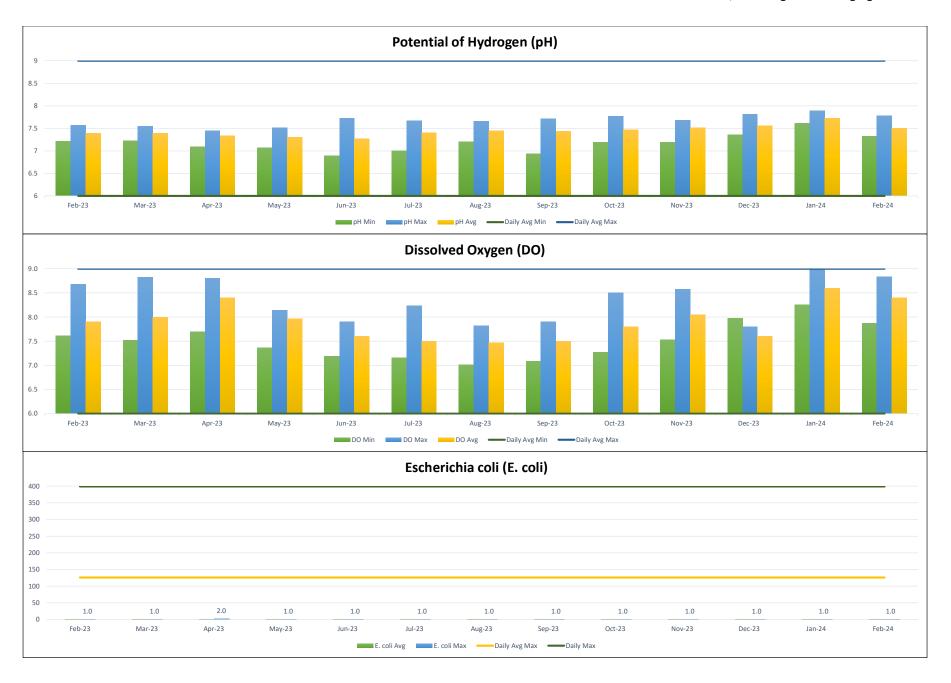
#### **Capital Improvement Projects**

- Pump Station Improvement Project The system shut down and separation of the existing
  discharge header was completed without any issues. The preassembly of piping, valves, and
  fittings has been delayed to the first week in April due to the expected delivery dates of the
  butterfly valves. Once delivered, installation of the new header piping will occur. This
  project is tentatively scheduled to be completed in August 2024.
- FY 2024 Water Line Project Bidding is in progress for the replacement of water lines along Inverness Drive, Forest Hill Drive, Sonora Drive, Pagosa Court, Palo Duro Court, and Mesa Verde Court. A request for contract approval is expected in April.
- WWTP CIP Improvements Bidding is in progress for the installation of permanent Clean in Place (CIP) tanks and piping improvements to perform cleaning of the Membrane Bioreactors (MBR) at the Wastewater Treatment Plant (WWTP). A request for contract approval is expected in April.
- FY 2024 Wastewater Improvements Point repairs are under way and proceeding within schedule without any issues and 40% complete. All repairs are expected to be completed by April 2024, weather permitting.
- FY 2024 Lift Station Improvements Design is under way of standard details, specifications, and updating of plan sheets for the removal and installation of chain link fence and driveway improvements at Lift Station No. 2; removal and installation of aluminum hatches on check valve vaults at Lift Stations No. 2, 3, and 6; removal and installation of new aluminum hatch on the wet well at Lift Station No. 4; installation of manual valve vault bypass line with quick connect at Lift Stations No. 2, 5, and 6; and installation of davit cranes at Lift Stations No. 2, 3, 4, 5, 6, 7, 8, 9.
- Southlake emergency connection We are awaiting Southlake's Water Master Plan Update, which is expected to be completed in May 2024.











### Trophy Club Municipal Utility District No. 1

### **Check Report**

By Check Number

Date Range: 02/01/2024 - 02/29/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Prosperity	y Bank-Prosperity Bank					
Payment Type: R	egular					
2222	Aflac	02/01/2024	Regular	0.00	775.40	10174
3197	BenefitMall	02/01/2024	Regular	0.00	52.00	10175
1026	Federal Express Corp	02/01/2024	Regular	0.00	76.16	10176
4033	Health Care Service Corporation	02/01/2024	Regular	0.00	20,670.70	10177
3216	M3 Networks	02/01/2024	Regular	0.00	1,070.00	10178
3115	Metlife Group Benefits	02/01/2024	Regular	0.00	2,417.81	10179
2772	Allied Waste Industries	02/21/2024	Regular	0.00	9,781.90	10180
3127	Allied Welding Supply Inc.	02/21/2024	Regular	0.00	21.69	10181
3197	BenefitMall	02/21/2024	Regular	0.00	56.00	10182
3299	Bickerstaff Heath Delgado Acosta LLP	02/21/2024	Regular	0.00	2,009.50	10183
2683	Charter Communications	02/21/2024	Regular	0.00	903.72	10184
1030	City of Fort Worth	02/21/2024	Regular	0.00	124,404.25	10185
2655	Core & Main LP	02/21/2024	Regular	0.00	7,640.28	10186
3184	Dataprose LLC	02/21/2024	Regular	0.00	2,583.57	10187
1026	Federal Express Corp	02/21/2024	Regular	0.00	27.97	10188
2606	Fisery Solutions LLC	02/21/2024	Regular	0.00	50.00	10189
2796	Garver	02/21/2024	Regular	0.00	30,262.06	10190
2635	Halff Associates Inc.	02/21/2024	Regular	0.00	22.82	10191
3076	HD Supply Facilities Maint LTD	02/21/2024	Regular	0.00	514.33	10192
2782	Kubota Membrane Usa Corp	02/21/2024	Regular	0.00	21,075.00	10193
3278	Kyocera Document Solutions	02/21/2024	Regular	0.00	189.37	10194
3216	M3 Networks	02/21/2024	Regular	0.00	1,070.00	10195
3111	North Texas Groundwater	02/21/2024	Regular	0.00	3,792.60	10196
1056	Office Depot Inc	02/21/2024	Regular	0.00	56.74	10197
2842	Omnisite	02/21/2024	Regular	0.00	192.00	10198
4019	Peterson Pump & Motor Service LLC	02/21/2024	Regular	0.00	3,925.00	10199
1466	Polydyne, Inc	02/21/2024	Regular	0.00	4,046.85	10200
3134	Prime Controls LP	02/21/2024	Regular	0.00	443.75	10201
3176	Rey-Mar Construction	02/21/2024	Regular	0.00	337,808.45	10202
2698	Ritz Safety LLC	02/21/2024	Regular	0.00	368.95	10203
3156	Southern Petroleum Lab Inc	02/21/2024	Regular	0.00	2,356.80	10204
2440	Tarrant County Public Health Laboratory	02/21/2024	Regular	0.00	385.00	10205
1973	Texas Commission on Environmental Quality	02/21/2024	Regular	0.00	35,919.28	10206
2696	Texas Excavation Safety System	02/21/2024	Regular	0.00	254.15	10207
1001	Town of Trophy Club	02/21/2024	Regular	0.00	229,053.20	10208
1081	Tri County Electric	02/21/2024	Regular	0.00	953.64	10209
2634	Valley Solvents & Chemicals	02/21/2024	Regular	0.00	879.77	
1058	Verizon Wireless	02/21/2024	Regular	0.00	583.75	
3280	Watts Ellison LLC	02/21/2024	Regular	0.00	4,749.34	
			Total Regular:	0.00	851,443.80	

#### March 28, 2024 Regular Meeting Agenda Packet

**Check Report** 

Date Range: 02/01/2024 - 02/29/2024 Vendor Number Payment Date Payment Type Discount Amount Payment Amount Number **Vendor Name** 

Payment Ty	pe: Bank Draft					
3197	BenefitMall	02/02/2024	Bank Draft	0.00	373.33	DFT0000135
3113	TCDRS	02/29/2024	Bank Draft	0.00	10,014.36	DFT0000136
3124	IRS Tax Payment	02/02/2024	Bank Draft	0.00	13,489.59	DFT0000137
3197	BenefitMall	02/16/2024	Bank Draft	0.00	373.33	DFT0000138
3113	TCDRS	02/29/2024	Bank Draft	0.00	10,067.97	DFT0000139
3124	IRS Tax Payment	02/16/2024	Bank Draft	0.00	13,488.79	DFT0000140
			Total Bank Draft:	0.00	47,807.37	

#### **Bank Code Prosperity Bank Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	62	39	0.00	851,443.80
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	6	6	0.00	47,807.37
EFT's	0	0	0.00	0.00
_	68	45	0.00	899 251 17

**Check Report** 

Date Range: 02/01/2024 - 02/29/2024

### **All Bank Codes Check Summary**

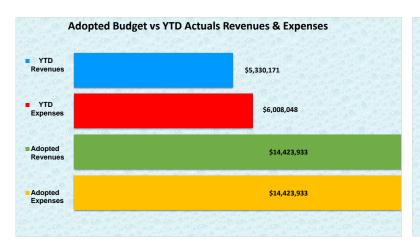
Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	62	39	0.00	851,443.80
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	6	6	0.00	47,807.37
EFT's	0	0	0.00	0.00
	68	45	0.00	899,251.17

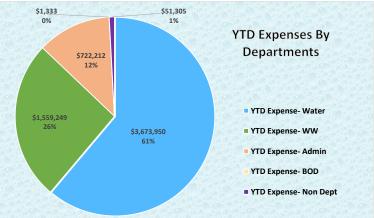
### **Fund Summary**

Fund	Name	Period	Amount
996	MUD Consolidated Cash	2/2024	899,251.17
			899 251.17

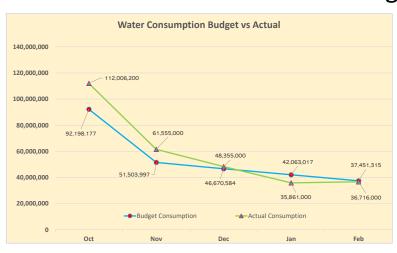
### FY 2024 Combined Financials

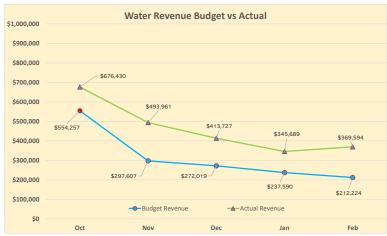
YTD as of 2/29/2024

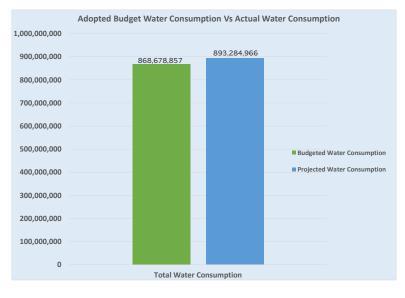


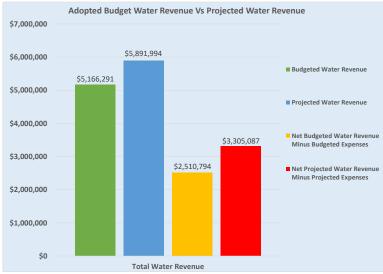


## Water Budget vs Actual









For Fiscal: 2023-2024 Period Ending: 02/29/2024



Fund: 135 - MUD 1 General Fund

#### Trophy Club Municipal Utility District No. 1

## **Budget Report**

**Account Summary** 

| Variance | Percent | Period | Fiscal | Favorable | Percent | Variance | Percent | Variance

