

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

September 15, 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 August 18, 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, except Supervisor Fleck, 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; 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. PUBLIC HEARING ON PROPOSED 2016 TAX RATE

The Board opened the meeting to a public hearing on the proposed 2016 tax rate, asking members of the public if they wished to comment on the tax rate. Hearing none, the public hearing was adjourned.

2. ORDER SETTING TAX RATE AND LEVYING TAX FOR 2016

Consideration was next given to a proposed Order Setting Tax Rate and Levying Tax for 2016. Having conducted the public hearing as required by law and publishing notice thereof, the Board deemed it appropriate to proceed with setting the 2016 tax rate.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to (1) set and levy a debt service tax rate of \$0.50 per \$100 assessed valuation and a maintenance and operation tax of \$0.50 per \$100 assessed valuation, for a total tax rate of \$1.00 per \$100 assessed valuation; and (2) adopt the Order Setting Tax Rate for 2016, a copy of which is on file in the Official Records of the District.

3. AMENDED NOTICE TO SELLERS AND PURCHASERS

Consideration was given to the proposed Amended Notice to Sellers and Purchasers, which Notice sets forth the 2016 tax rate.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to approve the Amended Notice to Sellers and Purchasers, a copy of which is on file in the Official Records of the District.

4. 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 Casher, 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

5. TAX REPORT

The Board next considered the Tax Report, presented by Mr. Hernandez.

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

6. 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 August 18, 2016, as well as the town hall meeting held on August 25, 2016, were presented for approval.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to approve the minutes of said meetings, as presented.

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 Medina, seconded by Supervisor Carreon, 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. Electronic Payment Agreement with First Billing

The Board recognized Ms. Campbell, who reviewed with the Board an Electronic Payment Agreement with First Billing (the "Agreement"), to provide certain electronic and online payment options for the District's utility customers.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Carreon, the Board voted unanimously to approve the Agreement.

7. 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 6,732,000 gallons of water for the month.
- The District has 592 connections.
- The billed to pumped ratio was 77.5%.
- Ms. Campbell advised the Board that EDP met with Jacobs, TXDOT and its contractor on September 13, 2016 regarding utility relocations in connection with the Trammel Fresno road widening project. Jacobs provided EDP with a set of redlined plans with suggestions for the relocation. EDP is reviewing the plans and will provide cost estimates.
- Ms. Campbell advised the Board that EDP inspects fire hydrants twice each year, and flushes not less than annually.
- Ms. Campbell reported on a leak adjustment request from the customer at 3215 Ohio Street. Ms. Campbell recommended the Board grant an adjustment per the District's policy.

- Supervisor Carreon inquired about a service order to move meters on Rita Road.

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

Ms. Campbell advised that the repair to Booster Pump No. 3 was completed at a cost of \$5,573.50.

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

Ms. Campbell reported that EDP installed residential taps and meters at three locations for a total of \$2,047.50.

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; (ii) approve the customer leak adjustment request per the District's policy; and (iii) approve the Operator's Report.

8. 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**

- The project is being advertised for bids, with a mandatory pre-bid conference scheduled for September 19, 2016 and a bid opening meeting on September 29, 2016.

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

- The project is under construction.
- Mr. Dybala presented to the Board Invoice No. 2 from Geotest Engineering for materials testing in the amount of \$5,133.50. Mr. Dybala recommended approval of the Invoice. Upon motion duly made and seconded, the Board voted unanimously to approve Invoice No. 2.

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

- Town hall meetings are underway.

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

- The Project is fully complete, except for receipt of testing results for water line work at the Houston Street and FM 521 intersection.

5. **Phase II Water Plumbing Contract**

- The Engineer and Attorney have conducted initial meetings to finalize the contract. Waiting on resolution of problem applications.

6. **Phase III Water Plumbing Contract**

- Jacobs conducted the pre-construction meeting on September 15, 2016.

7. **Davis and West Davis Waterline Project**

- The contractor started construction on September 6, 2016.
- Mr. Dybala presented to the Board Invoice No. 1 from Geotest Engineering for materials testing in the amount of \$257.00. Mr. Dybala recommended approval of the Invoice. Upon motion duly made and seconded, the Board voted unanimously to approve Invoice No. 1.

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

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

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

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

10. **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.

11. **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 further 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.

- Water Treatment Plant Expansion – 01/04/2017
- Phase III Waterline Improvements – 03/07/2017
- Televue Terrace Water/Wastewater System – 04/21/17

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. In addition, Mr. Dybala presented for approval two new commercial applications for approval. Upon motion duly made and seconded, the Board voted unanimously to accept the commercial applications.

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

9. **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 November 17, 2016.

Calvin Casher
Secretary, Board of Supervisors

