

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

October 24, 2019

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 special session, open to the public, on October 24, 2019, commencing at 6:00 p.m. at the Mustang Community Center, 4521 FM 521 North, Fresno, Fort Bend County, Texas, inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to wit:

- Paul Hamilton-President
- Greg Fleck-Vice President
- Calvin Casher-Secretary
- Rodrigo Carreon-Assistant Secretary
- Rosa Linda Medina-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; Breah Campbell with Environmental Development Partners, the District’s Operator (“EDP”); Dwayne Grigar with Fort Bend County Precinct No. 1; members of the public, the names of whom are on file in the official records of the District; and Michael R. Willis of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SKLaw”), the District’s Attorney.

The meeting was called to order and the following business was transacted:

**1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)**

The Board noted that there were no members of the public present who wished to address the Board concerning matters on the Agenda.

**2. UPDATE ON ELECTRICAL CONTRACT**

The Board recognized Mr. Willis, who noted that there was no update on the electrical contract at this time.

**3. BOOKKEEPER’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.

**B. Review Investment Report.**

The Board reviewed the investment report.

**C. Review Collateral Pledge Report.**

The Board reviewed the Collateral Pledge report.

Upon motion duly made by Supervisor Carreon, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to approve the Bookkeeper's Report and authorize the payment of the checks and invoices listed therein.

**4. TAX REPORT**

Ms. Grimes then presented to the Board the Tax Report.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Medina, the Board voted unanimously to approve the Tax Report, as presented.

**5. ENGINEER'S REPORT**

The Board recognized Mr. Dybala, who presented the Engineer's Report as follows:

**A. Status of Projects**

**1. Wastewater Service to Fresno Gardens North, Gateway Acres and Fresno Ranchos; F.M. 521 Sanitary Sewer Extension; and Water Plant No. 2**

- Fresno Gardens North Subdivision Wastewater Collection System
  - Jacobs conducted the pre-construction meeting on October 17th. The notice-to-proceed date is set for November 18, 2019. The contractor is preparing material submittals for review and approval, scheduling construction control staking, coordinating with EDP regarding locations of existing District facilities, securing lay down yard, and coordinating with various governmental agencies involved. Mr. Dybala anticipates project completion in the third quarter of 2020.
- Fresno Gardens North Subdivision Wastewater Plumbing Contract
  - Townhall meetings are underway, and will conclude on November 21, 2019.
- Gateway Acres Subdivision Wastewater Collection System
  - Jacobs is completing the project construction drawings for agency review. The construction project will be on hold until completion of Trammel Fresno Road widening project. A new TWDB CWSRF Loan needs to be secured to complete the project. Jacobs recommends conducting a topographical survey of the Trammel Fresno Road right-of-way once the road project is completed.
- Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
  - Jacobs is completing the construction drawings for agency review. Construction of the new project will be on hold until completion of Trammel Fresno Road

widening project. A new TWDB CWSRF Loan needs to be secured to complete project.

- Gateway Acres Subdivision Wastewater Plumbing Contract
  - Townhall meetings will be conducted once the public wastewater lines for this area are under construction
  
- FM 521 Sanitary Sewer Extension
  - The project is complete, except for resolution of punch list items and completion of work on the Church parking lot.
  - Mr. Dybala presented to the Board for approval Invoice No. 4 from Reddico Construction Co., Inc. (“Reddico”), in the amount of \$72,119.97, and recommended its approval. Upon motion duly made and seconded, the Board voted unanimously to approve Invoice No. 4.
  
- Water Plant #2
  - Jacobs received agency review comments from all review agencies and incorporated all such comments, except for FBC Drainage and City of Pearland.
  - Mr. Dybala noted that he reached a solution with FBC Drainage regarding the proposed drainage plan for the project.
  - Once the drainage issue is resolved, Jacobs will (a) prepare final mylars of the construction plans; and (b) submit construction documents to the Texas Commission on Environmental Quality for approval.
  - Once all of the above is completed and approved, Jacobs will send the construction documents to the TWDB. Jacobs anticipates TWDB approval to advertise the project mid-2020.
  - District Est. Water Conn. Timeline (FBCFWSD#1 WP#1 Connection Capacity 1,600)
    - o End of 2019=1,600
    - o End of 2020=1,675
    - o End of 2021=1,750
    - o Anticipate completing District’s WP#2 by end of 2021

**B. Authorize Engineer to prepare plans and specifications for water and wastewater systems projects as necessary**

- The Board noted that no action was necessary.

**C. Report on status of project funding and take necessary action related thereto**

**1. Project One Year Warranty Expiration Dates**

- None at this time.

**2. 2015 TWDB DFUND Loan**

- Jacobs anticipates using remaining funds for Water Plant No. 2 project.

**3. 2009 TWDB CWSRF Loan**

- Jacobs anticipates using remaining funds for Fresno Gardens North Subdivision Wastewater Collection System project.

**4. Fourth TWBD Loan and Third TWDB CWSRF Loan**

- 4<sup>th</sup> TWBD DFUND Loan
  - The new loan will close on October 29, 2019.
- 3<sup>rd</sup> TWDB CWSRF Loan
  - Jacobs is working on the engineering and environmental sections for this application. These funds will be used to cover additional costs to complete the Fresno Gardens North Subdivision Wastewater System, Gateway Acres Subdivision Wastewater System, Fresno Ranchos Subdivision Lift Station and Force Main project, and an Expansion to the CoA Wastewater Treatment Plant (from 0.25MGD to 0.525MGD).