Revenue	ent: 000 - Revenue, Asset, Liability, & Equity						
135-000-4000	, , , , , ,	85,733.51	85,733.51	11,186.89	82,449.60	-3.283.91	3.83 %
135-000-4000	, ,	300.00	300.00	3.51	90.04	-209.96	69.99 %
135-000-400		300.00	300.00	73.74	125.82	-174.18	58.06 %
135-000-4002	25-000 PID Surcharges	143,223.25	143,223.25	0.00	0.00	-143,223.25	100.00 %
135-000-4700	00-000 Water	6,939,998.00	6,939,998.00	369,594.07	2,299,400.57	-4,640,597.43	66.87 %
135-000-4700	<u>05-000</u> Sewer	3,679,786.00	3,679,786.00	300,774.69	1,456,063.76	-2,223,722.24	60.43 %
135-000-4702	<u>25-000</u> Penalties	105,800.00	105,800.00	1,567.53	40,067.23	-65,732.77	62.13 %
135-000-4703	30-000 Service Charges	3,350.00	3,350.00	425.00	2,250.00	-1,100.00	32.84 %
135-000-4703	35-000 Plumbing Inspections	300.00	300.00	150.00	600.00	300.00	200.00 %
135-000-4704	45-000 Sewer Inspections	100.00	100.00	50.00	150.00	50.00	150.00 %
135-000-470	70-000 TCCC Effluent Charges	70,000.00	70,000.00	0.80	14,835.20	-55,164.80	78.81 %
135-000-490	11-000 Interest Income	150,000.00	150,000.00	45,878.26	210,295.08	60,295.08	140.20 %
135-000-490	16-000 Cell Tower Revenue	49,320.00	49,320.00	4,120.00	20,480.00	-28,840.00	58.48 %
135-000-4902	26-000 Proceeds from Sale of Assets	25,000.00	25,000.00	0.00	0.00	-25,000.00	100.00 %
135-000-4903	Prior Year Reserves	1,933,264.00	1,933,264.00	0.00	0.00	-1,933,264.00	100.00 %
135-000-4903	GASB Reserves	50,000.00	50,000.00	0.00	0.00	-50,000.00	100.00 %
135-000-490	75-000 Oversize Meter Reimbursement	2,058.00	2,058.00	428.00	1,712.00	-346.00	16.81 %
135-000-4914	41-000 Interfund Transfer In	1,178,400.00	1,178,400.00	0.00	1,200,330.86	21,930.86	101.86 %
135-000-4990	00-000 Miscellaneous Income	7,000.00	7,000.00	371.00	1,321.00	-5,679.00	81.13 %
Dep	partment: 000 - Revenue, Asset, Liability, & Equity Total:	14,423,932.76	14,423,932.76	734,623.49	5,330,171.16	-9,093,761.60	63.05%
	Revenue Total:	14,423,932.76	14,423,932.76	734,623.49	5,330,171.16	-9,093,761.60	63.05%
Expense							
Danasahaa							

Department: 000 - Re	evenue, Asset, Liability, & Equity Total:	14,423,932.76	14,423,932.76	734,623.49	5,330,171.16	-9,093,761.60	63.05%
	Revenue Total:	14,423,932.76	14,423,932.76	734,623.49	5,330,171.16	-9,093,761.60	63.05%
Expense							
Department: 010 - Water							
<u>135-010-50005-000</u>	Salaries & Wages	431,575.02	431,575.02	34,232.71	160,582.99	270,992.03	62.79 %
135-010-50010-000	Overtime	17,000.00	17,000.00	1,068.29	4,645.59	12,354.41	72.67 %
<u>135-010-50016-000</u>	Longevity	6,252.50	6,252.50	0.00	6,252.50	0.00	0.00 %
<u>135-010-50017-000</u>	Certification	3,600.00	3,600.00	225.00	1,125.00	2,475.00	68.75 %
<u>135-010-50020-000</u>	Retirement	56,730.41	56,730.41	4,263.11	21,689.85	35,040.56	61.77 %
<u>135-010-50026-000</u>	Medical Insurance	116,527.50	116,527.50	7,619.51	40,571.08	75,956.42	65.18 %
<u>135-010-50027-000</u>	Dental Insurance	4,834.55	4,834.55	367.85	1,786.69	3,047.86	63.04 %
<u>135-010-50028-000</u>	Vision Insurance	1,051.01	1,051.01	71.30	356.47	694.54	66.08 %
<u>135-010-50029-000</u>	Life Insurance & Other	4,000.00	4,000.00	286.69	1,437.45	2,562.55	64.06 %
<u>135-010-50030-000</u>	Social Security Taxes	28,422.51	28,422.51	2,131.46	10,407.47	18,015.04	63.38 %
<u>135-010-50035-000</u>	Medicare Taxes	6,647.20	6,647.20	498.48	2,433.98	4,213.22	63.38 %
<u>135-010-50040-000</u>	Unemployment Taxes	1,260.00	1,260.00	12.51	44.45	1,215.55	96.47 %
<u>135-010-50045-000</u>	Workman's Compensation	11,898.56	11,898.56	1,060.94	2,646.70	9,251.86	77.76 %
<u>135-010-50060-000</u>	Pre-emp Physicals/Testing	400.00	400.00	0.00	0.00	400.00	100.00 %
<u>135-010-50070-000</u>	Employee Relations	300.00	300.00	0.00	0.00	300.00	100.00 %
<u>135-010-55080-000</u>	Maintenance & Repairs	201,500.00	201,500.00	29,402.61	53,480.99	148,019.01	73.46 %
<u>135-010-55085-000</u>	Generator Maint. and Repair	2,000.00	2,000.00	0.00	951.60	1,048.40	52.42 %
<u>135-010-55090-000</u>	Vehicle Maintenance	5,000.00	5,000.00	0.00	1,061.75	3,938.25	78.77 %
135-010-55105-000	Maintenance-Backhoe/SkidLoader	1,000.00	1,000.00	0.00	1,911.94	-911.94	-91.19 %
<u>135-010-55120-000</u>	Cleaning Services	2,500.00	2,500.00	0.00	40.31	2,459.69	98.39 %
<u>135-010-55135-000</u>	Lab Analysis	7,500.00	7,500.00	634.00	2,373.00	5,127.00	68.36 %
<u>135-010-55135-001</u>	Lab Analysis for PID	2,000.00	2,000.00	704.00	1,358.00	642.00	32.10 %
<u>135-010-60010-000</u>	Communications/Mobiles	7,500.00	7,500.00	669.56	1,673.97	5,826.03	77.68 %
135-010-60020-000	Electricity	183,143.49	183,143.49	0.00	47,742.00	135,401.49	73.93 %
135-010-60066-000	Publications/Books/Subscripts	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
135-010-60080-000	Schools & Training	2,630.00	2,630.00	349.99	2,110.74	519.26	19.74 %

