

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

March 21, 2024

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, at 6:00 p.m. on Thursday, March 21, 2024, at 4521 F.M. 521 North, Fresno, Fort Bend County, Texas 77545, a designated meeting place inside the boundaries of the District, and the roll was called of the members of the Board, to wit:

Paul Hamilton	President
Rosa Linda Medina	Vice-President
Calvin Casher	Secretary
Rodrigo Carreon	Assistant Secretary
Erasto Vallejo	Assistant Secretary

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

Also present at the meeting were: Cindy Grimes with Municipal Accounts & Consulting, LP, the District’s Bookkeeper (“MAC”); David Dybala with Jacobs Engineering Group, Inc. (“Jacobs”), the District’s Engineer; Raquel Garcia and Robert Cardenas with Inframark, LLC (“Inframark”), the District’s Operator; members of the public, the names of whom are on file in the official public records of the District; and Christopher Cunningham and Michael R. Willis of Sanford Kuhl Hagan Kugel Parker Kahn LLP (“SK Law”), the District’s Attorney.

The meeting was called to order at 6:00 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

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

2. UPDATE ON SANITARY SEWER EASEMENTS ALONG TRAMMEL FRESNO ROAD

The Board first recognized Mr. Willis, who updated the Board concerning easement acquisition activities for the sanitary sewer line along Trammel Fresno Road to serve the development under design by Academy Development. No action was necessary in connection therewith.

3. BOOKKEEPER’S REPORT AND TAX ASSESSOR/COLLECTOR’S REPORT

The Board then considered the Bookkeeper’s Report presented by Ms. Grimes, a copy of which is on file in the official records of the District, and the invoices and checks presented for payment as follows:

A. Approval of Bills.

The Board reviewed the bills presented for payment, including the invoices discussed in more detail under the Engineer's Report.

B. Review Investment Report.

The Board reviewed the investment report.

C. Review Collateral Pledge Report.

The Board reviewed the Collateral Pledge report.

Ms. Grimes then presented the Tax Report from the Fort Bend County Tax Office.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously (i) to approve the Bookkeeper's Report; (ii) to authorize the payment of the checks and invoices listed therein; and (3) to approve the Tax Report.

4. ENGINEER'S REPORT

(a) Report on status of projects:

i) Gateway Acres Subdivision Wastewater Collection System

- Project was declared substantially complete and ready for District use on January 31, 2024...Reddico still needs FBC's approval of project so the County's permit can be closed out and then the project can be declared fully complete
- Working with Reddico regarding their PE#12, which will contain all final quantities for project...no PE this month for District's approval
- Per the August 2023 Board meeting, updated District deadlines for the project are: Project Substantially Completed (system operational) = end of November 2023...Project Fully Completed = end of 2023...Jacobs is tracking costs for performing CA and CO services for efforts in January and beyond

ii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Project was declared substantially complete and ready for District use on January 30, 2024...Reddico still needs to a) address various electrical punchlist items and b) secure FBC's approval of project so the County's permit can be closed out and then the project can be declared fully complete
- Above items need to be completed so final payment can be provided...No PE this month for District's approval
- Per the August 2023 Board meeting, updated District deadlines for the project are: Project Substantially Completed (system operational) = end of September 2023...Project Fully Completed = end of October 2023...Jacobs is tracking costs for performing CA and CO services for efforts in November and beyond

iii) Gateway Acres Subdivision Wastewater Plumbing Contract (199 properties within contract)

- Project awarded to AR Turnkey Construction Company, Inc for \$1,155,279.00...discuss status of agreement, performance and payment bonds, certificate of insurance, and 1295 form for review/approval by Board
- Request Board's approval of proposal from Terracon to perform material testing services for project for an estimated amount of \$40,055.00
- Anticipated Schedule: Construction Start = April/May 2024, Construction Completion = End of 2024

- iv) Fresno Ranchos Subdivision Wastewater Collection System
 - Project currently under design
- v) Expansion of Televue Terrace Subdivision Lift Station
 - Project currently under design

(b) Authorize Engineer to Prepare Plans and Specifications for Water/Wastewater Projects

- no action items

(c) Report on status of project funding and take necessary action related thereto.

