

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

August 15, 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 10:30 a.m. on Thursday, August 15, 2024, at 1980 Post Oak Boulevard, Suite 1380, Harris County, Texas 77056, a designated meeting place outside 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, 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; Robert Cardenas with Inframark, LLC (“Inframark”), the District’s Operator; David Smalling with Robert W. Baird & Co., Incorporated (“Baird”), the District’s Financial Advisor; Patrick Newton with LJA Engineering; 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 10:33 a.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**

**A. Legal Fee Agreement with McFarland PLLC**

The Board first considered a legal fee agreement (the “Agreement”) with McFarland PLLC for condemnation services in connection with the Trammel Fresno Road sanitary sewer easements.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Agreement with McFarland PLLC.

**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, noting that the District's taxes are 91.34 percent collected for 2023.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, 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 Plumbing Contract (199 properties within original contract)
  - Contractor currently working on properties west of Alice St
    - o Connection Update:
      - Approximately 23 properties connected to District's WW System (additional work still required on these properties)
      - 10 properties were removed from project due to properties not securing water service or were not a single-family residential property
  - Anticipate project being completed by the end of this year
  - Issues:
    - o District Operator to provide update for a) 1110 Avenue A, GA Sec 1, B2, L7 (meter in place, but customer has not connected to house) and b) 3626 Rita St, GA Sec 3, B6, L28 (is this a vacant property?)
    - o The Board voted unanimously to authorize a letter to the property owner at 1110 Avenue A.
- ii) City of Arcola WWTP Expansion Project (0.675 MGD to 0.95 MGD)
  - Project under construction and anticipated to be fully complete August/September 2024...once completed, the District will have 0.35 MGD of WWTP capacity (on paper and on ground)
  - Waiting for final invoices from CoA for payment

- iii) Fresno Ranchos Subdivision Wastewater Collection System
  - Project currently under design
- iv) Expansion of Teleview Terrace Subdivision Lift Station
  - Project currently under design...anticipate submitting Engineering Study Report at upcoming Board meetings
- 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
- vi) City of Arcola WWTP Expansion Project (0.95 MGD to 1.4 MGD)
  - Project is currently under design...once completed, the District will have 0.8 MGD of WWTP capacity
  - Received 70% complete drawings on August 1<sup>st</sup> from CoA for review
- vii) Water Plant No. 2 Generator (assumed to be a 750 KW generator...same size as WP#1) – still investigating scope of work. The Board discussed the possibility of natural gas.
- viii) Portable Diesel Generator for LS's and Double Walled Diesel Storage Tank...detailed information provided to Inframark for them to research matter (see attachments)
  - Portable Diesel Generator = a) size and cost for generator, b) cost of metal shed with concrete foundation and bollard for securing, and c) proposed location for storing
  - Double Walled Diesel Storage Tank = a) size and cost for storage tank and b) proposed location(s) for storing

**(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 the CoA WWTP Expansion Project (0.675 MGD to 0.95 MGD)
- 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>	
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4320 Doreen Avenue (Multi-Family Dwelling)	La Fresno Food Mart
293 Teakwood Avenue (Multi-Family Dwelling)	Lou's Back Porch
297 Teakwood Avenue (Multi-Family Dwelling)	LT No Limits
Church of God of Prophecy	Mustang Community Center
Dollar General	MVP Auto Parts (Domestic & FW)
Enriquez Tire Shop (East Palm)	Nalco Water (FW)
FBC Water Connection at Water Plant	New Quality Life Ministries (Church)
First Baptist Church of Fresno (Domestic & FW)	New Quality Life Ministries (Restaurant)
Fresno Fiesta	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	Quality Personal Care
Fresno Mount Corinth Baptist Church	Richard Martini-Rental Livestock Pasture
Fresno Volunteer Fire Department	Robbins Nest for Children (Domestic & FW)
F&R Tax	St. James Knanaya Church – Fire Tap
General Office Space (514 Pecan Street)	St. James Banquet Hall – (Domestic & FW)
Gulf Coast LP Gas Company	St. Peters & St. Pauls Orthodox Church of Houston
HEFCO Enterprises	Swingby#3 Gas Station (Domestic & Irrigation)
Iglesia Bautista Del Calvario Church	Televue Terrace Subdivision Lift Station
Iglesia Principe De Paz Church	Tiny Toes Academy
Interconnect with City of Arcola	Tire Shop at 1739A Trammel Fresno
Interconnect with FBCMUD23	Valero Gas Station
	Welcome Market

<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>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. The Board voted to send a letter indicating the application will be expired if not completed by the end of the year.	
<b>Lemark Investments (East Sycamore St)</b> - application process started on 10/12/23...received new information from customer on 07/16/24 for review	
<b>Duplex (1615 Avenue C)</b> - received application with fee...request Board's approval to start processing application	

\*\*\* Puroлите 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>	
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> )

<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>La Fresno Food Market (TFR)</b>	
- District Operator to update regarding service to customer...customer currently has District water service	

<b>Processing Application:</b>	
<b>Fresno Fiesta (TFR) [previously known as Crossroad Market Store]</b>	
- Waiting for customer to provide plumbing info...customer already has District water service	
<b>Welcome Market (TFR)</b>	
- Waiting for customer to provide plumbing info...customer currently has District water service	
<b>Duplex (1615 Avenue C)</b>	
- received application with fee...request Board's approval to start processing 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...).
- 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
- District also considering possibility of paying ½ of vault cost with a NTE value...DA handling agreement, which includes cost sharing considerations.

