

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

November 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, November 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:

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| 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 Vallejo, 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 and Justin Ubersnosky with Inframark, LLC (“Inframark”), the District’s Operator; and Christopher Cunningham 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. UPDATE ON SANITARY SEWER EASEMENTS ALONG TRAMMEL FRESNO ROAD AND PROPOSED WWTP SITE ON NAILL ROAD

Mr. Willis then updated the Board on the pending sanitary sewer easements and proposed WWTP site. Mr. Willis advised the Board that the condemnation attorneys have not been able to negotiate access to the proposed WWTP site for the purposes of geotechnical and environmental testing. In connection therewith, Mr. Willis requested authorization for the condemnation attorneys to file an injunction to allow access.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to authorize McFarland PLLC to file an injunction to gain access to the proposed WWTP site.

Mr. Willis then presented the draft sundial easement prepared by Fort Bend County. Mr. Willis noted that Mr. Dybala had not yet reviewed the proposed easement document.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the sundial easement, subject to final comment from the engineer and attorney.

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 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)

o Connection Update:

- Approximately 155 properties connected to District's WW System...of those, 97 properties are fully complete, including issuance of green door hanger to resident, and the remaining still require some additional work for the property to be considered fully complete
- 16 properties were removed from project due to a) properties not securing or properly maintaining water service, b) were not a single-family residential property, c) paid for and installed a wastewater connection prior to the plumbing project, and d) connected to the District's wastewater collection system illegally
- 10 properties have issues that Inframark (9) and DA (1) need to resolve in order for properties to be connected to District wastewater system

- Request Board's approval of Invoice No. 4 from Terracon for material testing services for \$3,608.75
 - Anticipate PE#1 from AR Turnkey at December Board meeting
 - Anticipate project being completed by the end of this year
- ii) City of Arcola WWTP Expansion Project (0.675 MGD to 0.95 MGD)...District will have 0.35 MGD of WWTP Capacity
- Per correspondence from CoA, a remaining punchlist item for the project (startup of an aeration blower) needs to be completed in order for the project to be declared complete...afterwards District will need final invoice from CoA to process and make payment and correspondence to TCEQ that project has been completed
- iii) Fresno Ranchos Subdivision Wastewater Collection System
- Project currently under design
- iv) Expansion of Televue Terrace Subdivision Lift Station
- Engineering Study Report was approved by the TCEQ
 - Currently finalizing construction drawings and contract manual so project can be advertised
- v) Teal Gardens Development
- DA working on condemnation efforts to secure remaining utility easements for project...Developer needs approval of project from TCEQ, FBC, and City of Houston...once easements have been secured and applicable governmental agencies have approved plans, District will complete their review and approval of the on-site and off-site utility plans
- vi) City of Arcola WWTP Expansion Project (0.95 MGD to 1.4 MGD)
- Project is currently under design...once construction is completed, the District will have 0.8 MGD of WWTP capacity
 - Received last month "near" 100% complete drawings
 - Per updated schedule from CoA provided last month, it is anticipated that the construction contract will be award at the end of May 2025, construction to start mid-2025, and construction completed by the end of 2026
- vii) Water Plant No. 2 Generator
- District had requested to investigate the possibility of constructing a natural gas generator
 - Per communications with CenterPoint, there is an existing 8" gas line along Renfrow-Burford Road (south side of street)
 - Currently working to provide CenterPoint needed information (generator size in KW, total gas load in CFH, and required delivery pressure) so they can perform a pressure study to determine if they can provide services as is to our facility
- viii) Portable Diesel Generator for LS's and Double Walled Diesel Storage Tank

- Inframark to provide update on a) portable generator with metal shed and concrete foundation with bollard and b) double walled diesel storage tank

(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 –

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| Connected: | |
| 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 | Sosa Electric (Avenue C) |
| General Office Space (514 Pecan Street) | St. James Knanaya Church – Fire Tap |
| Gulf Coast LP Gas Company | St. James Banquet Hall – (Domestic & FW) |
| HEFCO Enterprises | St. Peters & St. Pauls Orthodox Church of Houston |
| Iglesia Bautista Del Calvario Church | Swingby#3 Gas Station (Domestic & Irrigation) |
| Iglesia Principe De Paz Church | Teleview Terrace Subdivision Lift Station |
| Interconnect with City of Arcola | Tiny Toes Academy |
| Interconnect with FBCMUD23 | Tire Shop at 1739A Trammel Fresno |
| | Valero Gas Station |

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| | Welcome Market |
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| Connections Pending: | |
| Parks Fresno Food Market (FM521) – District Operator to update regarding service to customer | |
| Duplex (1615 Avenue C) - District Operator to update regarding service to customer | |

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| Processing Application: | |
| St Peter and Paul Church (Illinois St) - Provided list of remaining items to complete application process to DA so a letter could be sent to customer informing them that all must be successfully provided by or before end of this year or application will be considered expired...customer currently receiving District water, but would like to add an additional building on property | |
| Lemark Investments (East Sycamore St) - Received Board’s approval of application, contingent upon water meter easement conveyance document being secured and recorded...received, and currently reviewing, water meter easement metes and bounds description with exhibit from customer | |
| R&SL Construction (Edie St) - waiting for receipt of plumber’s information from customer to review...water service (only) for their masonry work facility | |
| Concrete Company (Louise St) - application and fee provide by customer...request Board’s approval to work on application | |

