

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

May 16, 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, May 16, 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, with Supervisor Carreon entering the meeting in progress at 6:25 p.m. and 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; Tommy Merck 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 Michael R. Willis of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), the District’s Attorney.

The meeting was called to order at 6:10 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. QUALIFICATION OF SUPERVISORS**

The Official Oath of Office and Sworn Statement of Supervisors Casher and Vallejo were then presented for approval. The Board noted that Supervisors Casher and Vallejo had executed the Sworn Statement and taken the Oath of Office, in accordance with the provisions of Section 49.055 of the Texas Water Code.

Upon motion made by Supervisor Hamilton, and seconded by Supervisor Casher, the Board voted unanimously to accept said Sworn Statement and Oath and to authorize that each be filed and retained in the District’s official records, and that such Oath be filed with the Secretary of State of the State of Texas.

### **3. 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.

### **4. 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, noting that the District's taxes are 75.50 percent collected for 2023.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, 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.

### **5. ENGINEER'S REPORT**

#### **(a) Report on status of projects:**

- i) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
  - Project was declared substantially complete and ready for District use on January 30, 2024...Reddico's electrical sub needs to install electrical warning labels out at site in order for project to be declared fully complete
  - Above item needs 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
- ii) Gateway Acres Subdivision Wastewater Plumbing Contract (199 properties within contract)
  - Per latest communications from Contractor, they intend on mobilizing next week...submittals for project have been provided
  - Anticipated Schedule: Construction Start = May 2024, Construction Completion = End of 2024
- iii) Fresno Ranchos Subdivision Wastewater Collection System
  - Project currently under design

- iv) Expansion of Televue Terrace Subdivision Lift Station
  - Project currently under design...anticipate submitting Engineering Study Report at July Board meeting
- v) Teal Gardens Development
  - Developer working on acquisition of all utility easements for project...once easements are secured, District will complete review of on-site and off-site utility plans...approval of project is also needed from the TCEQ, FBC, and City of Houston
  - District Attorney to discuss any other matters related to development agreement

**(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) Fresno Ranchos Sub LS and FM project and b) 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 –**

<b>Connected:</b>	
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

<b>Interconnect with City of Arcola</b>	<b>Valero Gas Station</b>
	<b>Welcome Foods</b>

<b>Connections Pending:</b>	
<b>Nalco Water (FM521)</b> - District Operator to update regarding service to customer...per District Operator, tap fee was paid	
<b>Sosa Electric (Avenue C)</b> - District Operator to update regarding service to customer. The Board recognized Mr. Sosa, who requested a 24 month payment plan for the applicable tap and connection charges.	
<b>Parks Fresno Food Market (FM521)</b> - District Operator to update regarding service to customer	

<b>Processing Application:</b>	
<b>St Peter and Paul Church (Illinois St)</b> - application process started on 02/07/23...received new information from customer on 05/14/24 for review...customer currently receiving District water, but would like to add an additional building on property	
<b>Lemark Investments (East Sycamore St)</b> - waiting on all required docs from customer to complete application...application process started on 10/12/23	
<b>Quality Personal Care (703 East Palm)</b> - DA and Operator to provide update on customer paying all fees associated with District providing commercial water service (application fee, tap fee, and private work cost)...follow through on paperwork when communications with customer have been established regarding this matter...per District Operator, rates have already been updated. The Board recognized Ms. Ahamba, who discussed the account, and requested a 24 month payment plan for the applicable tap and connection charges.	

\*\*\* Puro-lite 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 –**

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

<b>Connections Pending:</b>	
<b>Sosa Electric (Avenue C)</b> - District Operator to update regarding service to customer	
<b>Parks Fresno Food Market (FM521)</b> - District Operator to update regarding service to customer	

<b>Processing Application:</b>	
<b>La Fresno Food Market (TFR)</b> - Application has been reviewed and approved by Jacobs and District Operator...request Board's approval of application	
<b>Fresno Fiesta (TFR) [previously known as Crossroad Market Store]</b> - Customer provided District application with application fee...request Board's approval to start working on application...customer already has District water service	

**(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...).
- Per 04/12/24 email from LJA, BCMUD21/22 proposes that FW pay \$355k if they were to use interconnect...District requests that BCMUD21/22 attend District meeting to discuss matter

Mr. Dybala also informed the Board that according to the representatives of BCMUD21/22, they will not be able to provide water service to the residents that live outside the boundaries of the District and BCMUD21/22, as their rate order will only allow service if both water and wastewater are provided.