For Fiscal: 2023-2024 Period Ending: 02/29/2024

Budget Report				For Fis	cal: 2023-2024 P	eriod Ending: 02	2/29/2024
						Variance	
		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Favorable (Unfavorable)	
		J	_	•	·	(Olliavorable)	•
135-010-60100-000	Travel & per diem	577.50	577.50	0.00	604.10	-26.60	
<u>135-010-60135-000</u>	TCEQ Fees & Permits	29,500.00	29,500.00	3,792.60	12,807.15	16,692.85	56.59 %
<u>135-010-60135-001</u>	TCEQ Fees & Permits for PID	500.00	500.00	0.00	0.00	500.00	100.00 %
<u>135-010-60150-000</u>	Wholesale Water	2,655,497.13	2,655,497.13	124,404.25	683,882.22	1,971,614.91	74.25 %
135-010-60285-000	Lawn Equipment & Maintenance	12,500.00	12,500.00	1,800.00	4,200.00	8,300.00	66.40 %
135-010-60332-000	Interfund Transfer Out-Rev I&S	565,796.88	565,796.88	51,500.52	257,502.60	308,294.28	54.49 %
<u>135-010-60334-000</u>	Interfund Transfer Out	0.00	0.00	0.00	920,912.00	-920,912.00	0.00 %
<u>135-010-65005-000</u>	Fuel & Lube	23,575.00	23,575.00	1,472.75	6,866.37	16,708.63	70.87 %
135-010-65010-000	Uniforms	4,355.00	4,355.00	717.64	1,492.92	2,862.08	65.72 %
135-010-65030-000	Chemicals	58,200.00	58,200.00	2,677.81	15,411.56	42,788.44	73.52 %
135-010-65050-000	Meter Expense	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00 %
135-010-65053-000	Meter Change Out Program	124,500.00	124,500.00	0.00	0.00	124,500.00	100.00 %
135-010-69005-000	Capital Outlays	4,200,000.00	4,200,000.00	102,589.80	1,024,927.19	3,175,072.81	
135-010-69195-000	GASB Reserve for Replacement	378,659.00	378,659.00	0.00	378,659.00	0.00	
	Department: 010 - Water Total:	9,179,933.26	9,179,933.26	372,553.38	3,673,949.63	5,505,983.63	
Department: 020 - Wa	astewater						
135-020-50005-000	Salaries & Wages	290,304.62	290,304.62	18,439.98	88,121.71	202,182.91	69.65 %
135-020-50010-000	Overtime	20,000.00	20,000.00	446.76	3,797.35	16,202.65	81.01 %
135-020-50016-000	Longevity	2,367.50	2,367.50	0.00	2,540.00	-172.50	-7.29 %
135-020-50017-000	Certification	5,100.00	5,100.00	225.00	1,125.00	3,975.00	77.94 %
135-020-50020-000	Retirement	40,934.05	40,934.05	2,293.39	11,991.10	28,942.95	70.71 %
135-020-50026-000	Medical Insurance	93,222.04	93,222.04	4,354.00	22,218.44	71,003.60	
135-020-50027-000	Dental Insurance	3,385.28	3,385.28	202.37	904.27	2,481.01	
135-020-50028-000	Vision Insurance	818.82	818.82	42.52	212.60	606.22	
135-020-50029-000	Life Insurance & Other	3,000.00	3,000.00	170.26	847.30	2,152.70	
135-020-50030-000	Social Security Taxes	20,507.87	20,507.87	1,136.57	5,710.88	14,796.99	
135-020-50035-000	Medicare Taxes	4,796.20	4,796.20	265.81	1,335.58	3,460.62	
135-020-50040-000	Unemployment Taxes	1,008.00	1,008.00	7.32	26.98	981.02	
135-020-50045-000	Workman's Compensation	8,403.61	8,403.61	748.93	1,621.65	6,781.96	
135-020-50060-000	Pre-emp Physicals/Testing	400.00	400.00	0.00	0.00	400.00	
135-020-50070-000	Employee Relations	300.00	300.00	0.00	0.00	300.00	
135-020-55080-000	Maintenance & Repairs	137,000.00	137,000.00	20,181.57	66,983.70	70,016.30	
135-020-55081-000	Mainten & Repairs Collections	270,000.00	270,000.00	26,550.55	64,394.54	205,605.46	
135-020-55085-000	Generator Maint, and Repair	11,000.00	11,000.00	0.00	6,478.06	4,521.94	
135-020-55090-000	Vehicle Maintenance	4,600.00	4,600.00	0.00	227.94	4,372.06	
135-020-55091-000	Veh Maintenance Collections	13,000.00	13,000.00	84.50	3,708.19	9,291.81	
135-020-55105-000	Maintenance-Backhoe/SkidLoader	3,000.00	3,000.00	0.00	1,374.77	1,625.23	
135-020-55120-000	Cleaning Services	2,000.00	2,000.00	0.00	40.31	1,959.69	
135-020-55125-000	Dumpster Services	100,000.00	100,000.00		44,007.25	55,992.75	
135-020-55135-000	·		,	19,694.05			
135-020-60010-000	Lab Analysis	55,000.00	55,000.00	5,106.00	28,938.82	26,061.18	
135-020-60020-000	Communications/Mobiles	7,500.00	7,500.00	401.36	1,486.06	6,013.94	
135-020-60080-000	Electricity	242,978.33	242,978.33	1,944.36	68,792.10	174,186.23	
135-020-60100-000	Schools & Training	2,119.00 527.50	2,119.00	0.00	500.00	1,619.00	
135-020-60135-000	Travel & per diem		527.50	0.00	0.00	527.50	
135-020-60285-000	TCEQ Fees & Permits	12,000.00	12,000.00	0.00	9,888.02	2,111.98	
	Lawn Equipment & Maintenance	16,000.00	16,000.00	2,610.00	5,330.00	10,670.00	
<u>135-020-60331-000</u> <u>135-020-60332-000</u>	Interfund Transfer Out-Tax I&S	115,885.76	115,885.76	10,535.09	52,675.45	63,210.31	
	Interfund Transfer Out-Rev I&S	698,542.63	698,542.63	63,548.65	317,743.25	380,799.38	
135-020-60334-000	Interfund Transfer Out	0.00	0.00	0.00	96,630.00	-96,630.00	
<u>135-020-65005-000</u>	Fuel & Lube	13,000.00	13,000.00	772.15	6,935.84	6,064.16	
135-020-65010-000	Uniforms	3,520.00	3,520.00	49.08	1,181.63	2,338.37	
<u>135-020-65030-000</u>	Chemicals	32,500.00	32,500.00	8,093.70	13,393.42	19,106.58	
135-020-65031-000	Chemicals Collections	10,000.00	10,000.00	0.00	5,709.00	4,291.00	
<u>135-020-65045-000</u>	Lab Supplies	33,000.00	33,000.00	726.33	17,697.00	15,303.00	
135-020-69005-000	Capital Outlays	1,050,000.00	1,050,000.00	51,337.06	426,361.40	623,638.60	
<u>135-020-69008-000</u>	Short Term Debt-Principal	22,398.34	22,398.34	0.00	22,132.30	266.04	
135-020-69009-000	Short Term Debt-Interest	442.39	442.39	0.00	425.07	17.32	
<u>135-020-69195-000</u>	GASB Reserve for Replacement	155,762.00	155,762.00	0.00	155,762.00	0.00	0.00 %

For Fiscal: 2023-2024 Period Ending: 02/29/2024

		Variance					
		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Favorable (Unfavorable)	Percent Remaining
	Department: 020 - Wastewater Total:	3,506,323.94	3,506,323.94	239,967.36	1,559,248.98	1,947,074.96	55.53%
Department: 026 - Bo	oard of Directors						
135-026-50045-000	Workman's Compensation	15.00	15.00	0.66	3.30	11.70	78.00 %
135-026-60070-000	Dues & Memberships	750.00	750.00	0.00	750.00	0.00	0.00 %
135-026-60075-000	Meetings	1,500.00	1,500.00	115.99	579.95	920.05	61.34 %
135-026-60080-000	Schools & Training	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
135-026-60100-000	Travel & per diem	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
135-026-60245-000	Miscellaneous Expenses	500.00	500.00	0.00	0.00	500.00	100.00 %
	Department: 026 - Board of Directors Total:	11,765.00	11,765.00	116.65	1,333.25	10,431.75	88.67%
Department: 030 - Ad	dministration						
135-030-50005-000	Salaries & Wages	663,185.25	663,185.25	51,249.02	243,650.12	419,535.13	63.26 %
135-030-50010-000	Overtime	2,000.00	2,000.00	44.34	285.16	1,714.84	85.74 %
135-030-50016-000	Longevity	2,532.50	2,532.50	0.00	2,597.50	-65.00	-2.57 %
135-030-50020-000	Retirement	82,631.07	82,631.07	6,127.06	30,847.78	51,783.29	62.67 %
135-030-50026-000	Medical Insurance	108,759.00	108,759.00	6,531.00	33,327.66	75,431.34	69.36 %
135-030-50027-000	Dental Insurance	3,816.74	3,816.74	253.55	1,231.54	2,585.20	67.73 %
135-030-50028-000	Vision Insurance	886.17	886.17	55.36	276.77	609.40	68.77 %
135-030-50029-000	Life Insurance & Other	4,800.00	4,800.00	382.56	1,912.80	2,887.20	60.15 %
135-030-50030-000	Social Security Taxes	41,398.50	41,398.50	3,046.64	14,185.65	27,212.85	65.73 %
135-030-50035-000	Medicare Taxes	9,681.91	9,681.91	712.52	3,434.00	6,247.91	64.53 %
135-030-50040-000	Unemployment Taxes	1,512.00	1,512.00	10.90	52.67	1,459.33	96.52 %
135-030-50045-000	Workman's Compensation	1,597.19	1,597.19	139.51	342.55	1,254.64	78.55 %
135-030-50060-000	Pre-emp Physicals/Testing	500.00	500.00	0.00	0.00	500.00	100.00 %
135-030-50070-000	Employee Relations	4,000.00	4,000.00	104.59	2,964.03	1,035.97	25.90 %
135-030-55030-000	Software & Support	130,311.00	130,311.00	2,841.28	109,116.62	21,194.38	16.26 %
135-030-55080-000	Maintenance & Repairs	23,000.00	23,000.00	385.51	3,118.24	19,881.76	86.44 %
135-030-55085-000	Generator Maint. and Repair	1,000.00	1,000.00	0.00	1,348.04	-348.04	-34.80 %
135-030-55120-000	Cleaning Services	13,825.00	13,825.00	1,680.00	6,254.70	7,570.30	54.76 %
135-030-55160-000	Professional Outside Services	100,000.00	100,000.00	350.00	73,470.30	26,529.70	26.53 %
135-030-55205-000	Utility Billing Contract	9,000.00	9,000.00	629.51	3,223.81	5,776.19	64.18 %
135-030-60005-000	Telephone	6,000.00	6,000.00	489.40	2,444.46	3,555.54	59.26 %
135-030-60010-000	Communications/Mobiles	3,000.00	3,000.00	96.52	241.30	2,758.70	91.96 %
135-030-60020-000	Electricity/Gas	17,684.51	17,684.51	0.00	4,343.26	13,341.25	75.44 %
135-030-60025-000	Water	5,000.00	5,000.00	144.10	1,591.82	3,408.18	68.16 %
135-030-60035-000	Postage	30,000.00	30,000.00	2,017.27	11,677.03	18,322.97	61.08 %
135-030-60040-000	Service Charges & Fees	140,000.00	140,000.00	8,092.61	80,594.18	59,405.82	42.43 %
135-030-60050-000	Bad Debt Expense	13,000.00	13,000.00	0.00	0.00	13,000.00	100.00 %
135-030-60055-000	Insurance	116,158.22	116,158.22	9,618.44	48,092.20	68,066.02	58.60 %
135-030-60070-000	Dues & Memberships	6,800.00	6,800.00	254.00	1,636.00	5,164.00	75.94 %
135-030-60080-000	Schools & Training	3,900.00	3,900.00	0.00	2,513.10	1,386.90	35.56 %
135-030-60100-000	Travel & per diem	1,227.50	1,227.50	0.00	0.00	1,227.50	100.00 %
135-030-60115-000	Elections	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
135-030-60285-000	Lawn Equipment & Maintenance	5,000.00	5,000.00	1,409.01	2,818.02	2,181.98	43.64 %
135-030-60360-000	Furniture/Equipment < \$5000	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
135-030-65010-000	Uniforms	530.00	530.00	0.00	0.00	530.00	100.00 %
135-030-65055-000	Hardware	8,200.00	8,200.00	0.00	2,476.46	5,723.54	69.80 %
135-030-65085-000	Office Supplies	5,000.00	5,000.00	151.19	2,214.34	2,785.66	55.71 %
135-030-65095-000	Maintenance Supplies	5,000.00	5,000.00	106.98	3,635.37	1,364.63	27.29 %
135-030-69170-000	Copier Lease Installments	4,000.00	4,000.00	364.37	1,391.04	2,608.96	65.22 %
135-030-69195-000	GASB Reserve for Replacement	24,903.00	24,903.00	0.00	24,903.00	0.00	0.00 %
	Department: 030 - Administration Total:	1,612,839.56	1,612,839.56	97,287.24	722,211.52	890,628.04	55.22%
Department: 039 - No	on Departmental						
135-039-55045-000	Legal	65,000.00	65,000.00	3,267.40	21,468.95	43,531.05	66.97 %
135-039-55055-000	Auditing	30,000.00	30,000.00	0.00	21,784.29	8,215.71	27.39 %
135-039-55060-000	Appraisal	13,071.00	13,071.00	0.00	4,110.57	8,960.43	68.55 %

