

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

October 15, 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, October 15, 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 except Supervisor Carreon, 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; Eugene Koh, Charles Coyle and Bobby Ferrell, members of the public; 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 6:04 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

The Board recognized Mr. Koh, who informed the Board his dispute, as discussed at previous meetings, with R Construction Company for the use of his property at 4098 W. Davis Road for dirt disposal is still ongoing.

The Board recognized Mr. Coyle who informed the Board he and Mr. Dybala have discussed the non-conforming improvements on Mr. Coyle’s property and potential resolutions to remain in the plumbing contract. Mr. Dybala informed the Board more information would be presented during the Engineer’s Report.

At this time, Mr. Koh left the meeting.

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. Ms. Grimes informed the Board that R Construction Company received the partial payment of Pay Estimate No. 8 (final), as approved at the previous meeting.

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 Fleck, 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.

3. 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.

4. ENGINEER'S REPORT

The Board recognized Mr. Dybala, who discussed the status of the dispute between Mr. Koh and R Construction Company. The consensus of the Board was to hold a special meeting to discuss the dispute and the remaining amount withheld from Pay Estimate No. 8 (final) from R Construction Company.

Mr. Dybala then 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 reports the project was completed and has received TWBD approval.
 - The remaining payment for R Construction Company will be discussed in an upcoming special meeting.

- Fresno Gardens North Subdivision Wastewater Plumbing Contract
 - Mr. Dybala informed the Board the project is in progress, including plugging wells, decommissioning septic systems, and connecting residents to the public wastewater system. Mr. Dybala noted the project currently contains 67 properties, as one resident did not complete the obligation to install a meter.
 - Completion is anticipated in December 2020/January 2021.
 - Mr. Dybala discussed Mr. Coyle's properties at 4517 and 4511 Kansas St. Mr. Coyle has both a residence and a business on the property, and the business is

improperly connected to the residential connection. Additionally, Mr. Coyle's property is classified as over one acre for application fee purposes by a very small margin. Mr. Dybala requested the Board consider classifying Mr. Coyle's property as under one acre for application fee purposes as well as authorizing work to proceed on Mr. Coyle's property to connect his residence and business to the public wastewater system subject to Mr. Coyle obtaining a separate commercial connection for water for his business within the next four months. Mr. Dybala responded to Supervisor Casher and informed the Board the lower application fee would cover all costs for application review.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Medina, the Board voted unanimously to apply the \$500 fee for property under one acre to Mr. Coyle's property and, subject to Mr. Coyle' obtaining a separate connection for water for his business within four months, to authorize continuing work on wastewater connections for Mr. Coyle's property and to waive enforcement against the improper water connection to the business for such four month period.

At this time, Mr. Coyle left the meeting.

- Water Plant #2
 - Mr. Dybala informed the Board the project is being advertised and Jacobs anticipates the following schedule:
 - October 14, 2020 – Pre-Bid Meeting
 - November 4, 2020 – Bids Due
 - November 2020 – Award Contract
 - December 2020 – Execute Contract
 - January 2021 – March 2022 – Construction
 - District Estimated Water Connection Timeline (FBCFWSD#1 WP#1 Connection Capacity = 1,750)
 - End of 2020=1,675
 - End of 2021=1,750
 - Anticipate completing District's WP#2 by end of 2021 or early 2022.
- Water Plant #1
 - Mr. Dybala informed the Board Jacobs was in the process of securing bids for the recoating of internal surfaces of the hydrotanks and ground storage tanks.
 - Mr. Dybala anticipates approval of a contract at the December meeting and work occurring January to March of 2021.
- Teleview Terrace Lift Station Upgrades
 - Mr. Dybala noted approximately 430 homes are currently connected to this station and another 70 connections are expected shortly. Jacobs recommended the addition of a third pump to increase the capacity capabilities of the lift station from 630 ESFCs to over 800 ESFCs.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to authorize EDP and Jacobs to obtain price estimates for the additional pump, installation costs, and associated work.

- Gateway Acres Subdivision Wastewater Collection System
 - The construction project will be on hold until completion of Trammel Fresno Road widening project and securing a new loan.
 - Jacobs is completing the project construction drawings for agency review. Mr. Dybala informed the Board the detailed topographic survey CAD document was received from Landtech, Inc. (“Landtech”) and recommended approval of the invoice in the amount of \$59,700.

- 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.

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

- Fresno Gardens North Wastewater Collection System warranty expires June 17, 2021.

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 Collection 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.
- The bond application report is in process and Jacobs received additional information from COA for completion of the report.

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.

F. Discuss Emergency Preparedness Plan

- Jacobs and EDP will review the EPP in April of each year to determine if changes are necessary. The EPP is required for upcoming AWIA compliance, and Mr. Dybala informed the Board EDP is preparing to perform required facilities assessments and Jacobs will determine requirements for preparation of an Emergency Response Plan.

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

H. Trammel Fresno Road Widening Project

- EDP is preparing the final waterline adjustment list to present to the Board. Mr. Willis and Ms. Campbell then discussed with the Board the status of back-charges billed to Base Construction for damages caused in connection with the road project and potential additional actions for collection. No response has been received by either Mr. Willis or EDP and Mr. Willis will attempt to contact Base Construction once more prior to turning the account over to collections.

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

- Jacobs is waiting on an update from COA; and awaiting record drawings once the project is complete.

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.

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

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 three locations;
- Corrected a voltage issue at water plant;
- Replaced booster pump #1 motor; and
- Performed annual load bank test on generator.

Ms. Campbell reported installation of the reflective collars for the fire hydrants, as discussed at previous meetings, is in process and expected to be completed this week.

Ms. Campbell also reported annual hydrant flushing is upcoming and a notice to residents will be included in the next water bill.

Ms. Campbell then reported the status of an emergency well repair for Water Plant No. 1 is in process and the District's water is currently being provided pursuant to the interconnect with Fort Bend Municipal Utility District No. 23.

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 and are subject to disconnection of service.

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, repairs to the water and wastewater system, and the account 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 meetings held on September 17, 2020 and September 24, 2020, were presented for approval.

Upon motion duly made by Supervisor Fleck, seconded by Supervisor Casher, the Board voted unanimously to approve the minutes of the meetings held on September 17, 2020 and September 24, 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. Mr. Willis informed the Board he and Mr. Dybala had received the TCEQ's comments and met with COA to discuss the issue. The TCEQ is calculating the minimum gallons per minute per connection such that the District is not meeting the required amount. Mr. Dybala notes the District is providing the required capacity to COA in practice. Mr. Willis notes an amendment to clarify the ESFC capacity reservation in the contract was discussed with COA and will be reviewed to ensure compliance with TCEQ requirements prior to presentation to the Board for approval. Mr. Willis notes he and COA are coordinating to submit an amendment prior to the TCEQ's December response deadline.

At this time, Mr. Dybala left the meeting.

C. Approval of Amended and Restated Rate Order

Mr. Willis then presented to the Board an Amended and Restated Rate Order, removing the line item for volunteer fire services to reflect the recent inclusion in and ESD and updating the sewer tap provisions to match those for water taps.

Upon a motion made by Supervisor Casher, seconded by Supervisor Fleck, and after full discussion, the Board voted unanimously to approve the Amended and Restated Rate Order, as presented.

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. INSURANCE RENEWAL

The Board recognized Mr. Willis, who presented to the Board a proposal from HARCO Insurance Services to renew the District's insurance.

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

9. HEAR FROM THE PUBLIC.

At this time, the Board opened the meeting to comments from the public and noted there were no members of the public present who wished to address the Board.

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 November 17, 2020 .


Secretary, Board of Supervisors