Status of Non-Residential Applications for Wastewater Service –

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

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| Connections Pending: | |
| Parks Fresno Food Market (FM521) – District Operator to update regarding service to customer | |
| Duplex (1615 Avenue C) - District Operator to update regarding service to customer | |
| Welcome Market (TFR) - District Operator to update regarding service to customer | |

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| Processing Application: | |
| Fresno Fiesta (TFR) [previously known as Crossroad Market Store] - Application approved by Engineer and Operator...Request Board’s approval of application. Upon motion duly made by Supervisor Carreon, seconded by Supervisor Casher, the Board voted unanimously to approve the application. | |
| Concrete Company (Louise St) - application and fee provide by customer...request Board’s approval to work on application. Upon motion | |

duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to authorize Jacobs to work on the application.

(g) Potential Emergency Water Interconnect with BCMUD21/22

- BCMUD21/22 agreed to District only having to pay ½ of the construction cost of the interconnect vault, with a NTE value of \$75k...DA is handling completion of agreement between parties for all to review/approve
- Submitted to Patrick Newton, Engineer (LJA) for BCMUD21/22, the District's 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, except for ½ of construction cost of interconnect vault, with a NTE value of \$75k
 - f. BCMUD21/22 would be responsible for completing all efforts associated with this project (design, construction, permitting, agency approvals, etc...).

(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...per DA, efforts are currently underway regarding completion of these agreements and are anticipated to be completed by the end of this year

(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

- DA to provide update regarding securing land for 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):**

- o **Scope** – Increased ROW width, with 2 lane road and additional lanes throughout sections, with roadside ditches

- o **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

- o **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 completed...need to review final pay estimate with change orders with Inframark so costs can be presented to Board
- 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 2024/25
 - 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...possibly sanitary sewer work):**
 - **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...possibly sanitary sewer work):**

○ **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

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

Supervisor Carreon addressed the Board concerning secondary structures that he advised should be treated as extensions of the home, and indicated he would bring information to discuss at the next meeting.

Upon motion made by Supervisor Medina, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve (1) approve Invoice No. 4 from Terracon for material testing in the amount of \$3,608.75; and (2) 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 cleared tall grass around lift station no. 2.
- Inframark completed the lead and copper service line inventory.
- Inframark fueled the generator at WP 1.
- Inframark completed the lubrication preventative maintenance on all equipment at WP 1 and WP 2.
- Inframark repaired fence from storm damage at WP 1.
- Inframark repaired a tap line at 603 S. Locust.
- Inframark installed a new hydrant at 3306 Maryland.
- Inframark installed a sewer tap at 1318 Avenue A, 1707 Avenue A, 1611 Avenue D, 1714 Avenue D#A, 3710 Gettie, 3622 Lissie and 415 Renfro Burford.
- Inframark installed a water tap at 1603 Avenue A, 1611 Avenue D, 1714 Avenue D, 1714 Avenue D#A, 420 Cypress Avenue, 514 Cypress Avenue, 1318 Evergreen, and 750 N. Locust.

Mr. Cardenas then updated the Board on the following:

1. Storage Building for Portable Generator: Inframark is quoting this.
2. Manhole Survey: Inframark is working on the manhole survey for the District at a cost of \$55 per manhole, or a total of \$9,625.00. This is in progress.
3. Diesel Reserve Tank: Mr. Cardenas presented a quote for a diesel reserve tank at Water Plant.
4. Portable Generator: Mr. Cardenas presented a quote for a portable generator for the District's lift stations. Mr. Dybala is reviewing.
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. Mr. Cardenas requested approval subject to Mr. Dybala's review.

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.

Mr. Cardenas also presented one write-off in the amount of \$602.12, and indicated there was illegal usage on the account. The meter will be pulled. Mr. Cardenas further stated that an insurance claim will be filed related to the fence repair.

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 meeting held on September 19, 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 September 19, 2024, as presented.

B. Regional Facilities Contract

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

C. Adopt Covered Applications and Prohibited Technology Policy

Mr. Willis informed the Board that Texas Government Code Section 620.003 requires that political subdivisions of the State of Texas adopt a policy prohibiting the installation or use of a covered application as defined by Texas Government Code Section 620.001(1) on any device owned or leased by the governmental entity and requiring the removal of covered applications from those devices. He requested that the Board adopt the Order Adopting Covered Applications and Prohibited Technology Policy in compliance with such requirements.

Upon motion by Supervisor Carreon, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to adopt the Order Adopting Covered Applications and Prohibited Technology Policy.

D. Authorize Auditor to prepare audit for fiscal year ending December 31, 2024

Mr. Willis then presented to the Board a letter from McCall Gibson Swedlund Barfoot PLLC requesting authorization to prepare the District's audit for the fiscal year ending December 31, 2024 (the "Audit").

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to authorize preparation of the Audit.

7. PROPOSAL TO RENEW INSURANCE

Mr. Willis presented to the Board a proposal from McDonald & Wessendorff Insurance to renew the District's insurance policies (the "Renewal Policy").

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Renewal Policy.

8. REGIONAL PLANT COMMITTEE REPORT

The Board then considered the Regional Plant Committee Report.

Upon a motion made by Supervisor Casher, seconded by Supervisor Carreon, 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 December 19, 2024

Calvin Casher
Secretary

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