

**MINUTES OF THE MEETING OF  
FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1**

September 22, 2016

**STATE OF TEXAS**

**COUNTY OF FORT BEND**

The Board of Supervisors (the “Board”) of Fort Bend County Fresh Water Supply District No. 1 of Fort Bend County, Texas (the “District”), met in special session, open to the public, on September 22, 2016, commencing at 6:00 p.m. at 4521 F.M. 521 North, Fresno, Fort Bend County, Texas, a designated meeting place inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to wit:

Paul Hamilton	President
Greg Fleck	Vice President
Calvin Casher	Secretary
Rodrigo Carreon	Assistant Secretary
Rosa Linda Medina	Assistant Secretary

All members of the Board were present, thus constituting a quorum.

Also present at the meeting were: David Dybala with Jacobs Engineering Group, Inc. (“Jacobs”), the District’s Engineer; Breah Campbell with Environmental Development Partners (“EDP”), Operator for the District; Michael Gutierrez with Fort Bend County Precinct 1; Felipe Gonzalez Hernandez, Tax Assessor for the District; and Michael R. Willis, Ryan LaRue and Wesley Willis of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), the District’s Attorney.

The meeting was called to order and the following business was transacted.

**1. REGIONAL FACILITIES CONTRACT**

No action was taken in connection with the Regional Facilities Contract.

**2. PROPOSED WASTEWATER TREATMENT PLANT CAPACITY LEASE**

The Board first recognized Mr. Dybala, who presented to the Board an analysis of the District’s wastewater capacity in connection with a request by the City of Arcola (the “City”) to lease, on a temporary basis, capacity in the District’s portion of the Regional Wastewater Treatment Plant (the “WWTP”). Based upon such analysis, Mr. Dybala advised that, based upon certain assumptions, it would be possible for the District to lease the requested amount of capacity to the City.

In connection therewith, Mr. Willis discussed with the Board proposed terms to be included in such a lease, including, but not limited to (i) payment for the reservation of capacity, as well as pro-rata operating costs; (ii) an option to purchase excess capacity in the City’s expansion of the WWTP; (iii) indemnification of the District in the event the City’s use of capacity causes a violation; and (iv) agreement by the City to work with residents of the Fresno Gardens South Subdivision to connect to the City sewer system.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to authorize SK Law to prepare a Memorandum of Understanding outlining the terms to be presented to the City.

### **3. ENGINEER'S REPORT**

The Board recognized Mr. Dybala, who presented the Engineer's Report as follows:

#### **A. Status of Projects.**

##### **1. Phase II Water Distribution System within Public Right-of-Way**

- Mr. Dybala presented to the Board Pay Estimate No. 7 in the amount of \$281,728.19 from Reddico Construction Co., Inc. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve Pay Estimate No. 7.
- Mr. Dybala presented to the Board Pay Estimate No. 6 from Gray and Pape in the amount of \$4,236.70. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve Pay Estimate No. 6.

#### **B. Authorize Engineer to prepare plans and specifications for Projects.**

- No action required.

#### **C. Authorize advertisement for bids for construction of water and wastewater projects.**

- Mr. Dybala requested authorization to advertise for bids for the Phase II Water Service Lines Plumbing Contract (the "Phase II Plumbing Contract"). Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to authorize Jacobs to advertise the Phase II Plumbing Contract.

#### **D. Report on status of Project funding.**

- No action required.

#### **E. Requests for water and sewer service.**

- No action required.

#### **F. Relocation of water lines.**

- The Board next recognized Mr. Campbell, who, along with Mr. Dybala, reviewed with the Board certain required water line relocations in two segments, in connection with the Trammel Fresno Road widening project being undertaken by the County and TXDOT. Based upon estimates, the cost for the two segments will be approximately \$214,145.00. and \$114,448.00 respectively. Upon motion

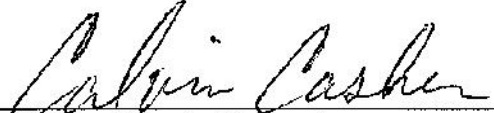
**4. TOWN HALL MEETING/PUBLIC COMMENT**

The Board then opening the town hall meeting, and received questions from the public regarding services to the Marbill Estates and Ridgewood Estates service areas.

**[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.]**

There being no further business to come before the Board, upon a motion duly made and seconded, the Board voted unanimously to adjourn.

PASSED, ADOPTED, and APPROVED this November 17, 2016.

  
Secretary, Board of Supervisors