March 28, 2024 Regular Meeting Agenda Packet

#### **Budget Report**

For Fiscal: 2023-2024 Period Ending: 02/29/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<u>135-039-55065-000</u> Tax Admin Fees	_	5,000.00	5,000.00	0.00	3,941.00	1,059.00	21.18 %
Department: 039 - Non D	epartmental Total:	113,071.00	113,071.00	3,267.40	51,304.81	61,766.19	54.63%
	Expense Total:	14,423,932.76	14,423,932.76	713,192.03	6,008,048.19	8,415,884.57	58.35%
Fund: 135 - MUD 1 General Fu	nd Surplus (Deficit):	0.00	0.00	21,431.46	-677,877.03	-677,877.03	0.00%
Repo	rt Surplus (Deficit):	0.00	0.00	21,431.46	-677,877.03	-677,877.03	0.00%



#### Trophy Club Municipal Utility District No. 1

### **Balance Sheet Funds 122 - 528**

### **Account Summary**

As Of 02/29/2024

Department	122 - Trophy Club MUD Fire Dept.	135 - MUD 1 General Fund	137 - MUD 1 Consolidated GASB	519 - 2016 Rev Bond Const- SWIFT	520 - Revenue Bond 16" Waterline	528 - 2015 Revenue Bond Reserve Fund	Total
Asset							
000 - Revenue, Asset, Liability, & Equity	1,504,309.46	10,848,044.42	4,916,432.58	918,463.06	0.00	963,543.34	19,150,792.86
Total Asse	: 1,504,309.46	10,848,044.42	4,916,432.58	918,463.06	0.00	963,543.34	19,150,792.86
Liability							
000 - Revenue, Asset, Liability, & Equity	59,812.40	820,438.66	0.00	81,691.15	0.00	0.00	961,942.21
Total Liability	59,812.40	820,438.66	0.00	81,691.15	0.00	0.00	961,942.21
Equity							
000 - Revenue, Asset, Liability, & Equity	759,281.93	10,705,482.79	3,258,146.58	735,325.73	1,179,058.79	942,342.55	17,579,638.37
Total Total Beginning Equity	759,281.93	10,705,482.79	3,258,146.58	735,325.73	1,179,058.79	942,342.55	17,579,638.37
Total Revenue	1,274,968.53	5,330,171.16	1,658,286.00	16,394.26	21,272.07	21,200.79	8,322,292.81
Total Expense	589,753.40	6,008,048.19	0.00	-85,051.92	1,200,330.86	0.00	7,713,080.53
Revenues Over/Under Expenses	685,215.13	-677,877.03	1,658,286.00	101,446.18	-1,179,058.79	21,200.79	609,212.28
Total Equity and Current Surplus (Deficit	: 1,444,497.06	10,027,605.76	4,916,432.58	836,771.91	0.00	963,543.34	18,188,850.65
Total Liabilities, Equity and Current Surplus (Deficit	:1,504,309.46	10,848,044.42	4,916,432.58	918,463.06	0.00	963,543.34	19,150,792.86

#### Monthly Financial Activity Footnotes:

#### Fund 122 Activity

- Daily property tax deposits
- Monthly transfer OUT to MUD General Fund to cover Town transfers and any other A/P expenses

#### Fund 135 Activity

- Daily property tax deposits
- All A/P checks are cut through the General Fund
- Monthly transfer IN to cover other fund A/P expenses
- Monthly transfer OUT for I&S Revenue Bond payments for Fund 534, 535, & 536
- Monthly bank interest

#### Fund 137 Activity

Transfer IN at beginning of fiscal year based on yearly budget and transfer OUT at fiscal year-end based on reserves balances

#### Fund 519 Activity

Monthly bank interest

#### Fund 520 Activity

- Transfer OUT to MUD General Fund to cover Interconnect Waterline construction project expenses
- Monthly bank interest

#### Fund 528 Activity

Monthly bank interest



#### Trophy Club Municipal Utility District No. 1

### Balance Sheet I&S Funds 533 - 536

### **Account Summary**

As Of 02/29/2024

Department	533 - MUD 1 I&S Consolidated	534 - 2015 Revenue Bond I&S	535 - 2016 Rev Bond I&S-SWIFT	536 - 2019 Rev Bond I&S- W&WW System	Total
Asset					
000 - Revenue, Asset, Liability, & Equity	302,642.65	232,499.51	110,890.97	76,125.46	722,158.59
Total Asset:	302,642.65	232,499.51	110,890.97	76,125.46	722,158.59
Liability					
000 - Revenue, Asset, Liability, & Equity	11,197.47	0.00	0.00	0.00	11,197.47
Total Liability:	11,197.47	0.00	0.00	0.00	11,197.47
Equity					
000 - Revenue, Asset, Liability, & Equity	85,836.20	39,137.14	11,713.62	6,476.05	143,163.01
Total Total Beginning Equity:	85,836.20	39,137.14	11,713.62	6,476.05	143,163.01
Total Revenue	268,302.73	281,481.12	125,934.60	174,443.16	850,161.61
Total Expense	62,693.75	88,118.75	26,757.25	104,793.75	282,363.50
Revenues Over/Under Expenses	205,608.98	193,362.37	99,177.35	69,649.41	567,798.11
Total Equity and Current Surplus (Deficit):	291,445.18	232,499.51	110,890.97	76,125.46	710,961.12
Total Liabilities, Equity and Current Surplus (Deficit):	302,642.65	232,499.51	110,890.97	76,125.46	722,158.59

Monthly Financial Activity Footnotes:

#### Fund 533 Activity

- Daily property tax deposits
- Monthly transfer IN from Fund 135 for PID portion of semi-annual GO Bond payments
- 3/1 & 9/1 GO Bond payments (Interest and Principal)
- Monthly bank interest

#### Fund 534 Activity

- Monthly transfer IN for semi-annual I&S Revenue Bond payment from Fund 533
- 3/1 & 9/1 Revenue Bond payments (Interest and Principal)
- Monthly bank interest

#### Fund 535 Activity

- Monthly transfer IN for semi-annual I&S Revenue Bond payment from Fund 533
- 3/1 & 9/1 Revenue Bond payments (Interest and Principal)
- Monthly bank interest

#### Fund 536 Activity

- Monthly transfer IN for semi-annual I&S Revenue Bond payment from Fund 533
- 3/1 & 9/1 Revenue Bond payments (Interest and Principal)
- Monthly bank interest

	CASH STATUS AS OF FEBRUARY 2024		Restricted - Unable to be spent	Unrestricted- Available for spending	Total in Accounts (Restricted & Unrestricted)
135-10250	TexPool O & M (XXXXX0002)-General Fund Operating ***		\$0	\$2,898,879	\$2,898,879
135-10300	Prosperity Bank (XXX8701) General Fund Operating	*	\$145,630	\$4,824,078	\$4,969,708
135-10305	Prosperity Bank Reserve-Savings Acct (XXXXX7724)		\$1,962,386	\$0	\$1,962,386
135-11100	Petty Cash Administration		\$0	\$150	\$150
135-11150	Petty Cash Utility Billing		\$0	\$450	\$450
137-10250	TexPool O & M (XXXXX0002) GASB Replacement		\$4,916,433	\$0	\$4,916,433
519-10300	Prosperity Bank (XXX8701) SWIFT		\$85,052	\$0	\$85,052
519-11155	Cash-Bond Escrow Bank of Texas (SWIFT)		\$833,411	\$0	\$833,411
520-10250	Texpool Revenue Bond Water & Waste Water Systems 2019 (XXXXX018)		\$0	\$0	\$0
520-10300	Prosperity Bank Construction Water & Waste Water Systems 2019		\$0	\$0	\$0
528-10250	TexPool Revenue Bond Reserve (XXXXX014) WWTP Improvements		\$963,543	\$0	\$963,543
533-10250	TexPool Tax I & S (XXXXX0003)		\$291,444	\$0	\$291,444
533-10300	Prosperity Bank (XXX8701) Tax I&S		\$0	\$0	\$0
534-10250	TexPool Revenue I & S (XXXXX013) WWTP Improvements		\$232,500	\$0	\$232,500
535-10250	Texpool Revenue I & S (XXXXX017) SWIFT		\$110,891	\$0	\$110,891
536-10250	TexPool Revenue I & S (XXXXX020) Water & Waste Water Systems		\$76,125	\$0	\$76,125
				\$7,723,557	\$17,340,972

Amount available in cash for spending (MUD Accounts)

\$7,723,557

**Fire Department Cash** 

122-10250	TexPool O & M (XXXXX0002)-Fire Operating Cash	\$0	\$1,430,170	\$1,430,170
122-10300	Prosperity Bank (XXX8701) Fire Operating	\$0	\$0	\$0
		\$0	\$1,430,170	\$1,430,170

Amount available in cash for spending (Fire Department Accounts)

\$1,430,170

	General Fund 135 Available					
	\$	4,824,078	<b>Prosperity General Fund</b>			
	\$	2,898,879	Texpool General Fund			
	\$	600	Petty Cash			
Total General Fund 135 Available for Spending	\$	7,723,557				

#### General Fund 135 Fund Balances

Nonspendable Fund Balance (Prepaids) \$ 3,880
Assigned Fund Balance (FY2024 Capital Projects plus prior year carry forward) \$ 6,516,007
Unassigned Fund Balance \$ 4,185,596
Current Year Revenue/Expenses \$ (677,877)
Total Nonspendable, Assigned & Committed Fund Balances - General Fund 135
\$10,027,606

<sup>\*2/29/2024</sup> Customer Water Deposits \$145,630

#### February Utility Billing Report Fiscal Year 2023 - 2024

ebills
Bills Mailed
Bank Draft
Online Payments
Late Notices
Disconnects
Connections MUD

Connections Town

1,443

1,443

1,443

1,443

1,443

February 2023	March 2023	April 2023	May 2023	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	January 2024	February 2024
1,777	1,773	1,767	1,794	1,766	1,750	1,744	1,742	1,745	1,740	1,737	1,736	1,734
3,751	3,744	3,743	3,734	3,755	3,749	3,747	3,747	3,737	3,739	3,742	3,726	3,729
599	599	590	588	589	585	578	572	569	562	567	568	565
2,719	3,016	2,998	2,754	3,134	3,101	2,957	3,086	3,072	3,006	3,133	3,023	3,036
547	413	289	290	327	327	268	344	255	298	342	249	298
0	0	8	9	9	13	7	7	13	4	5	4	8
3,394	3,394	3,394	3,394	3,395	3,395	3,395	3,395	3,395	3,395	3,395	3,395	3,395

1,443

1,443

1,444

1,444

1,446

1,446

1,447

#### February Permits Fiscal Year 2023 - 2024

1,443

Date of Permit	Permit No.		istomer Deposit	D	ue to FW Water	(	Oversize Meter		umbing pections		Sewer Inspections		ire Line	Misc.	Income		Total
2/20/2024	2024-04	Ś	100.00	Ś	4,396.00	ċ	428.00	\$	150.00	\$	50.00	ċ		ċ	_	\$	5,124.00
2/20/2024	2024-04	۲	100.00	ې	4,330.00	Ą	420.00	٧	130.00	٧	30.00	Ą		۲		٧	3,124.00
Total		\$	100.00	\$	4,396.00	\$	428.00	\$	150.00	\$	50.00	\$	-	\$	-	\$	5,124.00

# REGULAR MEETING MINUTES TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 BOARD OF DIRECTORS February 21, 2024, at 6:30 p.m.

