

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

November 16, 2023

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, November 16, 2023, 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, with Supervisor Medina appearing via Zoom, 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 Environmental Development Partners (“EDP”), the District’s Operator; members of the public, the names of whom are on file in the official public records of the District; and Michael R. Willis of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), the District’s Attorney.

The meeting was called to order at 6:04 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. 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 (iii) to approve the Tax Assessor/Collector's Report.

3. ENGINEER'S REPORT

The Board recognized Mr. Dybala, who then presented the Engineer's Report, a copy of which is on file in the official records of the District, and is excerpted below:

(a) Report on status of projects:

- i) Gateway Acres Subdivision Wastewater Collection System
 - Reddico has installed all of the wastewater collection system...currently working on completion of a) testing of installed system and reviewing sanitary sewer videos and b) overall site restoration...overall project is approximately 95% complete
 - Request Board's approval of PE#11 from Reddico for construction of project in the amount of \$392,377.68
 - Request Board's approval of Invoice #10 and #11 from Terracon for material testing for the project in the amount of \$6,915.00 and \$2,872.50, respectively
 - Per the August 2023 Board meeting, updated deadlines for the project are: Project Substantially Completed (system operational) = end of November 2023...Project Fully Completed = end of this year
 - Reddico currently working with resident at 1434 Avenue A regarding damaged fence
- ii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
 - Reddico still needs to complete remaining electrical work and overall site restoration...once electrical service is provided to site, testing needs to be performed so system can be considered operational and a final punchlist list provided
 - Acclaim (District's Energy Consultant) working to schedule installation of electrical meter and power to the site...anticipated date of November 20th...after electrical service is provided, efforts will be made to secure phone service
 - Overall project is approximately 97.5% complete
 - Request Board's approval of Invoice #9 from Terracon for material testing for the project in the amount of \$6,543.90
 - Per the August 2023 Board meeting, updated deadlines for the project are: Project

Substantially Completed (system operational) = end of September 2023...Project Fully Completed = end of October 2023...have requested an updated schedule from Reddico as project is still not complete

- Jacobs is tracking costs for performing CA and CO services for efforts in November and beyond

iii) Gateway Acres Subdivision Wastewater Plumbing Contract

- Currently preparing contract for advertisement...will advertise project once certain milestones are met for the Fresno Ranchos Subdivision LS&FM project (system operational) and Gateway Acres Subdivision WW Collection System project (testing completed and sanitary sewer videos reviewed with no issues found)
- Anticipated Schedule: Advertisement = December 2023, January 2024 = Award Contract, February 2024 = Contract Execution, March 2024 thru August 2024 = Construction
- A total of 197 applications were secured during the townhall meetings...Discuss possible additions to contract for properties adjacent to the north ROW line of Trammel Fresno Road (District Attorney and Operator to secure all needed info for customers so they can be included in the contract)...Discuss property at NW corner of Trammel Fresno Road and Pennsylvania St (both water and wastewater service)

iv) Fresno Ranchos Subdivision Wastewater Collection System

- Project currently under design

v) Expansion of Teleview 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
 - WP#2 One-Year Warranty Expiration Date Expires on 01-19-24
- 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	

Processing 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	
Sosa Electric (Avenue C) - Jacobs completed review of application...waiting for comments from District Operator regarding application	
Parks Fresno Food Market (FM521) – waiting on all required docs from customer to complete application	
Lemark Investments (East Sycamore St) - customer provided application fee...request Board’s approval to start processing application...waiting on all required docs from customer to complete application	

Quality Personal Care (703 East Palm) - discuss with Board matter

*** **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:	

Processing Application:	
Sosa Electric (Avenue C)	
- Jacobs completed review of application...waiting for comments from District Operator regarding application	
Parks Fresno Food Market (FM521)	
– waiting on all required docs from customer to complete application	

(g) Potential Emergency Water Interconnect with BCMUD21

- Discuss with Board information received from Kane Mudd, Engineer (LJA) for BCMUD21 regarding potential emergency water interconnect between our Districts (location at end of East Sycamore Road)

(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 CoA Current and Future WWTP Expansion Projects –

- Current WWTP Expansion Project (0.675 MGD to 0.95 MGD): NTP = June 16, 2023...Estimated Completion = 1st/2nd Q 2024
- District’s current WWTP capacity (0.35MGD) is capable of providing wastewater service to 1,000 ESFCs (350 GPD/connection)
- DA to discuss a) status of current and future WWTP expansion projects, b) possible options for increasing the connection capacity for the District (revision to RFC based on re-rate study)

