

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

January 21, 2021

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, January 21, 2021, 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
Rosa Linda Medina	Vice-President
Calvin Casher	Secretary
Rodrigo Carreon	Assistant Secretary
Erasto Vallejo	Assistant Secretary

All members of the Board were present, except Supervisor Vallejo, 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; Charles Coyle, a member 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 6:01 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

The Board recognized Mr. Coyle who requested the Board consider classifying his property as all residential for water and sewer service purposes, as discussed at previous meetings. The Board noted this would be discussed with the Engineer’s Report later in 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, including Pay Application No. 2 from T Construction for project construction for \$77,931.90 and Invoice No. 3 from Geotest for material testing services for \$2,828.20, as discussed later in the meeting during 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.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, 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, including (i) the payment of Pay Application No. 2 from T Construction for \$77,931.90 and (ii) payment of Invoice No. 3 from Geotest for \$2,828.20.

3. TAX REPORT

The Board recognized Ms. Grimes, who in the absence of Mr. Fleck presented the Tax Report, a copy of which is on file in the official records of the District.

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

4. ENGINEER'S REPORT

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

(a) Report on status of projects:

i) Fresno Gardens North Subdivision Wastewater Plumbing Contract (currently 67 properties included)

- Project is substantially complete...conducting final walkthrough of project this week and will provide final punchlist items for T Construction to address to complete field work...anticipate all field work being completed this month and final closeout paperwork presented to the Board at their February meeting
- Request Board approval of Pay Application No. 2 from T Construction for construction of project for \$77,931.90
- Request Board approval of Invoice No. 3 from Geotest for material testing services for \$2,828.20

ii) Teleview Terrace Subdivision Lift Station Upgrades

- EDP currently in process of adding 3rd lift pump to lift station...EDP to provide status update in their report
- Current lift station, with 2 pumps, is capable of conveying wastewater for 630 ESFCs...With addition of 3rd pump the lift station should be capable of conveying wastewater for over 800 ESFCs

iii) Water Plant #1 Recoat Work (Recoat Internal Surface of HPTs and Floor of GST#1)

- EDP is in process of isolating HPT#1 and GST#1 so recoating work can be performed for both of these tanks...it is anticipated that these tanks will be isolated this week so A&H Coating Services, LLC will be able to prepare and coat the surfaces of these tanks this week/next week
- Anticipate work being completed by March of this year

iv) Water Plant #2

- Pre-construction meeting was conducted with B-5 Construction Co. on January 13th and the Notice-to-Proceed date (which starts contract time) was set for January 18th
- Contractor currently working on issuance of construction submittals for review/approval...initial construction activities will consist of tree/vegetation clearing and earthwork needed to build up water plant site and install perimeter swale/drainage system...once initial earthwork is done, it is requested that EDP install a water tap with meter so Contractor will have water available for construction of water well
- Anticipate construction being completed by mid-2022
- District Est. Water Conn. Timeline (FBCFWSD#1 WP#1 Conn. Capacity = 1,750)
 - End of 2020 = 1,650
 - End of 2021 = 1,716
 - Mid 2022 = 1,750

v) Gateway Acres Subdivision Wastewater Collection System

- Jacobs currently in process of completing construction documents for project
- The new District wastewater loan will need to be secured prior to starting construction of this project

vi) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Reference Gateway Acres Subdivision Wastewater Collection System status

vii) 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/Wastewater Projects

- no action items

(c) Report on status of project funding and take necessary action related thereto.

