

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

June 18, 2020

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, on Thursday, June 18, 2020, at 6:00 p.m., via video and telephonic conference, as permitted by the March 16, 2020, Declaration by the Governor of the State of Texas which suspended certain provisions of Chapter 551, Texas Government Code. The roll was called of the 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 (“EDP”), the District’s Operator; and Michael R. Willis and Tamara Sharkey of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), the District’s Attorney.

The meeting was called to order at 6:06 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

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

2. 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. In response to a question from Supervisor Carreon, Ms. Grimes noted directors are eligible for a per diem for qualified training required as a board member.

B. Review Investment Report.

The Board reviewed the investment report.

C. Review Collateral Pledge Report.

The Board reviewed the Collateral Pledge report.

D. Review Unclaimed Property Report.

The Board then considered the Unclaimed Property Report and discussed Ms. Grimes' recommendations concerning unclaimed property.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve (i) the Bookkeeper's Report and authorize the payment of the checks and invoices listed therein and (ii) the Unclaimed Property Report, a copy of which is on file in the official records of the District.

3. TAX REPORT

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

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

4. ENGINEER'S REPORT

The Board recognized Mr. Dybala, who presented the Engineer's Report, a copy of which is on file in the official records of the District, as follows:

A. Status of Projects

- Fresno Gardens North Subdivision Wastewater Collection System
 - Mr. Dybala anticipates project completion in July of 2020.
 - Surface repairs are in progress and a pre-final walkthrough is anticipated for next week. Mr. Dybala reported the videos of the sewer system showed no issues. Mr. Dybala informed the Board he again contacted Quality Paint and Body, as discussed at the previous meeting, regarding the status of the project and final driveway repairs, and is waiting for a response with items for the Board's review.
 - Mr. Dybala presented to the Board for approval Pay Estimate No. 7 from R Construction Company ("R Construction"), in the amount of \$147,308.40 and Invoice No. 6 from Geotest Engineering, Inc. ("Geotest") in the amount of \$423.45, and recommended approval.
- Fresno Gardens North Subdivision Wastewater Plumbing Contract
 - Jacobs is finalizing the contract for the plumbing project. Mr. Dybala informed the Board that 2 applications were removed from the 70 secured from the final town hall meeting on November 21, 2019. The properties at 4910 Doreen Road and 351 Post Road have not been included in the contract as the owners of these properties have not followed through with the District's instructions as relayed to Mr. Kevin Murray at previous meetings. The consensus of the Board was to notify Mr.

Murray he missed the deadline to be included in the contract and he has until June 30, 2020 to respond and pay the tap fees if he wishes these properties to be included with this contract as a change order.

- The project will begin once the District installs the public wastewater system in this area. Mr. Dybala anticipates:
 - o Advertisement and Award of Project – June/July 2020
 - o Contract Execution and Notice to Proceed Issued – July/August 2020
 - o Construction – August 2020 through December 2020

Upon motion duly made by Supervisor Casher seconded by Supervisor Fleck, the Board voted unanimously to send a certified letter to Mr. Murray stating he has until June 30, 2020 to respond to the Board and pay the tap fees in order for his properties to be included in this plumbing project as a change order to the contract.

- 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 and securing a new loan.
 - Mr. Dybala informed the Board the CAD document is expected in July from Landtech, Inc. (“Landtech”) for a detailed topographic survey, which is in progress, along Trammel Fresno Road, from approximately Jan St. to Kansas St. (approximately 1.25 miles long for the full ROW width).
- 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 and securing a new loan.
 - The Landtech survey proposal discussed above will also be used for this project.
- Gateway Acres Subdivision Wastewater Plumbing Contract
 - Townhall meetings will be conducted once the public wastewater lines for this area are under construction.
- Water Plant #2
 - Final construction drawings are complete, and Jacobs has submitted them for final agency signatures and approvals. Once approved, the construction documents will be submitted for TWBD approval to advertise the project.
 - Jacobs anticipates approval in July of 2020 and then advertising for the project.
 - District Estimated Water Connection Timeline (FBCFWSD#1 WP#1 Connection Capacity = 1,750)
 - o End of 2020=1,675
 - o End of 2021=1,750
 - o Anticipate completing District’s WP#2 by end of 2021 or early 2022.