- Project One-Year Warranty Expiration Dates
 - Gateway Acres Subdivision WW Collection System = 01/31/25
 - Fresno Ranchos Subdivision Lift Station and Forcemain = 01/30/25
- 2022 TCEQ Loan (\$10.45M) – funds from the loan are needed to fund the completion of a) Gateway Acres Sub WW Collection System project b) Fresno Ranchos Sub LS and FM project, and c) CoA WWTP Expansion Project
 - FBC CDBG Funds...will pursue funding source for future plumbing projects

(d) Projections for District Water and Wastewater Projects

- request Board approval to update information every January and July

(e) Discuss Emergency Preparedness Plan and take any necessary action related thereto

- review EPP in April each year to determine if any updates are required

(f) Status of Non-Residential Applications for Water Service –

Connected:	
4320 Doreen Avenue (Multi-Family Dwelling)	Interconnect with FBCMUD23
293 Teakwood Avenue (Multi-Family Dwelling)	La Fresno Food Mart
297 Teakwood Avenue (Multi-Family Dwelling)	Lou’s Back Porch
Church of God of Prophecy	LT No Limits
Crossroad Market	Mustang Community Center
Dollar General	MVP Auto Parts (Domestic & FW)
Enriquez Tire Shop (East Palm)	New Quality Life Ministries (Church)
FBC Water Connection at Water Plant	New Quality Life Ministries (Restaurant)
First Baptist Church of Fresno (Domestic & FW)	Papa Nick’s BBQ Kitchen – Mobile Food Truck
Fresno Gym (3941 FM 521)	PMC International Tire Shop
Fresno Market – FM521 (Domestic & Irrigation)	Quality Paint and Body (Pecan Street)
Fresno Motor	Richard Martini-Rental Livestock Pasture
Fresno Mount Corinth Baptist Church	Robbins Nest for Children (Domestic & FW)
Fresno Volunteer Fire Department	St. James Knanaya Church – Fire Tap
F&R Tax	St. James Banquet Hall – (Domestic & FW)
General Office Space (514 Pecan Street)	St. Peters & St. Pauls Orthodox Church of Houston
Gulf Coast LP Gas Company	Swingby#3 Gas Station (Domestic & Irrigation)
HEFCO Enterprises	Televue Terrace Subdivision Lift Station
Iglesia Bautista Del Calvario Church	Tiny Toes Academy
Iglesia Principe De Paz Church	Tire Shop at 1739A Trammel Fresno
Interconnect with City of Arcola	Valero Gas Station
	Welcome Foods

Connections Pending:	
E&J Auto Sales (Trammel Fresno Rd) - District Operator to update regarding service to customer	
Nalco Water (FM521) - District Operator to update regarding service to customer	
Sosa Electric (Avenue C) - District Operator to update regarding service to customer	

Processing Application:	
Parks Fresno Food Market (FM521) – Application completed by Jacobs and District Operator...Request Board’s approval of application	
St Peter and Paul Church (Illinois St) - waiting on all required docs from customer to complete application...customer currently receiving District water, but would like to add an additional building on property	
Lemark Investments (East Sycamore St) - waiting on all required docs from customer to complete application	
Quality Personal Care (703 East Palm) - Status = DA to send letter to customer regarding switch from residential to commercial service (including additional costs - \$500 application fee, tap fee, and private work cost)...follow through on paperwork when letter sent and communications with customer have been established	

*** Purolite investigating possibility of needing District water service for a potential new facility that would be constructed to the west of their existing facility

Status of Non-Residential Applications for Wastewater Service –

Connected:	
4320 Doreen Avenue (Multi-Family Dwelling)	General Office Space (514 Pecan Street)
293 Teakwood Avenue (Multi-Family Dwelling)	Mustang Comm Center (<i>minus field bathrooms</i>)
297 Teakwood Avenue (Multi-Family Dwelling)	New Quality Life Ministries (Church)
Church of God of Prophecy	New Quality Life Ministries (Restaurant)
First Baptist Church of Fresno	Quality Paint and Body (Pecan Street)
Fresno Volunteer Fire Department	

Connections Pending:	
Sosa Electric (Avenue C) - District Operator to update regarding service to customer	

Processing Application:	
Parks Fresno Food Market (FM521) – Application completed by Jacobs and District Operator...Request Board’s approval of application	
La Fresno Food Market (TFR) - Customer provided application and fee...Request Board’s approval to start working with customer to finalize application	

(g) Potential Emergency Water Interconnect with BCMUD21/22

- Submitted to Patrick Newton, Engineer (LJA) for BCMUD21/22, the District’s initial thoughts regarding the potential emergency water interconnect between our Districts (location at end of East Sycamore Road)
 - a. Vault to be located at the District’s eastern boundary line.

