

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

February 25, 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 special session, open to the public, on Thursday February 25, 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 discussed with the Board the classification of his property as commercial 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 Invoice No. 4 (Final) from Geotest for material testing services for \$311.20 and Pay Estimate No. 1 for \$38,632.50 and Change Order No. 1 for \$9,800.00 from A&H Coating Services, LLC for Water Plant No. 1 recoat work, 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, as presented, and authorize the payment of the checks and invoices listed therein, including the payment of (i) Invoice No. 4 (Final) from Geotest for material testing services for \$311.20 and (ii) Pay Estimate No. 1 for \$38,632.50 and Change Order No. 1 for \$9,800.00 from A&H Coating Services, LLC for Water Plant No. 1 recoat work.

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 (67 properties included)

- Construction of project is complete, except for the completion of a punchlist item
- Anticipate T Construction completing punchlist item and submitting final paperwork, including final pay estimate, by next Board meeting
- Request Board approval of Invoice No. 4 (Final) from Geotest for material testing services for \$311.20

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)

- A&H Coating Services, LLC completed recoat of internal surfaces of the westernmost HPT and GST...EDP is in the process of placing both of these tanks back into service,

and when complete, will isolate and drain the easternmost HPT so the Contractor can complete the recoating work for that tank

- While preparing (sandblasting) the GST floor for the recoat work, it was discovered that the floor's surface had moderate to severe gouges and pinholes...Change Order No. 1 was provided by the Contractor for \$9,800.00 that consisted of the additional work needed to address this issue (addition of epoxy to fill gouges and pinholes and fiberglass mesh to span and strengthen defects)
- Request Board approval of Pay Estimate No. 1 from A&H Coating Services, LLC for \$38,632.50
- Anticipate work being completed by next Board meeting

iv) Water Plant #2

- B-5 Construction Co. secured construction permit from Fort Bend County a couple of weeks ago and anticipates mobilizing by the end of this week and start clearing and earthwork efforts next week (project has been delayed due to issuance of construction permit from FBC and freeze last week). Contractor has been providing construction submittals, which Jacobs is in the process of reviewing
- Anticipate construction being completed by mid-2022
- District Est. Water Conn. Timeline (FBCFWS#1 WP#1 Conn. Capacity = 1,750)
 - End of 2021 = 1,716
 - Mid 2022 = 1,750

v) Gateway Acres Subdivision Wastewater Collection System

- Construction plans are being completed and it is anticipated that they will be submitted in April to FBC, CoH, and the TCEQ for comment/approval

vi) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Construction plans are being completed and it is anticipated that they will be submitted in April to FBC, CoH, and the TCEQ for comment/approval

vii) Gateway Acres Subdivision Wastewater Plumbing Contract

- townhall meetings will be conducted once the public wastewater lines for this area are under construction, which is anticipated to 4thQ of this year

(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...anticipate Bond Application Report being completed in March/April for DA, FA, and Engineer review...once approved, the BAR will be submitted to the TCEQ
- 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...Overall District Water and Wastewater Exhibits have been updated and emailed to all Board members and consultants. SK Law confirmed the new exhibits were posted on the District’s website.

(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	
Quality Paint and Body (Pecan Street)	
- EDP to provide update regarding connection	

Processing Application	
General Office Space (514 Pecan Street)	
- per EDP, customer is now wanting commercial water and wastewater service...request Board to provide updated deadline for customer to connect with District facilities (customer currently having difficulties in securing plumber to perform work due to recent freeze event), will need plumber’s info in order to process application	
St. James Knanaya Church (Ave C)	
- waiting for customer to provide plumber’s info	
Fresno Gym (3941 FM 521)	
- request Board’s approval to start working on application for commercial water service once customer provides \$2,500 application fee to District Bookkeeper	

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General Office Space (514 Pecan Street)	
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During the meeting, Mr. Dybala informed the Board Mr. Coyle was working to engage a plumber and proceed with a commercial connection. The Board discussed extending the deadline for Mr. Coyle to add the commercial connection and terminate the unauthorized hookup due to the shortage of plumbers from the recent winter storm. The consensus of the Board is to have Mr. Coyle continue to update Mr. Dybala on the progress and review progress at each 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) Status of New CoA WP – CoA anticipates water plant being completed by mid-2022

(i) 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)

(j) 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

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, as presented.

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 four locations;
- Performed commercial meter testing;
- Repaired a leaking service line; and
- Repaired sanitary sewer line.

Ms. Campbell reported the installation of the third lift pump at lift station #1 was in process and expected to be complete in March, however Winter Storm Uri delayed the completion.

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.

In response to questions from Supervisor Medina, Ms. Campbell noted the charges appearing on the Bookkeeper's Report reflect the amounts of fees and the dates collected on behalf of COA.

Ms. Campbell then informed the Board the County Judge requested utility providers waive late fees and disconnections until April 30, 2021 and discussed with the Board options for additional rate adjustments due to the winter storm. The consensus of the Board was to authorize a rate adjustment to the usage amount from the prior month upon proof of excess water use due to damage from the storm. Ms. Campbell noted no information from the NFBRWA was yet available on its policy for storm relief.

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 special rate adjustment policy for eligible damage due to Winter Storm Uri and waiving all new late fees and disconnects until April 30, 2021.

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 21, 2021 were presented for approval.

Upon a motion made by Supervisor Medina, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve the minutes of the January 21, 2021 meeting as presented.

B. Discuss Regional Facilities Contract

Mr. Willis noted that no action was necessary in connection with this item.

C. Discuss Resolution Regarding Tax Exemptions

Mr. Willis next presented to and reviewed with the Board a proposed Resolution Concerning Tax Exemptions for 2021.

Upon motion by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously not to grant any tax exemptions for 2021 and to adopt the Resolution Concerning Tax Exemptions For 2021. A copy of said resolution is on file in the official records of the District.

D. Authorize Attorney to Collect Delinquent Taxes

Consideration was then given to authorizing the District’s delinquent tax attorney to collect the District’s delinquent taxes. The Board noted that the District has a contract with Linebarger Goggan Blair and Sampson (“Linebarger”) to collect the District’s delinquent taxes and that such contract continues until terminated.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to authorize Linebarger to collect the District’s delinquent taxes, including the 2020 taxes that are delinquent on July 1, 2021 and thereafter.

E. 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 Medina, seconded by Supervisor Casher, the Board voted unanimously to (i) authorize a 20% penalty on 2020 real property taxes which are delinquent on July 1, 2021 and thereafter, (ii) authorize a 20% penalty on 2020 personal property taxes which are delinquent on April 1, 2021 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

Supervisor Hamilton 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.

8. HEAR FROM THE PUBLIC.

At this time, the Board recognized Supervisor Medina regarding water pressure after the winter storm. Ms. Campbell stated if the problem persisted EDP would schedule an inspection.

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 4/15/21.



Secretary, Board of Supervisors