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

- The Board noted that no action was necessary at this time.

C. Authorize solicitation/advertisement of bids for construction of water system and wastewater system projects as necessary

- The Board noted that no action was necessary at this time.

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

1. Project One Year Warranty Expiration Dates

- FM 521 Wastewater Extension warranty expires August 15, 2020.

2. 2015 TWDB DFUND Loan

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

3. 4th TWBD DFUND Loan

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

4. 2020 TCEQ Loan

- The anticipated loan amount is approximately \$10,450,000 and would fund the following projects: Gateway Acres Subdivision Wastewater System, Fresno Ranchos Subdivision Lift Station and Force Main project, and certain costs related to the District's share of an Expansion of the City of Arcola (the "City" or "COA") Wastewater Treatment Plant.

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.

E. Projections for District Water and Wastewater Projects

- Need to update information every January and July. Mr. Dybala recommended updating the projections on the website and project Boards.

Upon motion duly made by Supervisor Fleck seconded by Supervisor Casher, the Board voted unanimously to approve updates to the projections for the District's projects.

F. Discuss Emergency Preparedness Plan

- Jacobs and EDP will review the EPP in April of each year to determine if changes are necessary. EDP is to prepare any updates for the Board's review at upcoming meetings.

G. Requests for Water and Sanitary Sewer Service

Water Service

- Mr. Dybala reviewed the status of non-residential applications for water service, updates on applications in process, and pending connections. Mr. Dybala informed the Board Stop N' Grubb (mobile food truck) is working with EDP on its application and Enriguez Tire Shop is now connected.

- **Wastewater Service**
 - Mr. Dybala reviewed the status of non-residential applications for wastewater service and pending connections.

Mr. Dybala informed the Board he has communicated with water and wastewater service applicants with applications that have been pending for nearly a year that the District is reaching capacity and if applications are not submitted the applicants may not be able to receive service.

H. Trammel Fresno Road Widening Project

- Jacobs and EDP have walked the project site and EDP is preparing the final waterline adjustment list to present to the Board. Jacobs has updated the record drawings to reflect the completed project and the Fort Bend County walkthrough is anticipated soon.

I. Potential Emergency Water Interconnect with Brazoria County Municipal Utility District No. 21

- Brazoria County Municipal Utility District No. 21 (“BC MUD 21”) is interested in pursuing an interconnect once the District completes Water Plant No. 2 with a 50/50 cost split.

J. Emergency Water Interconnect with Charleston Municipal Utility District

- The proposed interconnect with Charleston Municipal Utility District (“Charleston MUD”) is waiting for TCEQ approval. Jacobs received a copy of the final emergency interconnect agreement. A pre-construction meeting was reportedly conducted on March 17, 2020. Mr. Dybala spoke with COA consultants who informed him the project has not yet finished, but once it is complete, record drawings will be provided to the District.

K. Consider Water Service to NalcoChampion

- Mr. Dybala noted the customer was informed it can apply for District water service that can be used to fill water tanks for fire event use.

L. Status of COA Water Plant

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

M. Status of COA WWTP Expansion Project (0.675 mgd to 0.95 mgd)

- The Board responded to the City stating the District’s interest in participating in the proposed expansion and reserving a capacity of 100,000 gpd. As discussed at prior meetings, COA is finalizing the estimate and Jacobs will present the District’s estimated share when the estimate is available.

N. FM 521 Roadway Widening Project

- Provided record drawings to Dannenbaum and a utility coordination meeting is expected in the coming months to discuss impact on District facilities.

O. Water Plant No. 1 Inspection

- Both tanks require recoating of internal surfaces and some pipe and equipment will need to be replaced per EDP's inspection report. A repair schedule and plan will be presented once final reports are received and the project is anticipated to begin in winter of 2020.

