

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

November 17, 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 regular session, open to the public, on November 17, 2016, commencing at 6:00 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; Tracy Butcher with Environmental Development Partners (“EDP”), Operator for the District; Phyllis Herbst, the District’s Bookkeeper; Felipe Gonzalez Hernandez, the District’s Tax Assessor; 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 and Ryan LaRue 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. FINANCIAL ADVISOR’S REPORT

No Financial Advisor’s Report was given.

2. ENGAGE AUDITOR FOR FISCAL YEAR ENDING DECEMBER 31, 2016

The President recognized Mr. Willis, who reminded the Board that it entered into a two-year engagement with the Auditor last year, and as such, no further action was necessary in connection with engaging the Auditor for the 2016 audit.

3. BOOKKEEPER’S REPORT

The Board next 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 Fleck, seconded by Supervisor Medina, 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

4. **TAX REPORT**

The Board deferred the Tax Report.

5. **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 meeting held on September 15, 2016, the town hall and special meetings meeting held on September 22, 2016 and September 30, 2016, respectively, and the special meeting held on October 26, 2016 were presented for approval.

Supervisor Carreon requested that the address of the leaking fire hydrant be included under the Operator's Report in the September 15, 2016 minutes.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Fleck, the Board voted unanimously to approve the September 22, September 30 and October 26, 2016 minutes as presented, and the September 15, 2016 minutes as changed.

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

No report was given on the CCNs.

C. **Regional Plant Committee Report.**

Supervisor Hamilton presented to the Board the Regional Plant Committee Report.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Casher, the Board voted unanimously to approve the Regional Plant Committee Report.

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. Amend Rate Order

No action was taken in connection with the Rate Order.

G. Resolution Regarding Eminent Domain

Mr. Willis then reviewed with the Board legislation enacted by the Texas Legislature which requires governmental entities with eminent domain authority to report annually to the Texas State Comptroller certain District information relating to its eminent domain authority, noting that this year's report is required to be filed on or before February 1, 2017. Mr. Willis also reviewed with the Board a Resolution Evidencing Annual Review and Authorizing Filing with Comptroller of Public Accounts of State of Texas Documentation of Eminent Domain Authority and recommended approval of said Resolution.

Upon motion by Supervisor Fleck, seconded by Supervisor Casher, the Board voted unanimously to adopt the Resolution Evidencing Annual Review and Authorizing Filing with Comptroller of Public Accounts of State of Texas Documentation of Eminent Domain Authority. A copy of said Resolution is on file in the official records of the District.

6. OPERATOR'S REPORT/TERMINATION OF SERVICE

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

Mr. Butcher reported as follows:

- The District pumped a total of 6,015,000 gallons of water for the month.
- The District has 593 connections.
- The billed to pumped ratio was 84.7%.
- Mr. Butcher reported that EDP completed the fire hydrant inspections and flushing on November 15, 2016. EDP will recommend repairs at the December meeting based upon these inspections.
- Mr. Butcher discussed with the Board the leak adjustment request of the customer located at 618 Pecan Street. Upon motion duly made and seconded, the Board voted unanimously to adjust the bill per the District's policy.
- Mr. Butcher discussed with the Board a mistake in billing the Fresno Volunteer Fire Department (the "VFD"). In connection therewith, Mr. Butcher requested authorization to refund the VFD a total of \$1,920.00. Upon motion duly made and seconded, the Board voted unanimously to approve the refund.
- Supervisor Medina advised that she called EDP to report a leaking fire hydrant at 736 Elm Street, but did not get a response.
- Supervisor Carreon noted that a leaking hydrant was listed on the report at 3602 Gettie; however, he did not believe such hydrant was leaking.

A. Approval of Repairs to Water System.

Mr. Butcher advised that EDP repaired a service line leak at 838 W. Palm, for a total of approximately \$1,241.60.

B. Approval of Requests for Water Taps.

Mr. Butcher advised that EDP installed residential taps and meters at two locations, for a total of approximately \$1,365.00.

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 Fleck, seconded by Supervisor Medina, 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.

7. ENGINEER'S REPORT

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

A. Status of Projects.

1. Teleview Terrace Water and Wastewater Plumbing Contract

- Jacobs conducted a pre-construction meeting on November 16, 2016 for the project. The notice to proceed date is set for January 3, 2017.
- Mr. Dybala presented to the Board for approval a proposal from Geotest Engineering to perform material testing services during the Project, for an estimated cost of \$44,440.00. Upon motion duly made and seconded, the Board voted unanimously to approve the Geotest Engineering proposal.

2. Marbill Estates/Portion of Ridgewood Estates/Teague Road

- The project is under construction.
- Mr. Dybala presented to the Board for consideration and approval Pay Estimate No. 3 from Reddico in the amount of \$1,193,676.30. Mr. Dybala recommended approval of the Pay Estimate. Upon motion duly made and seconded, the Board voted unanimously to approve Pay Estimate No. 3.
- Mr. Dybala presented to the Board Invoice No. 4 from Geotest Engineering for materials testing in the amount of \$10,769.40. Mr. Dybala recommended approval of the Invoice. Upon motion duly made and seconded, the Board voted unanimously to approve Invoice No. 4.

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

- Town hall meetings are complete.
- Jacobs will meet with the District's Attorney in December to finalize the connection exhibit.

4. Phase II Water Plumbing Contract

- Construction contracts were sent to the TWDB and EPA for approval to advertise the project on October 28, 2016. Jacobs received approval from the EPA, and is awaiting approval from the TWDB.

5. Phase III Water Plumbing Contract

- The contractor anticipates connections being complete by February or March, 2017.

6. Davis and West Davis Waterline Project

- Mr. Dybala presented to the Board Invoice No. 3 from Geotest Engineering for materials testing in the amount of \$727.95. Mr. Dybala recommended approval of the Invoice. Upon motion duly made and seconded, the Board voted unanimously to approve Invoice No. 3.

7. Fresno Gardens North Wastewater Collection System

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

8. Fresno Gardens North Wastewater Plumbing Contract

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

9. Gateway Acres Subdivision Wastewater Collection System

- Jacobs is working on construction drawings for agency review. Supervisor Carreon requested that all sewer manholes in this project be constructed at a level at least one half foot higher than the level of the public streets due to flooding issues. Mr. Dybala noted that he would take this suggestion into consideration, and further noted that each manhole is being fitted with an inflow prevention device.

10. 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

- Mr. Dybala discussed a wetlands study for the proposed new water plant site, and advised that he would bring a proposal for same, estimated at \$15,000, to the December meeting.

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

- No further action required.

D. Report on Status of Project Funding

1. One Year Warranty Expiration Dates

- Teview Terrace lift station and force main – 07/16/2016.
- Water Treatment Plant Expansion – 01/04/2017
- Phase III Waterline Improvements – 03/07/2017
- Teview Terrace Water/Wastewater System – 04/21/17
- Phase II waterline improvements – 09/19/2017
- Davis and W. Davis waterlines – 10/17/2017

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 Fleck, seconded by Supervisor Carreon, the Board voted unanimously to approve the Engineer’s Report.

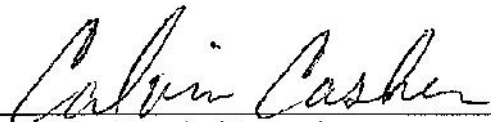
8. HEAR FROM THE PUBLIC

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.

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PASSED, ADOPTED, and APPROVED this December 15, 2016.


Secretary, Board of Supervisors