- Project One-Year Warranty Expiration Dates
 - Fresno Gardens N Sub WW Collection System...06/17/2021
- 2015 TWDB DFUND Loan...remaining funds will be used for the Water Plant No. 2 project
- 4th TWDB DFUND Loan (\$1.745M)...funds will be used to complete the Water Plant No. 2 project
- 2021 TCEQ Loan (estimated at \$10.45M) – loan will secure funds for the completion of a) Gateway Acres Sub WW Collection System project b) Fresno Ranchos Sub LS and FM project, and c) CoA WWTP Expansion project...Received estimated cost information from CoA regarding the WWTP Expansion project, which information is currently under review
- FBC CDBG Funds...will apply once Gateway Acres Subdivision WW Plumbing project is underway...applications for funds are typically received in March of each year

(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 –

Connections Pending	
Stop N’ Grubb (Mobile Food Truck at 3502 Jan Street)	
- EDP to provide update regarding connection...per EDP, tap letter provided to customer	
St. Peters & St. Pauls Orthodox Church of Houston (3114 Illinois St)	
- EDP to provide update regarding connection...per EDP, tap letter provided to customer	

Mr. Dybala noted during the meeting that St. Peters’ application had been approved by EDP and will be connected.

Processing Application	
Quality Paint and Body (Pecan Street)	
- application has been review by both the Engineer and District Operator...request Board approve application, which consists of providing this business with District water and wastewater service...after Board approval, District Operator will coordinate with customer regarding remaining steps in the process (tap letter, etc...)	
General Office Space (514 Pecan Street)	
- waiting for customer to provide plumber’s info...discuss with Board information related to building and its classification	
St. James Knanaya Church (Ave C)	
- waiting for customer to provide plumber’s info	
Quality Paint and Body (Pecan Street)	
- application has been review by both the Engineer and District Operator...request Board	

approve application, which consists of providing this business with District water and wastewater service...after Board approval, District Operator will coordinate with customer regarding remaining steps in the process (tap letter, etc...)

Status of Non-Residential Applications for Wastewater Service –

Processing Application	
Quality Paint and Body (Pecan Street)	
- application has been review by both the Engineer and District Operator...request Board approve application, which consists of providing this business with District water and wastewater service...after Board approval, District Operator will coordinate with customer regarding remaining steps in the process (tap letter, etc...)	
General Office Space (514 Pecan Street)	
- waiting for customer to provide plumber’s info...discuss with Board information related to building and its classification	

The Board then discussed the classification of 514 Pecan, as discussed at previous meetings. Mr. Dybala informed the Board that Mr. Coyle received the updated price estimate from EDP. Ms. Campbell informed the Board the revised estimate was \$11,700, subject to adjustments per the District’s rate order. Mr. Coyle stated he was willing to remove any office furniture and make the detached building purely residential as the residence of his grandson. Mr. Dybala reiterated he saw another person working at a desk in the property at the address while inspecting the property for the District’s plumbing project and that 517 Kansas, Mr. Coyle’s residence, is already included in the project. The Board notes Mr. Coyle’s advertising of his business out of the detached building is still meeting the classification of commercial. Mr. Coyle inquired if he converted the property would he be able to have the property reclassified, and the Board noted that if Mr. Coyle converted the detached building to residential use then it must remain residential, including removal of any web presence advertising his business from this address and CAD appraisal of the personal property for the business.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to keep the commercial classification of 514 Pecan at this time.

At this time Mr. Coyle left the meeting.

(g) Potential Emergency Water Interconnect with BCMUD21

- conducted phone conversation with LJA (Bill Ehler), engineer for BCMUD21, on December 2016 regarding potential emergency water interconnect between our districts
- possible location for interconnect would be at east end of Renfro Burford Road
- BCMUD21 would be interested in pursuing interconnect (50/50 cost split) once FBCFWS#1 completes its 2nd Water Plant

(h) Emergency Water Interconnect with Charleston MUD

- received the record drawings from Charleston MUD.

(i) Status of New CoA WP – CoA anticipates water plant being completed by mid-2022

(j) Status of CoA WWTP Expansion Project (increasing capacity from 0.675 MGD to 0.95 MGD...the District would be receiving an additional 100,000 GPD through this expansion)

- Per DA's conversation with Llarance Turner of CoA in December 2020, the construction package for this project should be completed 2/3Q of 2021 and construction of the project should start at the end of 2021 and be completed by the end of 2022...CoA still needs to provide the District a letter documenting all of this, as well as, what the District will owe for this expansion project (DA to provide update)

During the meeting, Mr. Willis informed the Board he has heard from the engineer for this project and they expect to send a letter in the next approximately 30 to 60 days.

