

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

March 24, 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 March 24, 2016, commencing at 5:00 p.m. at the Mustang Community Center, 4521 FM 521 North, Fresno, Fort Bend County, Texas, 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; Phyllis Herbst, the District’s Bookkeeper; Michael Gutierrez with Fort Bend County Precinct 1; members of the public, the names of which are on the attached attendance sheet; 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. BOOKKEEPER’S REPORT**

The Board first considered the Bookkeeper’s Report presented by Ms. Herbst, a copy of which is attached hereto, and the invoices and checks presented for payment as follows:

**A. Approval of Bills.**

The Board reviewed the bills presented for payment.

**B. Review Investment Report.**

No Investment Report was given.

**C. Review Collateral Pledge Report.**

No Collateral Pledge Report was given.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Fleck, the Board voted unanimously to (1) accept the Bookkeeper's Report as presented; and (2) authorize the payment of the checks and invoices listed therein

**2. TAX REPORT**

The Board next considered the Tax Report, presented by Ms. Herbst.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Casher, the Board voted unanimously to approve the Tax Report, as presented.

**3. FINANCIAL ADVISOR'S REPORT**

No Financial Advisor's Report was given.

**4. ATTORNEY'S REPORT**

The Board recognized Mr. Willis, who presented the Attorney's report as follows:

**A. Approval of Minutes.**

Proposed minutes of the regular and town hall meetings held on February 18, 2016 and February 25, 2016, respectively, were presented for approval. The Board deferred approval of said minutes.

**B. Report on Certificates of Convenience and Necessity ("CCNs").**

Mr. Willis updated the Board concerning the Orbit CCN transfer application. No action was necessary in connection therewith.

**C. Regional Plant Committee Report.**

No Regional Plant Committee Report was given.

**D. Regional Facilities Contract**

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

**E. Five Year Financing Plan**

No action was taken in connection with the Five Year Financing Plan.

**F. Procedures for Plumbing Contracts**

No action was taken in connection with the plumbing contract procedures.

**G. Amend Rate Order**

No action was taken in connection with the Rate Order.

#### **H. Order Canceling Election and Declaring Unopposed Candidates Elected to Office**

Consideration was then given to a proposed Order Canceling Election and Declaring Unopposed Candidates Elected to Office. The Board noted that Candidates Fleck, Casher and Medina are unopposed for the May 7, 2016 Supervisors Election. Mr. Willis stated that pursuant to Section 2.053 of the Texas Election Code, as amended, the Board is authorized to cancel the election and declare the unopposed candidates elected to office.

Upon motion duly made and seconded, the Board voted unanimously to adopt the Order Canceling Election and Declaring Unopposed Candidates Elected to Office thereby cancelling the Supervisors Election called for May 7, 2016 and declaring Greg Fleck, Calvin Casher and Rosa Linda Medina elected to the Board for a four (4) year term which expires May 2020. A copy of said Order is on file in the Official Records of the District.

#### **I. Appointment of Tax Assessor/Collector**

No action was taken in connection with appointing a Tax Assessor/Collector.

### **5. OPERATOR'S REPORT/TERMINATION OF SERVICE**

The Board next recognized Ms. Campbell, who submitted to and reviewed with the Board the Operator's Report, a copy of which is attached hereto.

Ms. Campbell reported as follows:

- The District pumped a total of 6,649,000 gallons of water for the month.
- The District has 582 connections.
- The billed to pumped ratio was 95.3%.
- Ms. Campbell reported on EDP's inspection of certain fire hydrants with Supervisor Carreon. Ms. Campbell noted that the Avenue A location tested positive for chlorine, and EDP would investigate the hydrant further for leaks. Ms. Campbell further noted that the Inez location tested negative. Supervisor Carreon stated that it did test positive. As such, EDP will retest this site with Supervisor Medina.
- Ms. Campbell reported a customer leak on 3610 Inez.
- EDP presented the annual report for the Identity Theft Prevention Program, noting that EDP had not experienced any instances of identity theft and is not recommending any changes to the program.
- EDP completed the Water Conservation Plan Annual Report and submitted same to the TWDB.

#### **A. Approval of Repairs to Water System.**

Ms. Campbell reported that EDP replaced a leaking fire hydrant at 4825 FM 521 for a cost of \$12,797.23.

#### **B. Approval of Requests for Water Taps.**

Ms. Campbell reported that EDP installed no new taps this month.

**C. Termination of Water Service.**

Consideration was then given to the termination of water service to the delinquent accounts listed on the Termination List in the Operator's Report. The Board noted that there were no customers present at the meeting who wished to address the Board regarding their water bills or to protest termination of water service.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously (i) to authorize the Operator to terminate service to the accounts listed on the Termination List with the assistance of a peace officer, if necessary; and (ii) approve the Operator's Report.