Trophy Club Municipal Utility District No. 1 Board of Directors, of Denton and Tarrant Counties, met in a regular session meeting on February 21, 2024, at 6:30 p.m., in the Boardroom of the Administration Building, 100 Municipal Drive, Trophy Club, Texas 76262. The meeting was held within the boundaries of the District and was open to the public.

STATE OF TEXAS §
COUNTIES OF DENTON AND TARRANT §

#### **BOARD MEMBERS PRESENT:**

Kevin R. Carr President

Ben Brewster Vice President

Doug Harper Secretary/Treasurer

William C. Rose Director
Jim Thomas Director

#### **STAFF PRESENT:**

Alan Fourmentin General Manager
Laurie Slaght District Secretary
Mike McMahon Operations Manager
Steven Krolczyk Finance Manager
Stefanie Albright General Legal Counsel

#### **GUESTS PRESENT:**

Brandon Wright Town Manager, Town of Trophy Club

LuAnne Oldham Town Council Member
Dennis Sheridan Town Council Member

Jason Wise Fire Chief

Marion Hawker
Connie White
Sara Miniatas
Marsha Pyeatt
Carol Tombari

1130 Sunset Drive
119 Trophy Club Drive
248 Oak Hill Drive
306 Lakewood Drive
303 Meadow Lake Drive

#### **CALL TO ORDER AND ANNOUNCE A QUORUM**

President Carr announced the date of February 21, 2024, called the meeting to order and announced a quorum present at 6:30 p.m.

#### **CITIZEN COMMENTS**

There were no citizen comments

#### **REPORTS & UPDATES**

- Staff Reports
  - a. Capital Improvement Projects
  - b. Operations Reports
  - c. Finance Reports

General Manager Fourmentin presented the monthly reports and answered questions related thereto.

#### **CONSENT AGENDA**

- 2. Consider and act to approve the Consent Agenda.
  - a. January 17, 2024, Regular Meeting Minutes

Motion made by Director Rose and seconded by Director Thomas to approve the Consent Agenda.

Motion carried unanimously.

#### **REGULAR SESSION**

3. Discussion and possible action regarding class and compensation study.

Matt Weatherly with Public Sector Personnel Consultants provided the board with the methodology used to create the employee compensation package and answered questions related thereto.

Direction was provided for Matt to continue gathering the requested data and provide that information to the Board at the April meeting.

4. Discussion and possible action regarding use of District Annex building. (Thomas)

Director Thomas stated that one of the reasons he ran for the board was to make better use of the annex building and we have plenty of money to allow the town to use the building.

Marion Hawker introduced her team which includes Sara Miniatas, Marsha Pyeatt, Carol Tombari, and Connie White with input from Marsha Pyeatt. Ms. Hawker provided an overview of their ideas for the annex building and estimated cost that would be incurred and answered related questions from the board.

Motion made by Director Rose and seconded by Director Thomas to have the General Manager move forward with the citizen group to assess the development of the Annex as a Community Center in conjunction with the Town Manager.

Motion carried unanimously.

The Board recessed at 8:41 p.m.

The Board reconvened into regular session at 8:52 p.m.

5. Discussion regarding updates to the Town of Trophy Club website. (Brewster)

Motion made by Director Rose and seconded by Director Brewster to continue utilizing the District Facebook page to put out information as well as coordinating with the town and provide information that may be used in TC Alerts.

Motion carried unanimously.

6. Discussion and possible action regarding Aerial Sewer Line crossing. (Thomas)

Motion made by Director Rose and seconded by Director Harper to have the General Manager contact the Corp of Engineers concerning the mitigation of the tree at the aerial sewer line.

Motion carried unanimously.

7. Discussion and possible action regarding adjustments to winter sewer averaging related to the January weather event. (Carr)

Discussion only, no action taken.

8. Consider and act to approve Joint Election Agreement and Contract for Election Services with Denton County for the May 4, 2024, General Election.

Item is tabled

- 9. Consider and take appropriate action relating to cancelation of May 4, 2024, Director Election:
  - a. Accept Certification of Unopposed Candidates.
     Aceptar certification de candidatos únicos.
     Một. Chấp nhận chứng nhận của các ứng cử viên không bị phản đối
  - Adopt Order No. 2024-0221 Canceling Election.
     Adoptar una Orden de cancelación.
     Thông qua lệnh hủy bầu cử

Motion made by Director Thomas and seconded by Director Rose to accept certification of unopposed candidates and adopt Order No. 2024-0221 canceling the May 4, 2024, General Election.

Motion carried unanimously.

10. Discussion and review of District legal services. (Brewster/Carr)

Motion by Director Carr and seconded by Director Brewster to have the General Manager seek resumes from five law firms for general legal counsel services.

For: Carr, Brewster, Harper, and Thomas Oppose: Rose

#### Motion passed 4-1

11. Future agenda items: Board Members may provide requests for discussion items for a future agenda in accordance with the board's approved bylaws. No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.

#### 12. Next Regular Meeting date - Thursday, March 28, 2024

THE BOARD OF DIRECTORS RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND/OR 418.183 (HOMELAND SECURITY).

ADJOURN	
President Carr called the meeting adjourned at 10:11 p	.m.
K. L. D. Cov. Busideed	
Kevin R. Carr, President	
Doug Harper, Secretary/Treasurer	
	(SEAL)
Laurie Slaght, District Secretary	

## RATE ORDER TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO.1 ORDER NO. 2023-0322A

AN ORDER ESTABLISHING POLICIES, PROCEDURES, AND RATES FOR WATER AND SEWER SERVICE; PROVIDING FEES FOR CONNECTION, RECONNECTION, INSPECTION, ACCURACY READINGS, AND RETURNED CHECKS; REQUIRING DEPOSITS FOR SERVICE; PROVIDING A PENALTY FOR DELINQUENT PAYMENTS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

**WHEREAS,** Trophy Club Municipal Utility District No. 1 (the "District") is the owner and/or operator of a water and sewer system designed to serve present and future inhabitants within the District and the Trophy Club Development; and

**WHEREAS**, the District's most recent Rate Order was adopted on September 21, 2022 (Order No 2022-0921A), and additional modifications are needed. The District desires to establish all of its rate policies in a single new Rate Order; and

**WHEREAS**, the Board of Directors of the District has carefully considered the terms of this Rate Order No. 2023-0322A and is of the opinion that the following conditions and provisions should be established as the policies, procedures, and rates for obtaining service from the District's water and sewer system.

THEREFORE, IT IS ORDERED BY THE BOARD OF DIRECTORS OF TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 THAT:

#### ARTICLE I

#### TAP FEES AND CONNECTION POLICY

**Section 1.01.** <u>Initiation of Water and Sanitary Sewer Connections</u>. Each person desiring a water and sanitary sewer service connection to the District's System shall be required to pay such fees as set forth in this Order. No service shall be established or re-established until such fees are paid. All service connections are subject to all other rules, regulations, and policies of the District.

- **A.** Certification of System. Connections shall not be made to the District's System or portions of the System until the District's engineer or District staff has certified that the System or applicable portion thereof is operable and meets all regulatory requirements.
- **B.** Backflow Prevention. No water connections from any public drinking water supply system shall be allowed to any residential or commercial establishment where

an actual or potential contamination hazard exists unless the public water facilities are protected from contamination.

At any residential or commercial establishment where an actual or potential contamination hazard exists, protection shall be required in the form of a backflow prevention assembly. The type of assembly required shall be specified by the District.

The existence of potential contamination hazards without installation having been made of the means of control and prevention as set out in the preceding paragraph; or the same having been installed, there is a failure to properly maintain the same, shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the health hazard no longer exists, or when the health hazard has been isolated from the public water system in accordance with the foregoing requirements.

All backflow prevention assemblies that are required according to this section shall be tested <u>upon installation</u> by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies that are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least <u>annually</u> by a recognized backflow prevention assembly tester.

The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by this Rate Order. Copies of all testing and maintenance records shall be provided to the District within ten (10) days after maintenance and/or testing is performed.

If the Customer fails to comply with the terms of this Order, the District shall, at its option, either terminate service to the property or properly install, test, and maintain an appropriate backflow prevention device at the service connection at the expense of the Customer. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

C. Availability of Access/Obstructions. By application for connection to the District's System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance, and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer's Service Inspection Certifications required by the District's rules and regulations. Taps and connections will not be made when, in the opinion of the District, building materials or other debris obstructs the work area or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the

Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District in installation of the connection.

**Section 1.02**. Residential Fire Lines, Connections, and Fees. A residence of at least six thousand (6,000) square feet but less than eight thousand (8,000) square feet shall have installed on its one-inch (1") water service line, for fire protection, a one-inch (1") U-branch, with a separate meter and meter-box. The cost of installation, including parts, equipment, and labor shall be quoted at the time of request and is payable at the time of permitting.

A residence of eight thousand (8,000) square feet or greater, in addition to its regular one-inch (1") water service line, shall have installed a separate one-and one-half ( $1\frac{1}{2}$ ") water service line for fire protection with its own meter and meter-box. The cost of connection and installation of the fire line and meter shall be quoted at the time of request and is payable at the time of permitting.

**Section 1.03.** Connections by District. All Connections to the District's water and sewer system shall be made with written approval of the District and in accordance with the District's Plumbing Code and its rules and regulations.

No person except the General Manager or his/her authorized agent shall be permitted to tap or make any connection to the mains or distribution piping of the District's water system, or make any repairs, additions to, or alterations in any meter, box, tap, pipe, cock, or other fixture connected with the water system or any manhole, main, trunk or appurtenance of the District's sanitary sewer system. No sewer connection shall be covered in the ground and no house lead shall be covered in the ground before it has been inspected and approved by a licensed plumbing inspector with jurisdiction of the site.

## Section 1.04. <u>Water and Sewer Tap Fees. Fees for water and sewer taps performed</u> by the District are as follows:

**Water and Sewer Service Taps:** Actual cost plus 10%. An estimate will be provided prior to work being performed.

When water taps have been made by someone other than the District personnel, there is an installation/inspection fee of fifty dollars (\$50.00) plus the cost of the appropriate meter.