(k) FM521 Roadway Widening Project – 30% Utility Coordination meeting was conducted on November 12th...new roadway configuration within District will be a 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, side swales, and sidewalk...it is anticipated that the roadway design plans will be completed in May 2021 and the project will be under construction in May 2023...Jacobs has updated proposed roadway plans to include District's existing water and wastewater utilities and will then determine potential conflicts

Potential Single Family Residential Development – Contacted by Friendswood Development Company regarding potential 40 home development, within 11 acre tract, at southeast corner of District (end of Tulip St)

During the meeting, Mr. Dybala informed the Board District capacity was fairly limited and suggested they contact Mr. Willis to discuss.

In response to questions from Supervisor Carreon, the Board discussed the plans for the FM 521 road widening. The consensus of the Board was to post the link to TXDOT's project map for access to the latest maps on the District's website.

Upon motion made by Supervisor Medina, and seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve (i) the Engineer's Report, and (ii) the application from Quality Paint and Body.

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;
- Replaced auto sensory controls and wiring, repaired connections on the hydrotank, and installed gaskets on the HPT for the water plant;
- Pulled and cleaned lift pumps and bottom cleaned wet well for Lift Station #1;
- Repaired a leaking service line; and
- Replaced meter and raised meter and box at one location.

Ms. Campbell reported the installation of the third lift pump at lift station #1 was in process and expected to be complete in March.

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.

Ms. Campbell then reviewed upcoming AWIA compliance requirements and EDP's projects and estimated costs with the Board.

Ms. Campbell then updated the Board on the status of installation of a tap and meter for Mr. Kevin Murray and his father, as discussed at previous meetings. Ms. Campbell informed the Board Mr. Murray responded to the letter from Mr. Willis stating EDP could proceed without the irrigation system included, however, when Ms. Campbell responded informing him information for his father's property was still required, she received no reply. As discussed at previous meetings, EDP will remove the line to the property.

Ms. Campbell also reported the customer at 131 College disputed the water bill and informed the Board no adjustments were recommended per the Rate Order at this time.

Supervisor Carreon reported potential hydrant damage at Sycamore and Supervisor Medina reported several parked trailers on Bryan St. Ms. Campbell stated she will investigate both items.

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 meeting held on December 17, 2020 were presented for approval.

Upon a motion made by Supervisor Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to approve the minutes of the December 17, 2020 meeting as presented.

B. Discuss Regional Facilities Contract

Mr. Willis presented the amendment to the contract with COA, as discussed at previous meetings, to the Board.

Upon a motion made by Supervisor Casher, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the 5th Amendment to the Regional Facilities Contract.

C. Discuss Amendment to Rate Order

Mr. Willis next presented to and reviewed with the Board a proposed amendment to the District's Rate Order requested by EDP. Mr. Willis noted that the sewer tap fees were originally set up to mirror water tap fees, but this made it difficult for EDP to calculate such fees when there were existing sewer leads and stacks. The amendment updates the Rate Order to revise the tap fee for residential sewer taps where there is an existing sewer lead and stack.

Upon motion by Supervisor Casher, seconded by Supervisor Medina, the Board voted to approve the Amended Rate Order, with Supervisors Casher, Medina, and Hamilton voting yes and Supervisor Carreon voting no.

7. REGIONAL PLANT COMMITTEE REPORT

Supervisor Hamilton then presented the Regional Plant Committee Report.

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

8. HEAR FROM THE PUBLIC.

At this time, the Board recognized Supervisor Medina regarding RWA fees and the Board discussed the current fees.

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 February 25, 2021



Secretary, Board of Supervisors