- b. Work within the District to upsize the existing 8” waterline to a 12” waterline would consist of predominately trenchless construction (no open cutting driveways).
- c. BCMUD21/22 to provide District Operator their water quality data and type of disinfection method used.
- d. BCMUD21/22 to provide District information regarding capacities of their water production facilities.
- e. BCMUD21/22 would be responsible for all costs associated with this emergency water interconnect project.
- f. BCMUD21/22 would be responsible for completing all efforts associated with this project (design, construction, permitting, agency approvals, etc...).

- Discuss with Board response from BCMUD21/22 – they pay if one-way...cost sharing if two-way...Estimated Cost Data (Total Est Project Cost = \$770k...Total Est CC = \$650k...Est CC for Vault = \$150k...Past Project CC for Vault = \$60k...possible cost sharing and not to exceed value)

The Board then recognized representatives of BCMUD21/22, who discussed the interconnect with the Board, including the willingness of BCMUD21/22 to bear the entire cost of the interconnect, its willingness to consider providing service to residents along the interconnect that our outside the boundaries of the District and BCMUD21/22.

(h) Status of New CoA WP –

- a. CoA WP is in service and interconnect between the District and CoA is now functioning as an emergency water interconnect
- b. Status of District paying funds owed to CoA regarding take back of 625 connections worth of water service
- c. Status of rework of RFC into a standard emergency water interconnect agreement and a waste disposal agreement

(i) Status of Current and Future WWTP Expansion Projects –

South Wastewater Service Area

- Current CoA WWTP Expansion Project (0.675 MGD to 0.95 MGD): NTP = June 16, 2023...Per communications with CoA on 02/21/24, the WWTP construction is 70% complete (currently waiting on delivery of equipment)...anticipate completion 3rd Q of 2024...District’s current WWTP capacity (0.35 MGD) is capable of providing wastewater service to 1,000 ESFCs
- Future CoA WWTP Expansion Project (0.95 MGD to 1.4 MGD) = received proposal for Board and Consultants to discuss which would increase the District’s WWTP capacity from 0.35 MGD to 0.8 MGD (capable of serving 2,285 ESFCs)...District would need to construct a 2nd forcemain from the Teleview Terrace LS in order to utilize this wastewater treatment capacity and beyond
- Ultimate CoA WWTP Expansion Project for District (maximum capacity for District of 1.905 MGD, which is capable of serving 5,442 ESFCs) = District Attorney to document this matter with CoA
- Potentially can increase the District’s connection capacity at CoA WWTP by conducting a re-rate study to lower the RFC value of 350 GPD/connection to a lessor value
- Anticipated Timeline for Full Use of WW Connection Capacity (Current 1,000 ESFC Connection Capacity):

Current Connections (Actual and Reserved) as of February 2024:

- Active Residential Connections Per Inframark = 544
 - Vacant Residential Connections Per Inframark = 26
 - In-Process Residential Connections Per Inframark = 11
 - Residential Connections in GA WW Plumbing Contract = 199
 - Residential Connections in Teal Gardens Development = 107
 - Active Non-Residential Connections, in ESFCs = 19
 - In-Process Non-Residential Connections, in ESFCs = 3
- Total = 909**

North Wastewater Service Area

- FBC and their Consultants are actively investigating potential properties for the District's north WWTP

(j) Roadway Widening Projects Within District (which will require utility and service line relocations):

- **South Post Oak Boulevard Widening Project (from W Sycamore to Trammel Fresno Rd):**

- **Scope** – Increased ROW width, with 2 lane road and additional lanes throughout sections, with roadside ditches
- **Schedule** –
 - County is currently in process of a) clearing ROW and acquiring easements and b) updating drainage design
 - Utility Relocations – propose our relocation work to be included in their updated plan set
 - Road Construction – FBC to update
- **Estimated Cost** -
 - Per communications with FBC Commissioner, all relocation costs will be paid for by the County

