

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

September 19, 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, September 19, 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, 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; 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 6:00 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

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

2. CONDUCT PUBLIC HEARING ON PROPOSED 2024 TAX LEVY

The Board noted that notice of the public hearing and the tax rate was published pursuant to Chapter 49, Texas Water Code, as required, and the public hearing was opened at 6:05 p.m. The Board noted that no members of the public present wished to discuss the tax rate. The Board closed the public hearing at 6:07 p.m.

3. ADOPT ORDER SETTING TAX RATE AND LEVYING TAX FOR 2024

The Board then considered adoption of the proposed Order Setting Tax Rate and Levying Tax for 2024. Having conducted the public hearing as required by law and publishing notice thereof, the Board deemed it appropriate to proceed with setting the 2024 tax rate.

Upon a motion made by Supervisor Casher, seconded by Supervisor Vallejo, and after full discussion, the Board voted unanimously to (1) set and levy (i) a debt service tax rate for 2024 in the amount

of \$0.50 per \$100 of assessed valuation, and (ii) an operation and maintenance tax of \$0.50 per \$100 of assessed valuation for a total tax rate of \$1.00 per \$100 of assessed valuation, and (2) adopt the Order Setting Tax Rate and Levying Tax for 2024, a copy of which is on file in the Official Records of the District.

4. AMENDED NOTICE TO SELLERS AND PURCHASERS

Consideration was then given to the proposed Amended Notice to Sellers and Purchasers, which notice sets forth the 2024 tax rate.

Upon a motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the Amended Notice to Sellers and Purchasers, a copy of which is on file in the Official Records of the District.

5. UPDATE ON SANITARY SEWER EASEMENTS ALONG TRAMMEL FRESNO ROAD

Mr. Willis then updated the Board on the pending sanitary sewer easements. Mr. Willis advised that McFarland PLLC was in the process of preparing condemnation petitions. Mr. Willis further advised making a counter offer concerning the property located at 1843 Trammel Fresno Road.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to make a counter offer on 1843 Trammel Fresno Road.

6. 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 92.08 percent collected for 2023.

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

7. 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 45 properties connected to District's WW System (additional work still required on these properties)
- 12 properties were removed from project due to properties not securing or properly maintaining water service or were not a single-family residential property

- Anticipate project being completed by the end of this year
- Request Board's approval of Invoices No. 1 and 2 from Terracon for material testing services for \$3,688.75 and \$5,110.63, respectively
- Multiple property issues presented to Inframark and DA to resolve and present to Board for resolution

ii) City of Arcola WWTP Expansion Project (0.675 MGD to 0.95 MGD)

- Project under construction and anticipated to be fully complete 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...Engineering Study Report is complete and will be submitted to the TCEQ this month for review/approval

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 completed, the District will have 0.8 MGD of WWTP capacity
- Per latest correspondence from CoA, construction documents should be completed, have full agency approval, and be under advertisement 1st Q of next year

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 CFS, 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 –

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
	Welcome Market

Connections Pending:	
Parks Fresno Food Market (FM521)	
– District Operator to update regarding service to customer	

Processing Application:	
St Peter and Paul Church (Illinois St)	
- 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 – Coordinating with DA with list of remaining items so DA can send letter to customer informing them that all must be successfully provided by or before end of this year or application will be considered expired	

Lemark Investments (East Sycamore St) - application process started on 10/12/23...received new information from customer last week for review
Duplex (1615 Avenue C) - waiting for customer to provide plumbing info

*** 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	Sosa Electric (Avenue C)
Fresno Volunteer Fire Department	Quality Paint and Body (Pecan Street)

Connections Pending:	
Parks Fresno Food Market (FM521) – District Operator to update regarding service to customer	
La Fresno Food Market (TFR) - District Operator to update regarding service to customer...customer currently has District water service	

Processing Application:	
Fresno Fiesta (TFR) [previously known as Crossroad Market Store] - Waiting for customer to provide plumbing info...customer already has District water service	
Welcome Market (TFR) - District Operator to provide update regarding illegal connection made by customer (connected to District's system without completing application process and paying applicable tap fee) - Customer currently has District water service...customer recently submitted plumbing info for review	
Duplex (1615 Avenue C) - waiting for customer to provide plumbing info	

(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
- 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 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 was awarded to Tackle Construction for \$429,100.00 and TxDOT permit has been secured...relocation efforts are underway and anticipated to be completed 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

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 Vallejo, and after full discussion, the Board voted unanimously to approve the interconnect with BC MUD 21/22, subject to final attorney review of the agreement, and the Engineer's Report, as presented.

8. 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 installed a 4" sewer tap at 1200 Avenue A and 1505 Avenue D.
- Inframark installed a sewer tap and bored a new lateral tie in at 214 Crescent.
- Inframark installed a sewer tap at 4439 Tulip.
- Inframark completed an emergency long tap leak repair at 1436 Avenue A.
- Inframark completed a tap repair at 620 E. Sycamore.
- Well motor repair with rental motor totalled \$43,731.
- Inframark completed booster pump repairs at Water Plant 2.
- Inframark installed a 1" tap and meter at 1402 Avenue C.

Mr. Cardenas then updated the Board on the following:

1. Smoke Testing: Inframark is quoting smoke testing for the infiltration issue.
2. Diesel Reserve Tank: Mr. Cardenas is seeking quotes for a diesel reserve tank at Water Plant.
3. Portable Generator: Mr. Cardenas is seeking quotes for a portable generator for the District's lift stations.
4. 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 Carreon, 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.

9. 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 August 15 and 20, 2024, were presented for approval.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously to approve the minutes of August 15 and 20, 2024, as presented.

B. Regional Facilities Contract

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

10. 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.

11. 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 October 17, 2024

Calvin Casher
Secretary

[SEAL]