Upon motion made by Supervisor Medina, and seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve the (i) Engineer's Report, (ii) Pay Estimate No. 7 from R Construction in the amount of \$147,308.40, and (iii) Invoice No. 6 from Geotest in the amount of \$423.45.

5. 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.

A. Repairs to Water and Wastewater systems

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

- Installed residential taps and meters at six locations;
- Installed new no trespassing signs at Water Plant No. 2; and
- Repaired three fire hydrants.

Ms. Campbell informed the Board customers will receive notice on their next bill of the Consumer Confidence Report posted to the website. Ms. Campbell also informed the Board the Booster Pump replacement, discussed at previous meetings, is in progress.

Ms. Campbell reported the painting of the 516 fire hydrants is complete, however there are concerns with the longevity of the proposed reflective tape and Ms. Campbell is reviewing other potential reflector options to present to the Board at the upcoming meeting.

Ms. Campbell then discussed with the Board the continuation of the temporary suspension of termination for non-payment and waiver of penalties due to the ongoing pandemic and recommended the District revert to the rate order for future billing cycles. Ms. Campbell requested authorization to place additional information tags on customers' doors, if their accounts are in arrears, informing them to contact EDP prior to late payments and arrange for payment plans in the event such arrangements are needed.

B. Requests for Water Taps

Ms. Campbell did not report any requests at this time.

C. Delinquent Water Accounts and Service Terminations

Ms. Campbell provided a list of customers that received a delinquent letter by mail, but noted they would not be subject to the disconnection of service until the previous waiver of disconnects expired.

In response to questions from Supervisor Carreon Ms. Campbell noted pressure tanks are required to protect customers plumbing systems, but the District was not providing installation services and the customers were responsible for installing the tanks.

Upon a motion duly made by Supervisor Medina, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve the Operator’s Report. Upon a motion duly made by Supervisor Fleck, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to authorize returning to enforcement of the District’s rate order for the upcoming billing cycle and for EDP to place additional information tags for customers in arrears.

At this time, Ms. Campbell left the meeting.

6. ATTORNEY’S REPORT

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

A. Approval of Minutes

The proposed minutes of the meetings held on April 16, 2020 and May 21, 2020 were presented for approval.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Medina, the Board voted unanimously to approve the minutes of the meetings held on April 16, 2020 and May 21, 2020, as presented.

B. Discuss Regional Facilities Contract

Mr. Willis noted the TCEQ inspection of the Regional Wastewater Treatment Plant, as discussed at previous meetings, is still being reviewed with the City of Arcola for a potential issue on ESFCs. Once resolved, Mr. Willis will update the Board.

C. Discuss Purchases for District Business

Consideration was then given to authorizing the District’s purchase of tablets for the Supervisors’ use for District business, as discussed at previous meetings. Supervisor Fleck presented an updated summary of costs involved and the merits of devices for use in District business, including possible devices (particularly tablets) and internet providers, as well as the costs of each. The consensus of the Board was to purchase five iPad Pros with warranties and service through AT&T at the sale price quoted, as well as keyboard and cases for the tablets.

Upon a motion made by Supervisor Medina, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the purchase of five iPad Pros with warranties and service through AT&T, as well as keyboard and cases for the tablets, in a total amount not to exceed \$3,500.

7. REGIONAL PLANT COMMITTEE REPORT

Supervisor Hamilton then presented the Regional Plant Committee Report.

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

8. HEAR FROM THE PUBLIC.

The Board recognized Supervisor Medina who informed the Board the new subdivision being developed near County Road 58 by the boundary between the Cities of Arcola and Fresno, was being constructed with very high pads from dredge material from the detention pond and wished to discuss the impact of this development on the District's drainage. The consensus of the Board was to discuss the development with Dwayne Grigar at the next meeting.

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 July 16, 2020.


Secretary, Board of Supervisors