**Section 1.05.** <u>Inspections and Fees.</u> Fees for permits and for plumbing inspections (other than for sewer and backflow inspections referred to below in subparagraphs A and B) should be paid to the city or town in which the property is located or to the District if the property is not located within a city or town.

**A.** Sewer Inspection and Fees. Sewer connections and house service lines shall be inspected by the District. An inspection fee of one hundred fifty dollars (\$150.00) shall be paid to the District for each connection to the District sanitary sewer system. Installations that fail to conform at any time to the rules and regulations shall be disconnected. Any customer whose connection is disconnected for such failure shall be notified as to the basis for such disconnection. After noted deficiencies have been

corrected, a re-inspection shall be made upon payment to the District of a re-inspection fee of twenty-five dollars (\$25.00), plus payment by the customer of all outstanding charges. If subsequent re-inspections are required before the sewer connection and service lines are in compliance with the rules and regulations, a re-inspection fee of twenty-five dollars (\$25.00) shall be paid to the District for each subsequent re-inspection. Inspections by the District requested after regular business hours will be charged at a minimum of one hundred dollars (\$100.00).

- **B.** Backflow Inspections. Backflow installations (residential and commercial) that require annual inspections must have a certified Backflow Technician perform the testing and submit the report annually to the District.
- **C.** Swimming Pool Discharge into Sanitary Sewer System. New swimming pools permitted on or after June 24, 2005, shall have all backwash and/or drainage from said pool discharge into the sanitary sewer system. Owners of pools built or permitted prior to July 1, 2005, are not required to retrofit the pool equipment and tie into the sanitary sewer. However, swimming pool backwash and drainage must drain to grassy areas and is not permitted to flow into the storm drain system, creeks, or other waterways.

For swimming pools discharging to the sanitary sewer system, an indirect connection shall be made by means of an air break, discharging into a tailpiece installed a minimum of six inches (6") (or 152 mm) above adjacent grade. The tailpiece shall be connected to a minimum three-inch (3" or 76mm) p-trap not less than twelve inches (12" or 304 mm) below grade which discharges into the yard cleanout riser. Backwash systems shall not flow onto neighboring properties or into the storm sewer. The tie-in and inspection fee shall be seventy-five dollars (\$75.00) to be paid at the time of issuance of the pool permit.

#### Section 1.06 <u>Temporary Water Service-Construction Meters.</u>

- **A.** Construction Meters. The District shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for temporary water service. All temporary service shall be metered and billed to the temporary customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System is prohibited.
- **B.** Application and Deposit. Each temporary customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a security deposit of one thousand five hundred dollars (\$1,500.00). The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair

of any damages caused by the temporary customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

- **C.** Construction Meter Fees and Rates. Construction meters will be charged the same monthly rates (base fee and volumetric rate) for water as commercial accounts as set forth in Article II of this Rate Order.
- **D.** Temporary Construction Meter Use and Billing. Construction meters can be rented by filing an application at the District office and payment of all required deposits. Upon approval of the application, a temporary meter and RPZ will be provided to the applicant. Installation on any fire hydrant or flush valve must be approved by the District and District meters may only be used within the District's service area. The location of installation must be indicated on the application and cannot be relocated unless notification is provided to and approved by the District in advance. Temporary meters may only be rented for a period of ninety (90) days and extensions may be approved upon request and approval. Failure to return a temporary meter or request a usage extension by the due date will result in repossession of the meter and forfeiture of the deposit.

Upon return of a temporary construction meter, an inspection of the meter and RPZ will be performed. Any and all damages to the meter and/or RPZ will be charged to the customer and deducted from the deposit. If the deposit does not cover the total amount of damages, the balance will be billed to the customer and payment must be received by the due date. Failure to pay all charges due will result in suspension of rental privileges until payment in full and may result in collection procedures.

**E.** Return of Temporary Meter at District Request. The District reserves the right to request the return of a temporary construction meter at any time determined necessary by the District. Should Stage 2 Drought Restrictions or more stringent restrictions be implemented, all temporary construction meters must be returned within three (3) business days of notification by the District. Failure to promptly return the temporary meter within three business days will result in repossession of the meter and forfeiture of the deposit. Should District personnel be unable to locate the temporary meter for repossession, theft charges will be filed against the meter holder with local law enforcement.

Section 1.07 Service Outside the District. The rates and charges stated in this Rate Order are for services to customers and property located within the boundaries of the District. Any service to a customer or property located outside the boundaries of the District shall be granted only upon approval by the Board of Directors of the District. Out of District customers will pay the adopted rates for in District customers plus 15% for both water and sewer base and volumetric rates. For the purpose of customer classification, Trophy Club Park at Lake Grapevine is considered "in-district" and subject to all rates and service provisions related to in-district customers.

#### Section 1.08 Service to New Development and Extension of Facilities.

- A. New Service Connections and Extension of Facilities. New service connections and extension of facilities must be constructed and installed in accordance with the District's Rules Governing New Service Connections and Extension of Facilities as approved through separate Resolution by the Board of Directors. Applicants for Non-Standard Service must submit all required information and pay all fees prior to conveyance of facilities and service commencement.
- **B.** Application Fee for Non-Standard Service. Upon request for non-standard service an application fee of one hundred fifty dollars (\$150) must be submitted.
- C. Design of Facilities. All water and wastewater facilities to be constructed to extend service to new developments must be designed by a professional engineer licensed in the State of Texas at the applicant's expense. The District must approve the plans and specifications prior to the commencement of construction. At the time of plan review submittal, the applicant must provide payment to the District in the amount of two thousand five hundred dollars (\$2.500.00) as deposit for review of each set of plans and specifications reviewed by the District's engineer. The actual final fee for plan review by the District's engineer shall be provided to the applicant upon approval of the plans. If there is a balance due over the two thousand five hundred dollars (\$2,500) paid by the applicant at submittal, the balance due shall be paid by the applicant prior to receiving District approval of plans and specifications. District construction plans, and specifications shall be strictly adhered to, but the District reserves the right to change order any specifications, due to unforeseen circumstances during the design or construction of the proposed facilities, or as otherwise authorized by applicable laws, to better facilitate the operation of the facility. All expenses and costs associated with a change order shall be charged to the applicant. Service to new developments is subject to available capacity in the District's water and wastewater systems. All new potential developments must seek written approval from the General Manager that capacity is available to serve and may be required to install offsite improvements if capacity is not available with current system infrastructure.
- **D.** Inspection Fees. The District will inspect all infrastructure during construction. Inspection fees of one hundred dollars (\$100) per lot must be paid to the District prior to a notice to proceed being issued. A minimum of five hundred dollars (\$500) for inspection fees is required if less than five (5) lots are to be developed.

Section 1.09 Water Meter Fees.

METER SIZE	WATER METER FEE
5/8"	\$358
1"	\$428
1-1/2"	\$905
2" – 10"	Quoted at Time of Purchase

Fees must be received by the District before any connection is installed.

A customer seeking service through an oversized connection line or from a meter larger than a one inch (1") standard meter shall follow the District's policy for new development as outlined in Section 1.07 above. Should approval be granted by the District, the customer agrees to pay the water and sewer rates as outlined in Article II of this Rate Order.

**Section 1.10.** <u>Fort Worth Impact Fee.</u> Each customer requesting an initial connection shall also pay to the District the applicable City of Fort Worth Impact Fee.

**Section 1.11.** <u>Title to Facilities.</u> Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall lie in the District.

## ARTICLE II SERVICE RATES

**Section 2.01**. <u>Water Service Rates</u>. The following monthly rates for water service shall be in effect for each separate connection within the District. The base rate for each connection (meter) is calculated upon meter size and will be charged for each residential and commercial meter:

#### (1) Water Rates Effective April 1, 2023

#### **BASE RATES**:

Meter Size	Monthly Base Rate			
5/8" & 3/4"	\$20.26			
1"	\$38.08			
1.5"	\$67.54			
2"	\$108.06			
3"	\$204.80			
4"	\$337.68			
6"	\$675.38			

#### **VOLUMETRIC RATES:**

Gall	Rate per 1000 gallons		
0	to	6,000	\$4.60
6,001	to	17,000	\$5.35
17,001	to	25,000	\$6.19
25,001	to	50,000	\$7.19
50,001+			\$8.36

#### (2) Multi-Unit Buildings.

Each multi-unit building (apartments, townhomes, business complex, etc.) served by a single 5/8" meter or 1" meter shall be billed the base rate for the meter size servicing the building multiplied by the number of units in the building or complex.

**Section 2.02.** <u>Sewer Service Rates</u>. The following monthly rates for the collection and disposal of sewage shall be in effect for each separate connection within the District:

**Residential Sewer Rates**: The District uses winter averaging for the purpose of calculating sewer charges on utility bills. The sewer charges are based on average water consumption for three months (December, January, and February billing). The average consumption will be analyzed annually and take effect on the first of April each year.

New customers will be assigned a default value user charge that is equal to the average winter water use for all residential customers. The winter average used for new residential customers is 7,000 gallons.

A customer with a water leak during the averaging months may request a reduction in the sewer usage calculation. Any customer filling a pool after resurfacing, construction or major repairs during the averaging months may request that their winter average calculation be adjusted. Requests for a reduction in sewer usage calculations must be submitted in writing to the General Manager and have documentation showing the construction or repairs as applicable to the issue. The General Manager or a duly authorized representative may adjust the metered water usage in determining the winter average. To assist in establishing winter averaging sewer rates, customers are encouraged to submit requests for sewer average reductions no later than March 15th.

#### A. Residential Sewer Rates:

		Base Rate:	\$ 22.15
0	to	4,000	\$ 3.57
4,001	to	8,000	\$ 5.09
8,001	to	12,000	\$ 7.18
12,001+			\$ 10.22

#### B. Commercial Sewer Rates:

Base Rate:	\$ 22.15
Volumetric Rate:	\$ 8.57

<sup>\*</sup>Commercial sewer usage is billed based on actual water usage per month

#### C. Multi-Unit Buildings.

Each multi-unit building (apartments, townhomes, business complex, etc.) shall be billed the base rate for each meter servicing the building and sewer usage will be billed based on actual water usage per month.

**Section 2.03** <u>Effluent Charge</u>. The effluent from the District's wastewater treatment plant will be sold pursuant to separate contracts entered into with the District and approved by its Board of Directors.

**Section 2.04.** <u>Master Meter (Cooling Tower Calculation).</u> The water usage from the master meter reading minus the reading from the "Blow Down" meter equals the "evaporation." Water usage less "evaporation" equals sewer usage for billing purposes.