{possibly different re-rate numbers for each entity}), c) purchase/lease capacity from CoA, d) initiate next WWTP expansion, e) CoA's WWTP's ultimate treatment capacity (4.6MGD) and FW's maximum capacity at CoA's WWTP (1.905MGD), which needs to be documented, and f) status of District's WWTP in north wastewater service area

- Anticipated Timeline for Full Use of WW Connection Capacity (Current 1,000 ESFC Connection Capacity):

Current Connections (Actual and Reserved) as of August 2023:

- o Active Residential Connections Per Inframark = 542
- o Vacant Residential Connections Per Inframark = 24
- o In-Process Residential Connections Per Inframark = 2
- o Residential Connections in GA WW Plumbing Contract = 197
- o Residential Connections in Teal Gardens Development = 107
- o Active Non-Residential Connections, in ESFCs = 19
- o In-Process Non-Residential Connections, in ESFCs = 3

Total = 894

***Per historical information from Inframark, approximately 2 wastewater connections are made each month

- Next WWTP Expansion Options:

- o Current WWTP Capacity = 350,000 GPD = 1,000 Conn
- o Next WWTP Expansion = District has notified the CoA that an additional 0.5 MGD of wastewater treatment capacity is needed, which would bring the District's total wastewater treatment capacity to 0.85 MGD and capable of providing wastewater service to 2,428 connections...it is projected that it will take the District at least 15 years to fully utilize this capacity (some assumptions used to make this statement = 350 gpd/conn, next WWTP expansion project gets started ASAP, funding of projects is not an issue, 70% success rate for connections in plumbing projects, annual connection rate is approximately 2 conn/month, no major delays, no additional developers or major developments)
- o Discuss possibility of District receiving capacity beyond 0.5 MGD additional capacity request to CoA

(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):**

- o **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 – waiting on FBC for funding agreement and updated construction plans
- 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 – working with TxDOT to secure permit for Texas Hot Taps to complete work
- Utility Relocations from Willow St to Trammel Fresno Road – design still underway
- 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 should have started on November 1st...anticipated contractor is Granite Construction...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 start construction on November 1st

○ **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 Casher, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to (1) approve Pay Estimate No. 11 from Reddico in the amount of \$392,377.68 for the Gateway Acres Subdivision Wastewater Collection System Project; (2) approve Invoice Nos. 10 and 11 from Terracon for material testing in the amount of \$6,915.00 and \$2,872.50, respectively; (3) approve Invoice No. 9 from Terracon for material testing in the amount of \$6,543.90 for the Fresno Ranchos Lift Station and Force Main Project; and (4) approve the Engineer's Report, as presented.

4. 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:

- EDP excavated and located a leak on a service line and completed necessary related repairs.

Ms. Garcia then updated the Board on the following:

1. 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.
2. Water Plant No. 1: The Board authorized the repair of Booster Pump No. 1 at the September meeting for the estimated cost of \$9,325.00. This is complete, pending an invoice.
3. City of Arcola Smart Meter: EDP received an estimate of \$12,500.00 for the 8" meter and enclosure with Beacon Endpoint for the sewer accountability readings. The meter is scheduled to be installed this week.

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 Medina, 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, and the termination list.

5. 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 meeting held on October 19, 2023, were presented for approval. The Board deferred action on the minutes.

B. Regional Facilities Contract

The Board considered the request from the City of Arcola (the “City”) to reduce the requested capacity in the future expansion from 500,000 gallons per day (“GPD”) to 450,000 GPD.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to reduce the capacity request to 450,000 GPD.

C. Consider Use of Eminent Domain for sanitary sewer easements

The Board deferred action on this matter.

D. Consider approving Resolution Authorizing Engagement of Appraiser to Appraise Certain Land, Authorizing Attorney to Negotiate for the Purchase of Certain Land and to Make a Final Offer, and Authorizing Condemnation Proceedings

The Board deferred action on this matter.

6. REGIONAL PLANT COMMITTEE REPORT

The Board next recognized Supervisor Hamilton, who presented the Regional Plant Committee Report.

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

7. ENGAGE AUDITOR FOR FISCAL YEARS ENDING DECEMBER 31, 2023 and 2024

The Board again recognized Mr. Willis who then presented the engagement letter for audit services for the fiscal years ending December 31, 2023 and 2024 by McCall Gibson Swedlund Barfoot PLLC.

Upon a motion made by Supervisor Casher, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the audit proposal.

8. ADDITION OF RESIDENTIAL WASTEWATER CONNECTIONS TO GATEWAY ACRES PLUMBING CONTRACT

The Board opened the meeting to receiving applications from the affected residents. No action was necessary in connection therewith.

9. 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 December 17, 2023.

Cabrin Cashen
Secretary, Board of Supervisors

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