

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

February 20, 2025

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, February 20, 2025, 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 and David Maly with Jacobs Engineering Group, Inc. (“Jacobs”), the District’s Engineer; Robert Cardenas and Justin Ubernosky with Inframark, LLC (“Inframark”), the District’s Operator; Kenneth Schaeffer with Academy Development, a developer within the District; Patrick Newton with LJA Engineering, representing Brazoria County Municipal Utility District Nos. 21 and 22; 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 6:01 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. The Board also recognized Mr. Schaeffer, who addressed the Board concerning plan review.

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 a motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously (i) to approve the Bookkeeper's Report; (ii) to authorize the payment of the checks and invoices listed therein; and (3) to approve the Tax Report.

4. ENGINEER'S REPORT

(a) Report on status of projects:

- i) Gateway Acres Subdivision Wastewater Plumbing Contract
 - Project is complete
 - Request Board's approval of PE No. 3 (Final) from AR Turnkey Construction Company Inc. for construction of the project for \$63,247.90
 - Request Board's approval of Invoice No. 7 (Final) from Terracon for material testing services for \$1,167.50
- ii) City of Arcola WWTP Expansion Project (0.675 MGD to 0.95 MGD)...District will have 0.35 MGD of WWTP Capacity
 - Project complete...Invoice No. 2 and 3 provided to District for final payment for District's share of project...Total cost owed by District for all three payments is \$791,325.67 (consisting of \$74,434.76 for Engineering and \$716,890.91 for Construction) and will be paid for using District's TCEQ Loan
- iii) Fresno Ranchos Subdivision Wastewater Collection System
 - Project currently under design
- iv) Expansion of Teleview 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)...District will have 0.8 MGD of WWTP Capacity
 - Per CoA (Llarance Turner) on 02/11/25 – The project will be advertised on February 20th and 27th with the bid opening taking place on March 11th. The project will be awarded in March 2025 and the NTP for the project will be a couple months later. Current plan is for project to be completed by or before the end of next year (roughly

- an 18-month construction contract).
- 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)
 - Provided 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...CP looking into matter and waiting for their response
- viii) Portable Diesel Generator for LS's (with Storage Unit) and Double Walled Diesel Storage Tank
- Provided Inframark comments on both of these items...Inframark to provide Board an update regarding the status of these items being completed...once completed, will need to visit site and add portable generator to District's insurance policy

(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 Plumbing Project = 12/16/25
- 2022 TCEQ Loan (\$10.45M) – remaining surplus funds, estimated at approximately \$144k, to be used for the Fresno Ranchos WW Collection System Project...DA to coordinate with TCEQ so this can take place
- 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...planning to update in July once the N WWTP site secured and TFR easements secured

(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)
Duplex (1615 Avenue C)	Nalco Water (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 Fiesta	PMC International Tire Shop
Fresno Gym (3941 FM 521)	Quality Paint and Body (Pecan Street)
Fresno Market – FM521 (Domestic & Irrigation)	Quality Personal Care
Fresno Motor	Richard Martini-Rental Livestock Pasture
Fresno Mount Corinth Baptist Church	Robbins Nest for Children (Domestic & FW)

Fresno Volunteer Fire Department	Sosa Electric (Avenue C)
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	Teleview 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

Connections Pending:	
Parks Fresno Food Market (FM521) - initial application received on 05/04/23...final, completed application documents approved by District on 03/21/24...per communications from District Operator, tap letters have been sent to Customer multiple times...request that District Operator/Attorney send letter to customer informing them that they have until March Board meeting to pay tap letter or their application will expire and they will need to start process from beginning if they want District water and wastewater service	
Lemark Investments (East Sycamore St) - per District Operator, currently work with customer regarding tap letter	

Processing Application:	
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) - waiting for receipt of plumber's information from customer to review	
Iglesia Evangelica Cristiana Espiritual Church (TFR) - received application and application fee...request approval from Board to process application	

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)	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)
Duplex (1615 Avenue C)	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) - initial application received on 05/04/23...final, completed application documents approved by District on 03/21/24...per communications from District Operator, tap letters have been sent to Customer multiple times...request that District Operator/Attorney send letter to customer informing them that they have until March Board meeting to pay tap letter or their application will expire and they will need to start process from beginning if they want District water and wastewater service	

Welcome Market (TFR) - District Operator to update regarding service to customer	
Fresno Fiesta (TFR) [previously known as Crossroad Market Store] - District Operator to update regarding service to customer	
Processing Application:	
Concrete Company (Louise St) - waiting for receipt of plumber's information from customer to review	
Iglesia Evangelica Cristiana Espiritual Church (TFR) - received application and application fee...request approval from Board to process application	