**Section 2.06.** Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, and 30 TAC 291.76, the District shall collect and pay an annual regulatory assessment fee to the Texas Commission on Environmental Quality ("TCEQ") in the amount required by law on the total charges for retail water and sewer service billed to its customers annually. The regulatory assessment fee will be detailed separately on customer bills.

**Section 2.07**. No Reduced Rates or Free Service. All customers receiving water and/or sewer service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order. No reduced rate or free service shall be furnished to any customer whether such user be a charitable or eleemosynary institution, a political subdivision, or municipal corporation; provided, however, this provision shall not prohibit the District from establishing reasonable classifications of customers.

## ARTICLE III SERVICE POLICY

Section 3.01. Security Deposits. Security deposits shall be required as follows:

- A. Builder's Deposit. A one hundred dollar (\$100.00) security deposit shall be required of builders for each tap made by the District for such service connection, payable at or prior to the time that such tap is made, and the security deposit is refundable to the builder when the account is later transferred to an owner if that account and all other accounts of the builder are current at the time of the transfer; but, if that account or any other account of the same builder is not current at the time of such transfer to an owner, then the security deposit shall be applied against the outstanding balance of the builder's account(s) at the time of such transfer. The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors, or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder.
- **B.** Residential and Lessee Deposits. A security deposit of one hundred dollars (\$100.00) shall be required from each residential owner and lessee for a single-family home connected to the District's system. Deposits will be applied to the bill upon twenty-four (24) consecutive months of on-time payments. A deposit will be required to reestablish service due to disconnection. Upon discontinuation of service, the any remaining deposit shall be applied against amounts due, including disconnection fees.

#### C. Commercial Deposits

COMMERCIAL				
METER SIZE	WATER	SEWER		
3/4"	\$75	\$60		
1"	\$100	\$100		
1.5"	\$250	\$200		
2"	\$500	\$320		
3"	\$1,000	\$700		
4"	\$1,800	\$1,200		
6"	\$3,750	\$2,500		
8"	\$5,400	\$3,600		

**D.** Construction Meters. See Section 1.06 above.

**E. Deposits.** The District does not pay interest on deposits. The interest drawn by the District on customer deposits is returned to the operating budget of the water/sewer fund to help in providing the lowest possible water and sewer rates for our customers.

**Section 3.02**. <u>Billing Procedures</u>. All accounts shall be billed in accordance with the following:

- **A. Due Date and Delinquency.** Charges for water and sewer service shall be billed monthly. Payment shall be due on or before the twentieth (20<sup>th</sup>) day of the month in the month in which the bill was received. Unless payment is received on or before the twentieth (20<sup>th</sup>) day of the month, such account shall be considered delinquent. If the due date falls on a holiday or weekend, the due date for payment purposes shall be the next working day after the due date. The District shall charge a penalty on past due accounts calculated at the rate of fifteen percent (15%) per month on water and sewer charges. The rates for water and sewer service shall depend upon the type of user and upon whether the water used has been chemically treated, as provided in this Rate Order. All accounts not paid by the due date shall be deemed delinquent and failure to make payment thereafter may result in the termination of water and sewer service.
- B. Notice and Appeal. Prior to termination of service, a customer who is delinquent in payment shall be sent a notice that service will be discontinued on or after the fifteenth (15th) day after the date of such notice unless payment in full is received before by such day disconnection is scheduled. Notice shall be sent by first class United States mail and shall inform the customer of the amount of the delinquent bill, the date service will be disconnected if payment is not made, and of the customer's right to contest, explain, or correct the charges, services, or disconnection. Service shall not be disconnected where a customer has informed the District of his or her desire to contest or explain the bill. If the customer appears before the Board, the Board shall hear and consider the matter and inform the customer of the Board's determination by sending written notice to the customer by first class United States mail stating whether or not service will be disconnected. In the event of a service disconnection for non-payment, an additional Security Deposit of one hundred dollars (100.00) will be required for Residential homeowners and Lessees to restore service in addition to a fifty-dollar (\$50.00) service fee, and after-hours reconnection charges, if applicable, and any outstanding balance in arrears will need to be brought current. As set out above in Section 3.01, If payment is not received prior to the date that disconnection has been scheduled, a service charge of fifty dollars (\$50.00) will be added to the account. Reconnections made outside of the District's normal business hours at the customer's request will be charged at an additional after hour's fee of one-hundred dollars (\$100.00).

- **C. Business Hours.** For purposes of assessing the foregoing charges, "normal" or "regular" business hours shall mean only the hours between 8 a.m. and 5 p.m., Monday through Friday. All other times, including District holidays, are outside of the District's normal business hours and will result in a higher charge.
- **D.** Returned Checks and Bank Drafts. A twenty-five-dollar (\$25.00) charge will be charged to the customer's account for any check or ACH bank draft returned by the bank. Any amounts due on an account which have been paid with a check or ACH bank draft that has been returned by the bank must be paid in full by cash, cashier's check or money order, including all late charges and returned check charges, within ten (10) days from the day the District mails notice to the customer or otherwise notifies the customer that the check or ACH bank draft has been returned by the bank.
- **E.** Same-Day Service. An additional charge of twenty-five dollars (\$25.00) shall be made when a customer requests same-day service. As an example, this charge will be implemented upon request by a customer for same-day service to start or terminate water and sewer service or to perform re-reads the same day as requested.
- **F.** Accuracy Reading Fee. A meter accuracy reading fee in the amount of twenty-five dollars (\$25.00) shall be charged to a customer by the District for each meter accuracy reading made by the District for such customer when the original reading appears to be accurate. If the original meter reading appears to be in error, no fee will be charged. Each customer will be allowed one accuracy meter reading per calendar year at no charge. \*\*Should a customer request that a meter be removed, and bench tested by an outside source, then a fee of one hundred twenty-five dollars (\$125.00) will be charged to the customer. If the meter fails to meet American Water Works Association standards for in-service meters, then the customer will be given a credit offsetting the amount of the charge.

#### https://www.awwa.org/publications/journal-awwa/abstract/articleid/34055179.aspx

- **G. Meter Data Logging Fee.** Each customer will be allowed one data log at no cost per fiscal year. A fee of twenty-five dollars (\$25.00) shall be charged to a customer by the District for each meter data logging service performed thereafter. Meter data logging service can only be provided during regular business hours.
- **Section 3.03. Entitlement**. Water and sewer service shall be provided to customers in accordance with all TCEQ rules covering minimum water and sewer standards.
- **Section 3.04**. <u>Unauthorized and Extraordinary Waste</u>. The rates established herein are applicable for Domestic Waste as defined herein. Customers proposing to generate other types of waste will be assessed additional charges as established by the District.

#### Section 3.05. Damage to District Facilities.

- **A. Damage to Meter and Appurtenances.** No person other than a duly authorized agent of the District shall tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, immediately and without notice, to remove the meter or disconnect water service to any customer whose meter has been tampered with and to assess repair charges to the customer, plus a damage fee not to exceed five thousand dollars (\$5,000.00), plus any applicable charge for same day service. The District also reserves the right to file civil and/or criminal charges against any person or entity tampering with the District's public water system and/or sewer system.
- **B. Repair.** It is the responsibility of the customer to maintain and repair the water service line from the point of connection to the District's water meter. The District reserves the right to repair any damage to the District's System and appurtenances without prior notice and to assess against any customer such penalties as are provided by law and such penalties provided for in this Rate Order in addition to those charges necessary to repair the portion of the System so damaged.
- **C. Video.** If at any time a resident/customer wishes to have the District video their sewer line to help the resident determine the condition of their sewer line, the fee will be one hundred fifty dollars (\$150.00) payable to the District assessed on the next month's bill.

**Section 3.06**. **Easements**. Before service is established to any customer, the person requesting such service shall grant an easement of ingress and egress to and from the meter(s) for such maintenance and repair as the District, in its judgment, may deem necessary.

**Section 3.07**. **Required Service**. No service will be provided by the District unless the customer agrees to receive both water and sewer service, except that permanent irrigation only meters may receive water service only. Irrigation meters cannot be connected to any building plumbing.

**Section 3.08**. Additional Charges. In all cases where services are performed, and equipment or supplies are furnished to a party or entity not within the District, the charge to said party or entity shall be the District's cost of providing such services, equipment and/or supplies, plus fifteen percent (15%). This shall not apply to services, equipment and/or supplies furnished by the District under an existing Interlocal Agreement.

## ARTICLE IV INDUSTRIAL WASTE

**Section 4.01.** <u>Industrial Waste Policy</u>. The following policy regarding industrial waste shall be effective:

- **A. Definition.** "Industrial waste" shall mean the water-borne solids, liquids, and/or gaseous wastes (including Cooling Water), resulting from any industrial, manufacturing, trade, business, commercial, or food processing operation or process, or from the development of any natural resource, or any mixture of such solids, liquids, or wastes with water or domestic sewage. The Clean Water Act of 1977, as amended, and the General Pretreatment Regulations contained in 40 C.F.R. 403 contain the requirements for user's discharge of industrial waste into wastewater facilities.
- **B.** Industrial Waste Discharge, Charges, and Rates. If any customer of the District's sanitary sewer system proposes to discharge industrial waste into such system, the Board of Directors of the District shall request the recommendation of the District Engineer and shall establish rates and charges to provide for an equitable assessment of costs whereby such rates and charges for discharges of industrial waste correspond to the cost of waste treatment, taking into account the volume and strength of the industrial, domestic, commercial waste, and all other waste discharges treated and techniques of the treatment required. Such rates shall be an equitable system of cost recovery which is sufficient to produce revenues, in proportion to the percentage of industrial wastes proportionately relative to the total waste load to be treated by the District for the operation and maintenance of the treatment works, for the amortization of the District's indebtedness for the cost as may be necessary to assure adequate waste treatment on a continuing basis.
- **C. Pretreatment.** The Board of Directors of the District shall rely upon the recommendation of the District Engineer and shall require pretreatment of any industrial waste that would otherwise be detrimental to the treatment works or to its proper and efficient operation and maintenance or will otherwise prevent the entry of such industrial waste into the treatment plant.

## ARTICLE V ENFORCEMENT/CIVIL PENALTIES

#### Section 5.01. Enforcement.

**A. Civil Penalties.** The Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to ten thousand dollars (\$10,000.00). A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is

located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The court shall fix the amount of the attorneys' fees.

**B.** Liability for Costs. Any person violating any of the provisions of this Order and/or the rules and regulations governing water and sanitary sewer facilities, service lines, and connections shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, and enforcement thereof shall be in accordance with Paragraph A of Section 5.01 of this Order.

**Section 5.02**. <u>Non-waiver.</u> The failure on the part of the District to enforce any section, clause, sentence, or provision of this Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Order.