**(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 3<sup>rd</sup> 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 2<sup>nd</sup> forcemain from the Televue 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 – Work was awarded to Tackle Construction for \$429,100.00 and TxDOT permit has been secured...District Operator to coordinate work with Tackle Construction, which is anticipated to be completed in 4 to 5 months
- 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 mid 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 - TBD
  - **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
- **West Sycamore Road and South Post Oak Boulevard Intersection:**
  - **Scope** – Widening of intersection to accommodate roadway widening projects along West Sycamore Road and South Post Oak Boulevard...Project also includes roadway widening project along West Sycamore Road to the west of this intersection
  - **Schedule** – TBD, but should occur prior to roadway widening projects to the east and north of this intersection
  - **Estimated Cost** – This project will involve the relocation of the District’s waterline at this intersection...it has been communicated multiple times to the roadway team that it is the District’s understanding that all costs associated with this relocation will be paid for by FBC...The District should be able to review and approve these relocations and the Roadway Contractor should be coordinating all work with the District Operator
- (a) **Other Road Widening Projects Within District (Lake Olympia Pkwy, California Road, Kentucky Road, Linden Street, Kansas St, 3<sup>rd</sup> 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) authorize a 24 month payment plan for the applicable tap charges for Sosa Electric and Quality Personal Care; (2) approve the application of La Fresno Food Market; (3) authorize Jacobs to work on the application for Fresno Fiesta; and (4) approve the Engineer’s Report, as presented.

## **6. OPERATOR’S REPORT/TERMINATION OF SERVICE**

Next the Board recognized Mr. Merck, 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**

Mr. Merck reported substantial system repairs and maintenance as follows:

- Inframark repaired Lift Pump No. 3.
- Inframark resealed a sanitary manhole.
- Inframark excavated and repaired a service line leak.
- Inframark completed monthly dead-end flushing.



Mr. Merck then updated the Board on the following:

1. 2023 Consumer Confidence Report (“CCR”): Included with the Operator’s Report is a draft copy of the 2023 CCR for review. TCEQ and USEPA rules require that the District deliver this report annually before July 1.
2. Water Leak Adjustment Requests: None.
3. 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. Subsequently, the estimate was amended to \$53,233.70. This is in progress.

**B. Requests for Water Taps**

Mr. Merck did not report any requests at this time.

**C. Delinquent Water Accounts and Service Terminations**

Mr. Merck 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 Casher, seconded by Supervisor Vallejo, 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.

**7. 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 April 18, 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. Consider Resolution Regarding Unclaimed Property**

Mr. Willis presented to and reviewed with the Board the Unclaimed Property Report, noting that the District’s Bookkeeper identified \$996.02 in unclaimed funds.

Upon motion by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Unclaimed Property Report. A copy of the Unclaimed Property Report is on file in the official records of the District.

**D. Consider approving Resolution Regarding Annual review of Emergency Preparedness Plan**

Mr. Willis next presented to and reviewed with the Board the proposed Resolution Regarding Annual Review of Emergency Preparedness Plan (“EPP”) (the “Resolution”), and noted that the Engineer and Operator have not recommended any changes to the EPP at this time.

Upon motion by Supervisor Vallejo, seconded by Supervisor Casher, the Board voted unanimously to approve the Resolution. A copy of the Resolution is on file in the official records of the District.

**E. Annual Arbitrage Report**

Mr. Willis presented to the Board the Annual Arbitrage Report from Municipal Risk Management Group. Mr. Willis noted that the report recommended no action at this time.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Annual Arbitrage Report.

**8. REGIONAL PLANT COMMITTEE REPORT**

The Board then considered 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.

**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 July 18, 2024.

Calvin Casper  
Secretary

[SEAL]