**6. ENGINEER'S REPORT**

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

**A. Status of Projects.**

**1. Televue Terrace Subdivision water and wastewater system**

- The Project is under construction. The Contractor has completed waterline installation, including connecting to the existing system and testing. The Contractor should be finalizing the installation of gravity sewer lines in the next couple of weeks. The Contractor still needs to perform testing for the sanitary sewer facilities, complete ditch work, driveway and culvert repairs.
- The Contractor did not complete the Project per the contract documents. Based upon the Contractor's current pace, it is estimated that the Contractor will complete the Project in April.
- Mr. Dybala presented to the Board Pay Estimate No. 8 in the amount of \$698,724.00 from Lopez Utilities Contractor, LLC. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 8.
- Mr. Dybala presented to the Board Pay Estimate No. 14 from Geotest Engineering for \$1,395.00. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 14.

**2. Televue Terrace Water and Wastewater Plumbing Contract**

- Met with Attorney to produce draft plumbing exhibit. Awaiting resolution of outstanding issues.

**3. Marbill Estates/Portion of Ridgewood Estates/Teague Road**

- Jacobs took bids on March 8, 2016. In connection therewith, Mr. Dybala noted that the apparent low bidder made a mistake in its bid, and timely submitted a request to withdraw same. Mr. Dybala recommended that the Board award the contract to Reddico Construction Company, Inc. ("Reddico") in the amount of \$4,794,498.60, contingent upon the TWDB approving all bid documents submitted by the contractor. Upon motion duly made and seconded, the Board voted unanimously to award the contract to Reddico.

**4. Water and Wastewater Plumbing Contract for Marbill Estates, and Ridgewood Estates Subdivisions, and North and South Teague Road**

- Town hall meetings will begin once construction of the Water and Wastewater System is underway.

#### **5. Water Plant Expansion**

- The Project is complete. In connection therewith, Mr. Dybala presented to the Board the final completion certificate.
- Mr. Dybala presented to the Board Pay Estimate No. 9 and final in the amount of \$48,379.25 from Nunn Constructors. Mr. Dybala recommended approval of the Pay Estimate, subject to receipt of Certificates of Acceptance from the TWDB. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 9.
- Mr. Dybala presented to the Board Pay Estimate No. 4 from Geotest Engineering for \$753.00. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 4.

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

- The Project is under construction.
- Mr. Dybala presented to the Board Pay Estimate No. 2 in the amount of \$328,982.85 from Reddico Construction Co., Inc. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 2.
- Mr. Dybala presented to the Board Pay Estimate No. 3 from Geotest Engineering in the amount of \$9,156.85. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 3.

#### **7. Phase II Water Plumbing Contract**

- Town hall meetings will be conducted in January, February and March.

#### **8. Phase III Water Distribution System within Public Right-of-Way**

- The project is substantially complete. The contractor is currently addressing punch list items.
- Mr. Dybala requested the Board's approval for Pay Estimate No. 7 from Reddico in the amount of \$27,735.93. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 7.

#### **9. Phase III Water Plumbing Contract**

- Mr. Dybala met with the District's Attorney to finalize the customer list to be included in the plumbing contract.

#### **10. Davis and West Davis Waterline Project**

- Jacobs is working on construction documents.

#### **11. Davis and West Davis Water Plumbing Contract**

- These properties will be included in the Phase II Water Plumbing Contract.

**12. Fresno Gardens North Wastewater Collection System**

- Jacobs is in the process of completing construction drawings for agency review.

**13. Fresno Gardens North Wastewater Plumbing Contract**

- Town hall meetings will be conducted once the public wastewater lines for this area are under construction.

**14. Gateway Acres Subdivision Wastewater Collection System**

- Jacobs is working on construction drawings for agency review.

**15. Gateway Acres Subdivision Wastewater Plumbing Contract**

- Town Hall meetings will be conducted once the public wastewater lines are under contraction.

**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**

- No action required.

**D. Report on Status of Project Funding**

**1. One Year Warranty Expiration Dates**

- Teleview Terrace lift station and force main – 07/16/2016.

**2. FY08 EPA STAG Grant**

- Maximum reimbursable amount from FY08 STAG Grant = \$239,000; Reimbursement Requests submitted to date: \$29,994.96; Amount received: \$29,994.96.
- Deadline has been extended to June 30, 2016. Such funds will be used for water service connections. Jacobs is working on further extending this deadline.

**3. FBC FY14 CDBG Funds**

- The CDBG notified the District that it will receive \$217,467.00 in funds for the next water and wastewater system plumbing contract.

**E. Requests for Water and Sewer Service**

- Mr. Dybala updated the Board on the status of commercial applications, detailed in the attached Engineer's Report.

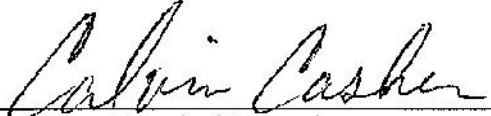
Upon motion duly made by Supervisor Medina, seconded by Supervisor Carreon, the Board voted unanimously to approve the Engineer's Report.

**7. HEAR FROM THE PUBLIC**

At this time, the Board opened the meeting to comments from the public.

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 April 21, 2016.

  
Secretary, Board of Supervisors