**Section 5.03.** <u>Appeal</u>. Any determination by the District of any dispute regarding the terms and provisions of this order may be appealed to the Board of Directors of the District, which shall conduct a hearing on the matter. The District shall provide the customer with information regarding appeals and hearing procedures upon the customer's request.

## ARTICLE VI MISCELLANEOUS

**Section 6.01.** <u>Amendments.</u> The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time.

**Section 6.02.** Severability. The provisions of this Order are severable, and if any provision or part of this Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Order and application of such provision or part of this Order shall not be affected thereby.

## ARTICLE VII REPEAL OF PREVIOUS ORDERS

This Rate Order shall be known as the "2023-0322A Rate Order" (Order No. 2023-0322A) of the District. All previous Orders adopted by the Board of Directors pertaining to the subject matter hereof are each hereby repealed in their entirety as of the effective date hereof.

## ARTICLE VIII <u>EFFECTIVE DATE</u>

#### This Order shall be effective on April 1, 2023.

## ARTICLE IX PUBLIC MEETING

It is hereby found that the meeting at which this Order is adopted is open to the public as required by law, and that public notice of the time, place, and subject matter of said meeting and of the proposed adoption of this Order was given as required by law.

ADOPTED AND APPROVED this 22nd day of March 2023.				
Kevin R. Carr, President Board of Directors	-			
Doug Harper, Secretary/Treasurer Board of Directors	(SEAL)			



#### STAFF REPORT

#### March 28, 2024

<u>AGENDA ITEM:</u> Consider and act regarding approval of Contract No. 20240328 with Insituform Technologies, LLC for wastewater manhole repairs and authorize the General Manager to execute the necessary documents.

<u>DESCRIPTION:</u> This project consists of all labor, materials, equipment, and services necessary to complete wastewater collection system manhole repairs identified during the FY 2023 annual wastewater system analysis. Pricing for this project was requested utilizing Buyboard Cooperative Purchasing Contract No. 635-21.

ATTACHMENTS: Insituform Technologies, LLC Proposal

<u>RECOMMENDATION:</u> Staff recommends awarding Contract No. 20240328 for wastewater collection system repairs to Insituform Technologies, LLC for an amount not to exceed \$199,267.00 and authorize the General Manager to execute the necessary documents.

#### March 28, 2024 Regular Meeting Agenda Packet

Insituform Technologies, LLC is a subsidiary of Aegion Corporation



1103 Postwood Dr. Corinth, TX 76210 www.insituform.com Name: Tim Peterie Phone: 214-317-0950 Fax: 940-498-0265

Email: tpeterie@insituform.com

March 12, 2024 SF#: SO-00157809

Mr. Alan Fourmentin Trophy Club MUD 100 Municipal Dr. Trophy Club, TX 76262

## **Buyboard Proposal**

Project Name: Trophy Club, TX

2024 Manhole Rehab - Geopolymer Spray Rehabilitation and Other Repairs

**Instruper Technologies, LLC** herein proposes to furnish all labor, materials, equipment, and services necessary to reconstruct the referenced project (as detailed in the project scope presented by Trophy Club MUD) using the Buyboard Purchasing Cooperative Contract 635-21.

#### **ASSUMPTIONS AND QUALIFICATIONS**

**INSITUFORM TECHNOLOGIES, LLC** will supply Trophy Club MUD the necessary Maintenance, Payment, and Performance Bonds as required following acceptance of this proposal.

Trophy Club MUD to provide access to the job site, Sales Tax-Exempt Certificate, and any permits required for work areas and to cross any properties or roads necessary for equipment.

Water shall be provided at no cost to Insituform Technologies, LLC for all construction phases of this project. Trophy Club MUD shall furnish Insituform Technologies, LLC with required water meters and pay all associated fees, deposits, and charges. Insituform Technologies, LLC will follow all required backflow prevention and metering procedures.

#### **PROPOSAL PRICING**

**Trophy Club 2024 Manhole Rehabilitation** 

Description	Qty	Unit of Measure	Unit Price	Extended Total
2 3 3 3 7 3 3 7 3 7 3 7 3 7 3 7 3 7 3 7				
Mobilization – MH Rehab Crew	1	EA	\$7,500.00	\$7,500.00
Manhole, Pipe or Other Structures – Spray Rehabilitation Geo	3,454	SF	\$35.50	\$122,617.00
Clean MH – Including Root Removal	18	EA	\$750.00	\$13,500.00
Clean MH – Repair Pipe Seal, Coat Around Pipe	3	EA	\$2,200.00	\$6,600.00
Repair MH Chimney/Cone and Coat Internally	15	EA	\$2,200.00	\$33,000.00
Traffic Control	10	Day	\$750.00	\$7,500.00
Owner's Contingency Allowance	1	AL	\$5,000.00	\$5,000.00
Bonds	1	LS	\$3,550.00	\$3,550.00
Manhole, Pipe or Other Structures – Spray Rehab – Epoxy (includes bench SF)	453	SF	\$45.00	\$20,385.00
Manhole Bench Rebuild/Coat (Cementitious)	6	EA	\$750.00	\$4,500.00
Access Beyond 100' From Road	1	EA	\$1,500.00	\$1,500.00
			BID TOTAL	\$199,267.00

Note: It is understood that all quantities are estimated based on information provided. Final billing will be based on final quantities utilized.

#### **PROPOSAL INCLUSIONS**

The prices stated in this proposal include:

- 1. Mobilizations and demobilization.
- 2. Manhole surface prep and bench rebuild.
- 3. Geopolymer application.
- 4. Repair chimneys, cones, and pipe seals.
- 5. Traffic control.
- 6. Confined space safe entry practices.
- 7. One-year standard construction warranty.
- 8. Certificate of insurance with a standard coverage.
- 9. Bonds.

#### **PROPOSAL EXCLUSIONS**

Not included in the prices stated in this estimate are costs associated with the items listed below. These items, if needed or found to be applicable, would be provided by **INSITUFORM TECHNOLOGIES**, **LLC** at your additional cost; or would be furnished by others, at your direction, at no cost to **INSITUFORM TECHNOLOGIES**, **LLC**:

- a) Manual operation of any pumping and/or metering stations.
- b) Water from fire hydrants within a convenient distance from each cleaning and inversion site location.
- c) Bypass pumping and I/I leak mitigation if found to be necessary.
- d) Legal dumpsite for debris resulting from manhole cleaning.
- e) If any hazardous or toxic materials are encountered during the project, the Owner will be responsible for the removal and disposal of the materials.
- f) Project permits and/or local licenses.
- g) State and local sales and/or use taxes on the value of the project. If you are exempt, please submit the appropriate documentation.
- h) Additional premiums for special insurance coverage(s) demanded by you or other parties particular to this project.

#### **PROPOSAL TERMS AND CONDITIONS**

- a) Limits of Liability. In consideration of INSITUFORM TECHNOLOGIES, LLC's agreement to maintain no less than \$5,000,000 of comprehensive general liability insurance in the form required by the Contract, INSITUFORM TECHNOLOGIES, LLC's liability to the Owner for any matter covered by such insurance will be limited to the extent of such insurance and the Owner will indemnify and hold INSITUFORM TECHNOLOGIES, LLC. harmless from any third-party claims covered by such insurance to the extent such claims exceed the limits of such insurance. Neither party shall be liable to the other for consequential damages relating to the contract. In case of conflict between this provision and any other provision in the Contract as ultimately executed, this provision shall govern and prevail.
- b) LIMITED WARRANTY. IN LIEU OF ALL OTHER EXPRESSED, IMPLIED AND/OR STATUTORY. WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, CONTRACTOR AGREES TO CORRECT ANY DEFECTS IN THE MATERIALS OR SERVICES PROVIDED BY CONTRACTOR WHICH ARE BROUGHT TO THE ATTENTION OF CONTRACTOR WITHIN ONE YEAR FOLLOWING COMPLETION OF CONTRACTOR'S WORK, PROVIDED OWNER AFFORDS CONTRACTOR SUITABLE ACCESS AND WORKING CONDITIONS TO ACCOMPLISH SUCH CORRECTION.
- c) MUTUAL RELEASE OF CONSEQUENTIAL DAMAGES. Neither party shall be liable to the other for consequential damages relating to or arising out of the Contract.
- d) PROPOSAL SUBJECT TO NEGOTIATION OF OTHER STANDARD TERMS OF AGREEMENT. This proposal is subject to agreement of the parties on other terms and conditions as are customary in contracts of this nature.
- e) Quantities are estimated. Unit prices apply for actual invoice and payment.

- f) Payments are due at net within thirty days of invoice. Final payment is due within thirty days of completion of project.
- g) Monthly progress partial payments may be requested for the value of work in progress or completed, including materials secured and on site.
- h) Prices stated are in effect for thirty days from the date of this proposal. The acceptance period may be extended at the sole option of INSITUFORM TECHNOLOGIES, LLC.
- i) Conflicts. In case of conflict between the provision of the aforesaid paragraphs and any other provision in the Contract as ultimately executed the provisions as set forth above shall govern and prevail.

OFFERED BY: ACCEPTED BY:				
Insituform Technologies, LLC				
7imothy R. Peterie	Signature Date			
	Alan Fourmentin			
Timothy R. Peterie	Printed Name			
Business Development Manager	General Manager			
Reviewed By:	Title			
Andy Ozment Area VP	Trophy Club Municipal Utility District No. 1			
cc: Ben Hawkins, Craig Nolen Mike McMahon (TCMUD)	Organization			

This accepted proposal constitutes a formal agreement. If you initiate a purchase order or other contract document, it shall not be acknowledged without reference to this proposal.

### **Trophy Club Municipal Utility District No. 1**

### **April 2024**

14 Mar 31, 2024 Apr 1 2 3 4 5  15 7 8 9 10 11 12  16 14 15 16 17 18 19  17 21 22 23 24 25 26  7am Early Voting - May 4 General Election  18 28 29 30 May 1 2 3 Election Day - May 1 3 Election Day -	_	Sun	Mon	Tue	Wed	Thu	Fri	Sat
16 14 15 16 17 18 19  17 21 22 23 24 25 26  Tam Early Voting - May 4 General Election  18 28 29 30 May 1 2 3	14	Mar 31, 2024	Apr 1	2	3	4	5	6
17   21   22   23   24   25   26	15	7	8	9	10	11	12	13
7am Early Voting - May 4 General Election         18       28       29       30       May 1       2       3	16	14	15			18	19	20
18 28 29 30 May 1 2 3	17	21	22	23	24	25	26	27
Tam Early Voting - May 4 General Election  Election Day - N				30	May 1	2		4
Printed on: 03/20/2024 7:04am  O Central Time US & Ca Powered by 5.5 to		7am Early Voting - May 4 (	General Election		45 of 45			Election Day - May 4 Ger