- **FM521 Roadway Widening Project (North of SH6):**

- Utility Relocations at Mustang Bayou – Work to be completed at same time that Roadway Contractor is under construction in area of project...work will consist of open cut versus trenchless construction as originally planned...removal of ARV manhole has been completed
- Utility Relocations from Willow St to Trammel Fresno Road – proposed utility relocation plan approved by Roadway Team and Inframark...information submitted to TxDOT for construction permit, which still has not been provided...Inframark working to secure a couple of cost proposals to complete work for Board approval
- Utility Relocations from Pecan St to SH6 – investigation still needs to be conducted
- Roadway Project Updates - Final roadway plans provided to District on 05/22/23...project let in April 2023...roadway construction underway with Granite Construction as Contractor...per Roadway Team, work within District to start along south bound lanes at the American Canal and Mustang Bayou, with the installation of the storm sewer first, at outfall first and then working outward, then with the installation of concrete pavement
- **Scope** – 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, side swales, and sidewalk
- **Schedule** –
 - Anticipate coordinating necessary water and wastewater utility relocations early 2024

- Anticipate roadway widening project to be completed in 2026
 - **Estimated Cost-**
 - Currently determining extent and cost for utility relocations...later will coordinate with Inframark and Roadway Team so solution and costs can be determined and presented to Board...NORA provided to District
- **FM521 Roadway Widening Project (South of SH6):**
 - **Scope** – 4 lane, divided roadway with raised median, curb and gutter, and side path...proposed detention pond along west side of CoA WWTP and new WWTP entrance roadway...including a proposed overpass at the BNSF RR crossing
 - **Schedule** –
 - 30% Utility Coordination meeting was conducted in September 2021
 - 60% Utility Coordination meeting was conducted in April 2022
 - 90% Utility Coordination meeting was conducted in October 2023
 - Anticipate 100% completed construction plans TBD
 - Anticipate roadway widening project to start construction in 2026
 - **Estimated Cost** –
 - NORA provided to District
 - Coordinating with Roadway Team so our relocations can be included in their construction plans, which they would design and their contractor construct...assistance would be provided by Jacobs and the District Operator throughout this process...requested that an agreement be provided to the District for this arrangement...currently this relocation effort would need to be paid for by the District, but still investigating the possibility that FBC or TxDOT possibly assist us financially
- **West Sycamore Road Widening Project (possibly sanitary sewer work):**
 - **Scope** – Proposed 100' ROW, with 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, and sidewalk
 - **Schedule** –
 - Received 95% complete roadway plans for review on August 11, 2022...requested updated plans, as drainage design is still being updated, prior to completing review
 - Anticipate 100% complete roadway plans - TBD
 - Coordinating with Roadway Team to have utility relocations (consider new sanitary sewer) included within their construction plans so relocations can be done by their contractor
 - Anticipate roadway widening project to start construction - 2024
 - **Estimated Cost** –
 - Per communications with FBC Commissioner, all relocation costs will be paid for by the County
- **Evergreen Road Widening Project (California Rd to Mustang Bayou):**
 - **Scope** – Proposed 80' ROW, with 2-12' lanes, 6' shoulders, asphalt roadway, with roadside ditches
 - **Schedule** –
 - Working on 30% complete roadway plans...no overall schedule provided yet
 - Coordinating with Roadway Team to have utility relocations included within their construction plans so relocations can be done by their contractor
 - **Estimated Cost** –

- Per communications with FBC Commissioner, all relocation costs will be paid for by the County
- **Evergreen Road Widening Project (Mustang Bayou to FM521):**
 - **Scope** – Proposed 80’ ROW, with 2-12’ lanes, 6’ shoulders, asphalt roadway, with roadside ditches
 - **Schedule** –
 - Provided 70% complete roadway plans for review and comment...no overall schedule provided yet
 - Coordinating with Roadway Team to have utility relocations included within their construction plans so relocations can be done by their contractor
 - **Estimated Cost** –
 - Per communications with FBC Commissioner, all relocation costs will be paid for by the County

Other Road Widening Projects Within District (Lake Olympia Pkwy, California Road, Kentucky Road, Linden Street, Kansas St, 3rd Street...consider water and wastewater utility work) – FBC to provide update

Upon motion made by Supervisor Vallejo, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to (1) approve the contract with AR Turnkey Construction Company, Inc. for the Gateway Acres Wastewater Plumbing Project (the “Project”); (2) approve the agreement with Terracon for material testing related to the Project; and (3) approve the Engineer’s Report, as presented.