(g) Potential Emergency Water Interconnect with BCMUD21/22

- District would like BCMUD21/22 to investigate the option of the emergency interconnect consisting of a non-metered interconnect, with the point of connection being a lockable valve at the District's boundary line...if not, then all costs associated with operation and maintenance of the waterline between the District's boundary line and the meter vault would be paid for by BCMUD21/22 (who would own this line segment...District would possibly take ownership of this line segment if at a future time they provide water service to the out of District properties that are adjacent to this line segment)...if a vault is necessary, the District would only have 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 District Attorney, efforts are currently underway regarding completion of these agreements and are anticipated to be completed by the end of 2024/1stQ 2025

(i) Status of Current and Future WWTP Expansion Projects –

South Wastewater Service Area

- See Item A above for status of current projects...District was notified by CoA in

January 2025 of possible interest in taking part in a WWTP expansion project beyond 1.4MGD...DA, on behalf of the District, provided a response to CoA requesting being a participant in next expansion with a capacity request of 0.15 MGD

- 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 lesser 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...still waiting for updated information from Inframark...need to update numbers every couple of months:

- o Active Residential Connections Per Inframark = 552 (***Need Updated #'s from Inframark***)
- o Vacant Residential Connections Per Inframark = 26 (***Need Updated #'s from Inframark***)
- o In-Process Residential Connections Per Inframark = 9 (***Need Updated #'s from Inframark***)
- o Residential Connections in GA WW Plumbing Contract = 175
- o Residential Connections in Teal Gardens Development = 107
- o Active Non-Residential Connections, in ESFCs = 23
- o In-Process Non-Residential Connections, in ESFCs = 9

Total = 901 (anticipate approx. 925)

North Wastewater Service Area

- DA to provide update regarding securing land for District's north WWTP...once access is available, FBC Consultants need to conduct feasibility studies (geotech, survey, etc...)...if study indicates land is favorable for site, need to coordinate with FBC to begin efforts related to PER, design, and permitting while efforts to secure land continue

(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):**
 - o Utility Relocations South of Mustang Bayou – Work completed by Texas Hot Taps

- consisting of a) lowering a segment of waterline and b) removal of an ARV MH
- 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
- **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 mid-2025
 - 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

Upon motion made by Supervisor Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to approve (1) approve Invoice No. 7 (final) from Terracon for material testing in the amount of \$1,167.50; (2) Pay Estimate No. 3 (final) from AR Turnkey Construction Company, Inc. in the amount of \$63,247.90; and (3) 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 replaced a leaking fire hydrant at 1030 Avenue C and repaired a leaking fire hydrant at 639 Mulberry.
- Inframark replaced a short tap line at 519 Walnut.
- Inframark completed annual CL2 system preventative maintenance at Water Plant 1 and Water Plant 2.
- Inframark installed a new mini split AC system at Water Plant 2.
- Inframark installed sewer taps at 2 locations.
- Inframark installed water taps at 3 locations.

Mr. Cardenas then updated the Board on the following:

1. Storage Building for Portable Generator: Inframark received a quote for a new 20x8x8 storage container with gravel pad for and estimated cost of \$17,690.00. Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the quote.
2. Fire Hydrant Painting: Mr. Cardenas submitted a quote for \$95 per hydrant for repainting the fire hydrants with a mechanical wire brush system. The Board deferred action on this item.
3. Write-Off Report: Mr. Cardenas presented write-offs totaling \$3,733.58.

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 then discussed leak adjustment requests, and a request to reinstate a defaulted payment arrangement. The Board discussed allowing reinstatement if the customer pays one-third of the remaining balance due.

Upon a motion duly made by Supervisor Vallejo, seconded by Supervisor Casher, 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, the termination list, and the request to reinstate the defaulted payment arrangement on the terms discussed by the Board.

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 January 16, 2025, were presented for approval.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the minutes of January 16, 2025, as presented.

B. Regional Facilities Contract

No action was necessary in connection with the Regional Facilities Contract.

C. Resolution Regarding Tax Exemptions

Mr. Willis next presented to and reviewed with the Board a proposed Resolution Concerning Tax Exemptions for 2025.

Upon motion by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously not to grant any tax exemptions for 2025 and to adopt the Resolution Concerning Tax Exemptions For 2025. A copy of said resolution is on file in the official records of the District.

D. Approve Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes

Mr. Willis then presented to and reviewed with the Board a proposed Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes.

Upon motion by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to (i) authorize a 20% penalty on 2024 real property taxes which are delinquent on July 1, 2025 and thereafter, (ii) authorize a 20% penalty on 2024 personal property taxes which are delinquent on April 1, 2025 and thereafter, and (iii) adopt the Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes. A copy of said resolution is on file in the official records of the District.

7. REGIONAL PLANT COMMITTEE REPORT

The Board then considered the Regional Plant Committee Report.

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

8. 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 3-20-25.

Calvin Casher
Secretary

[SEAL]