**5. Fort Bend County CDBG Funds**

- Jacobs recommends applying for community development block grant funds once the Gateway Acres Subdivision Wastewater plumbing project is underway.

**D. Projections for District Water and Wastewater Projects**

- Need to update information every January and July. Mr. Dybala reported that the exhibits have been updated, and provided to the District’s Attorney to post on the District’s website. Mr. Willis advised that such exhibits have been posted.

**E. Discuss Emergency Preparedness Plan**

- Jacobs and EDP will review the EPP in April of each year to determine if changes are necessary.

**F. Requests for Water and Sanitary Sewer Service**

- **Water Service**
  - Mr. Dybala reviewed the status of non-residential applications for water service.
  - Mr. Dybala discussed a residential connection on 4910 Doreen, and explained to the Board that the homeowner turned in an application during the period for the wrong project. The Board noted that the homeowner would need to apply for service through the District operator, and pay for his connection. Upon motion duly made and seconded, the Board voted unanimously to offer a payment plan for the tap.
- **Wastewater Service**
  - Mr. Dybala reviewed the status of non-residential applications for wastewater service.

**G. Trammel Fresno Road Widening Project**

- Mr. Dybala reported that all prior approved adjustments to the waterline along Trammel Fresno Road have been completed.
- EDP will provide an update on the status of reimbursement from contractors for damaged waterlines.

**H. Potential Emergency Water Interconnect with Brazoria County Municipal Utility**

**District**

**No. 21**

- Mr. Dybala reported that he had communicated with LJA, District Engineer for Brazoria County Municipal Utility District No. 21 (“BCMUD 21”), regarding a

possible emergency water interconnect. BCMUD 21 is interested in pursuing an interconnect once the District completes Water Plant No. 2.

**I. COA WWTP Expansion Status**

- Per communications with the City of Arcola’s Engineer, the expanded WWTP should be online by November 11, 2019.

**J. Potential Emergency Water Interconnect with Charleston MUD**

- Jacobs reviewed construction plans for the proposed interconnect and provided comments.

**K. Potential Water Service to NalcoChampion**

- Mr. Dybala informed NalcoChampion that they may submit an application for District service for filling fire water tanks, and is awaiting receipt of the application and fee.

**L. Status of New Water Plant in City of Arcola**

- Mr. Dybala anticipates the City’s water plant to be complete by the end of 2021.

Upon motion made by Supervisor Medina, and seconded by Supervisor Fleck, and after full discussion, the Board voted unanimously to approve the Engineer’s Report.

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

Next the Board recognized Ms. Campbell, 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.

Ms. Campbell reported substantial system repairs and maintenance as follows:

- Installed residential taps and meters at one (1) location;
- Installed commercial taps and meters at one (1) location;
- Replaced fire hydrant at 625 Pecan;

**1. NFBWA Rate Increase**

Ms. Campbell informed the Board of the NFBWA’s intent to revise its pumpage fee and surface water fee. The pumpage fee will increase from \$3.65 to \$3.95, and the surface water fee will increase from \$4.00 to \$4.30 per 1,000 gallons.

**2. Fire Hydrant Flow Testing and Flushing**

EDP has scheduled flushing for the week of November 4, 2019. A notice will be sent out with the bills mailed in October.

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

Ms. Campbell provided a list of customers that received a delinquent letter by mail and are subject to the disconnection of service.

#### **4. Rate Order Adjustments**

Ms. Campbell presented to the Board suggested adjustments to the District's Rate Order to be effective immediately as follows:

- Add delinquent letter fee of \$10.00.
- Add a door tag fee of \$10.00.
- Raise deposits - \$100 for owners.  
\$150 for tenants.
- An additional \$100 each time an account is disconnected.

Upon a motion duly made by Supervisor Fleck, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to approve (1) the Operator's Report; (2) the recommended amendments to the Rate Order; and (3) the termination list.

#### **7. ATTORNEY'S REPORT**

The Board again recognized Mr. Willis, who presented the Attorney's report as follows:

##### **A. Approval of Minutes**

The proposed minutes of the meetings held on September 26, October 3 and October 17, 2019, were presented for approval. The Board deferred action on the minutes of September 26, 2019.

Upon a motion made by Supervisor Casher, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the minutes of the meetings held on October 3 and October 17, 2019, as presented.

##### **B. Discuss Arcola Wastewater Treatment Plant**

Mr. Willis reminded the Board that, with the expanded capacity constructed by the City of Arcola, the allocation of expenses will change. No action was taken on this matter.

##### **C. Renewal of Insurance**

Mr. Willis presented to the Board a proposal from HARCO to renew the District's insurance.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Fleck, the Board voted unanimously to approve the proposal to renew the District's insurance.

##### **D. Amended Notice to Sellers and Purchasers**

Consideration was then given to the proposed Amended Notice to Sellers and Purchasers, which notice sets forth the revised amount of bonds issued by the District after closing of its Series 2019 Bonds.

Upon a motion duly made by Supervisor Fleck, seconded by Supervisor Carreon, 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.

**8. REGIONAL PLANT COMMITTEE REPORT**

The President then presented 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.

**9. HEAR FROM THE PUBLIC**

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

PASSED, ADOPTED, and APPROVED this November 21, 2019

Calvin Casher  
Secretary

[SEAL]