5. OPERATOR’S REPORT/TERMINATION OF SERVICE

Next the Board recognized Ms. Garcia, who submitted to and reviewed with the Board the Operator’s Report, a copy of which is on file in the official records of the District.

A. Repairs to Water and Wastewater systems

Ms. Garcia reported substantial system repairs and maintenance as follows:

- Inframark cleaned the lift station due to grease causing issues with the floats.
- Inframark installed 3 residential water taps.
- Inframark completed the fire hydrant survey.
- Inframark repaired a water valve on the main line at FM 521 at E. Sycamore.
- Inframark completed monthly dead-end flushing.
- Inframark purchased subcontracted services for the Arcola smart meter.
- Inframark purchased subcontracted services for commercial meter testing.
- Inframark completed the annual generator electrical load test.

Ms. Garcia then updated the Board on the following:

1. Red Flag Letter: There was no activity indicative of identity theft through questionable documentation, phone conversations, payment activity, account activity, or employee activity.
2. Water Leak Adjustment Requests: Two customers requested adjustment to their accounts.
3. Lift Station Pump No. 3: Ms. Garcia requested authorization to repair lift pump No. 3 at an estimated cost of \$4,505.00.

4. Write-offs: There are 14 accounts recommended for write-off to send to collections in the total amount of \$11,648.88.
5. Accurate Meter Testing Update: The requested bench test was completed, showing 100 percent accuracy.
6. FM 521 Road Widening Relocation: The Board authorized the relocation plan proposed by Texas Hot Taps at the October meeting for the estimated amount of \$70,956.36. This is in progress. In connection therewith, Ms. Garcia presented a revised proposal from Texas Hot Taps for \$53,233.70.

B. Requests for Water Taps

Ms. Garcia did not report any requests at this time.

C. Delinquent Water Accounts and Service Terminations

Ms. Garcia provided a confidential list of customers that received a delinquent letter by mail and are subject to disconnection of service.

Upon a motion duly made by Supervisor Carreon, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve the Operator's Report, the repairs to the water and wastewater system, the leak adjustment requests, and the termination list.

6. ATTORNEY'S REPORT

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

A. Approval of Minutes

The proposed minutes of the meetings held on January 18 and February 15, 2024, were presented for approval.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the minutes as presented.

B. Regional Facilities Contract

The Board noted there was no action necessary in connection with the Regional Facilities Contract.

C. Certificate of Unopposed Candidates

Mr. Willis then presented to the Board a Certificate of Unopposed Candidates (the "Certificate"), which certifies that the three candidates for Supervisor are unopposed.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to accept the Certificate.

D. Order Canceling Election and Declaring Unopposed Candidates Elected to Office

Mr. Willis then presented a proposed Order Canceling Election and Declaring Unopposed Candidates Elected to Office (the “Order”). The Board noted that, per the Certificate, Candidates Hamilton and Carreon are unopposed for the May 4, 2024, 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 by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to adopt the Order, thereby canceling the Supervisors Election called for May 4, 2024, and declaring Rosa Linda Medina, Calvin Casher and Erasto Vallejo elected to the Board for a four (4) year term which expires in May 2028. A copy of the Order is on file in the Official Records of the District.

D. TWDB Closeout Documents

Mr. Willis then presented final source and use of funds reports for the District’s Series 2006B, 2008, 2015 and 2019 issued through the Texas Water Development Board (the “Reports”).

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the Reports.

7. REGIONAL PLANT COMMITTEE REPORT

The Board then considered the Regional Plant Committee Report.

Upon a motion made by Supervisor Vallejo, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the Regional Plant Committee Report.

8. HEAR FROM THE PUBLIC.

The Board then 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 4/18/24.


Secretary, Board of Supervisors

[SEAL]

