



CLEAR LAKE CITY WATER AUTHORITY

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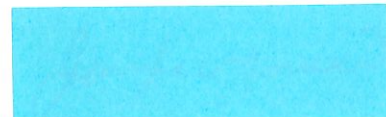
June 24, 2019

To: All Persons Interested in the Meeting of the Clear Lake City Water Authority Board of Directors:

Notice of an agenda is hereby given that the Board of the Clear Lake City Water Authority will convene in Special Session open to the public at 900 Bay Area Boulevard within such Authority at 12:00 p.m. on June 27, 2019 for the following purposes:

1. Consider and act upon termination of the construction contract with Triple B Services, L.L.P. for Exploration Green Detention Facility Phase 3A;

Following the Board's consideration, and action if any, on the above items, the Board will adjourn from Regular Session and reconvene in Closed Session pursuant to §551.071 of the Government Code for the purpose of consulting with its attorney, pursuant to §551.072 of the Government Code to deliberate regarding real property and pursuant to §551.074 of the Government Code to discuss personnel matters.



Jennifer Morrow
General Manager
Clear Lake City Water Authority

(SEAL)



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Board of Directors'
Special Meeting Minutes
June 27, 2019

Special Meeting The Board of Directors of the Clear Lake City Water Authority ("Authority") convened in Special Session open to the public at the regular meeting place at its office inside the Authority at 12:00 p.m. on June 27, 2019. Roll was called of the members:

Quorum Present Mr. John Branch, President
Mr. Robert T. Savely, Vice-President
Mr. W. Thomas Morrow, Secretary;
Mr. Gordon Johnson, Director;
Mr. John Graf, Director.

All were present except Mr. Savely and Mr. Graf.

Also present were:

Ms. Jennifer Morrow, General Manager;
Mr. Curtis Rodgers, Director of Utilities;
Mr. Richard Fulton, Attorney;
Mr. Bill Rosenbaum, Engineer;
Ms. Kelly Shipley, Engineer;
Mr. Rafael Gamas, Project Manager;
Ms. Mary Ann Schatz, Capital Projects Bookkeeper;
Ms. Gina Gentile, Grants Coordinator;
Ms. Nikki Andrus, Recording Secretary.

(A visitor roster copy is on file in the official records of the District and identified as Exhibit A.)

1. Termination of the Construction Contract with Triple B Services, L.L.P. for Exploration Green Detention Facility Phase 3A

Attorney Richard Fulton with Coats/Rose informed the Board about his discussion with Triple B Services and issues regarding the contract. Delays with the permitting process have caused an issue with the project moving forward in a timely manner and Triple B Services is requesting to be released from the contract. Mr. Fulton discussed the Board's legal options.

Bill Rosenbaum explained the process for advertising, bidding, pre-construction, and the City of Houston plan review to obtain permits. The City of Houston has restructured the permitting process to include multiple department reviews and comments being addressed in each department. When plans are resubmitted, a different reviewer may receive the plans and have additional comments. The review process is not consistent and causes several plan revisions until satisfied by all departments before permits can be issued.

Director Morrow led a discussion about the timeline of events during the contract. A notice to proceed letter dated January 31, 2019 was issued by LAN to Triple B Services. Another letter dated February 5, 2019 was issued by LAN stating they had received a suspension request dated February 1, 2019 from Triple B Services, and the contract time was approved to be suspended until Triple B Services received City of Houston permits or April 2, 2019, whichever date is earlier. Currently the Phase 3A permit is still pending.

Director Morrow recommended to have CLCWA reassign the permit request to Lockwood, Andrews and Newnam (LAN) to work on getting through the approval

process until a new contractor is assigned to Phase 3A. He also asked the attorney to amend the Termination Agreement to include language for Triple B Services to approve releasing the permit request back to CLCWA.

Mr. Curtis Rodgers discussed a meeting at the beginning of June with Jordan McGinty with Councilmember Dave Martin's office, the City of Houston and LAN regarding the permitting issues for Phase 3A. At this meeting the last two pending issues were resolved. Director Morrow suggested contacting Councilmember Martin's office to inform them of the changes we are making to our process for permitting.

Thereupon, by motion duly made by Director Morrow and seconded by Director Johnson, the Board voted unanimously to approve the termination of the construction contract with Triple B Services in accordance with the agreement modified by the attorney to include language for Triple B Services to approve the Authority assigning the permitting to LAN.

2. Meeting Adjourned

President Branch declared the special meeting adjourned at 12:47 p.m.



President, Board of Directors
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Secretary, Board of Directors
CLEAR LAKE CITY WATER AUTHORITY

(SEAL)



DATE APPROVED: 8-8-19