The Board then recognized Mr. Newton, who discussed the proposed interconnect with the Board. The Board proposed an offer to pay for half of the vault cost, and Mr. Newton indicated he would take such offer back to the Board of 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**

- See Item A above for status of current projects
- CoA working on securing WWTP Discharge Permit for ultimate capacity of WWTP (4.6 MGD)...permit will also include an interim phase of 1.4 MGD...anticipate permit being secured with TCEQ early 2025
- 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 June 2024:

- o Active Residential Connections Per Inframark = 552
- o Vacant Residential Connections Per Inframark = 26
- o In-Process Residential Connections Per Inframark = 9
- o Residential Connections in GA WW Plumbing Contract = 199
- o Residential Connections in Teal Gardens Development = 107
- o Active Non-Residential Connections, in ESFCs = 19
- o In-Process Non-Residential Connections, in ESFCs = 11

**Total = 923**

**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...relocation efforts are underway and anticipated to be completed August/September 2024

○ 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 by 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 Carreon, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to approve the Engineer's Report, as presented.

**5. OPERATOR'S REPORT/TERMINATION OF SERVICE**

Next the Board recognized Mr. Cardenas, 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. Cardenas reported substantial system repairs and maintenance as follows:

- Inframark rented a generator for Lift Station 1 to pump down the facility.
- Inframark repaired landscaping following a repair at 214 Crescent B Drive.
- Inframark installed a shoring box and a backflow assembly at 514 Cypress Ave.
- Inframark completed fire hydrant repairs at 3302 Maryland, 110 A Willow, 235 E Sycamore and 1436 Alice.
- Inframark removed and replaced four 8D batteries for the generator at Water Plant 1.
- World Wide Power completed the annual test on the generator at Water Plant No. 1.
- Inframark installed 12 residential water taps.

Supervisor Carreon inquired about the status of repairs to the fire hydrant at 3723 Edie. Supervisor Carreon further inquired whether the fire hydrants may be numbered for leak identification purposes.

Mr. Cardenas then updated the Board on the following:

1. Write-offs: Inframark is recommending 14 accounts to be written off and sent to collections in the total amount of \$2,121.68.

2. Water Leak Adjustment Requests: Mr. Cardenas presented a leak adjustment request pursuant to the District's policy, and recommended approval.
3. Water Plant 2: The Board authorized repair of the Paco Split Case Pump on Booster Pump No. 4 for the estimated amount of \$8,625.00. This repair is on schedule.
4. Water Plant No. 1: The Board authorized repairing the well motor for an estimated cost of \$29,615.00. The rental motor was installed on July 5<sup>th</sup>.
5. 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. Cardenas did not report any requests at this time.

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

Mr. Cardenas 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 Medina, and after full discussion, the Board voted unanimously to approve the Operator's Report, the recommended write-offs, 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 May 16 and June 20, 2024, were presented for approval.

Upon motion duly made by Supervisor Carreon, seconded by Supervisor Medina, the Board voted unanimously to approve the minutes of May 16 and June 20, 2024, as presented.

**B. Regional Facilities Contract**

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

**7. DISCUSS 2024 TAX LEVY AND CALL PUBLIC HEARING**

The Board recognized Mr. Smalling and considered the Tax Rate Analysis prepared by Baird. After discussion with Mr. Smalling, the Board determined that the District is continuing to develop and should be classified under Section 49.23603, Texas Water Code. The Financial Advisor recommended a debt service tax rate of \$0.50 per \$100 of assessed valuation and an operation and maintenance tax rate of \$0.50 per \$100 of assessed valuation for a total tax rate of \$1.00 per \$100 of assessed valuation. Mr. Willis reminded the Board the process of setting the tax rate has two steps. The first step is to establish a proposed tax rate, call a public hearing on the proposed tax rate, and authorize publication of notice of the proposed

tax rate and public hearing in a newspaper of general circulation in Fort Bend County. The second step is to conduct the public hearing and officially set the tax rate.

Upon a motion made by Supervisor Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to (1) establish its intent to set and levy for 2024 (i) a debt service tax rate in the amount of \$0.50 per \$100 of assessed valuation, and (ii) an operation and maintenance tax rate of \$0.50 per \$100 of assessed valuation, for a total tax rate of \$1.00 per \$100 of assessed valuation, (2) to call a public hearing on the proposed tax rate for Thursday, September 19, 2024, at 6:00 P.M. at the regular meeting place of the Board, and (3) to authorize publication of the proposed tax rate and public hearing.

At this time, Mr. Smalling left the meeting.

**8. REGIONAL PLANT COMMITTEE REPORT**

The Board then considered the Regional Plant Committee Report.

Upon a motion made by Supervisor Casher, seconded by Supervisor Medina, 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 9/19/24.

Calvin Casher  
Secretary

[SEAL]

