

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

April 15, 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, April 15, 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”); Michael Others with McCall Gibson Swedlund Barfoot PLLC, the District’s Auditor; David Dybala with Jacobs Engineering Group, Inc. (“Jacobs”), the District’s Engineer; Brea Campbell with Environmental Development Partners (“EDP”), the District’s Operator; Greg Fleck, the District’s Tax Assessor/Collector; Dwayne Grigar with Fort Bend County Precinct No. 1; Charles Coyle, 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 6:02 p.m. and the following business was transacted.

**1. TAX REPORT**

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

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

Mr. Fleck then left the meeting.

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

The Board recognized Mr. Coyle who discussed with the Board the status of connecting his commercial property for water and sewer service purposes, as discussed at previous meetings. The Board noted this would be discussed with the Operator’s Report later in the meeting.

**3. AUDIT FOR THE FISCAL YEAR ENDED DECEMBER 31, 2020.**

The Board recognized Mr. Others, who presented to and reviewed with the Board the audit for the fiscal year ended December 31, 2020.

Upon motion duly made by Supervisor Medina, and seconded by Supervisor Carreon, the Board voted unanimously to approve said audit, a copy of which is available in the District's records.

Mr. Others then left the meeting.

**4. 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. 1 from Terracon for material testing services for \$4,758.00 and Invoice No. 1 from Pape Dawson for surveying services for \$4,350.00.

**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 Medina, 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 Invoice No. 1 from Terracon for material testing services for \$4,758.00 and Invoice No. 1 from Pape Dawson for surveying services for \$4,350.00.

**5. 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 one punchlist item, which consists of the repair to a private water well at 643 North Locust St... Contractor has been working with a certified well repair company to resolve this matter and keeping the resident constantly informed of the status of repair

During the meeting, Mr. Dybala informed the Board the well repair was complete and final inspection is in process.

- Anticipate T Construction completing the punchlist item and submitting final paperwork, including final pay estimate, by next Board meeting
- ii) Water Plant #1 Recoat Work (Recoat Internal Surface of HPTs and Floor of GST#1)
- A&H Coating Services, LLC completed the recoat work of the internal surfaces of the westernmost HPT and GST...the GST is back in service, but the HPT is needing repair to a couple of couplings, and paint touch up afterwards, before being placed back into service...EDP to provide update regarding when they believe the HPT will be placed back into service
  - The easternmost HPT will have its internal surfaces recoated once the westernmost HPT is placed back into service
  - Anticipate all work being completed in May
- iii) Water Plant #2
- B-5 Construction Co. is in process of completing earthwork at water plant site and anticipates next week to start working on foundations for various components of the water plant site...Contractor is also in the process of installing the off-site waterline that will deliver water from the newly constructed water plant to the District's distribution system
  - Request Board's approval of Invoice No. 1 from Terracon for material testing services for \$4,758.00
  - Request Board's approval of Invoice No. 1 from Pape Dawson for surveying services for \$4,350.00
  - 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
- iv) Gateway Acres Subdivision Wastewater Collection System
- Construction plans are being completed...By May Board meeting, plans should be at FBC, CoH, and TCEQ for comment/approval
- v) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
- Construction plans are being completed...By May Board meeting, plans should be at FBC, CoH, and TCEQ for comment/approval
- vi) 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 4<sup>th</sup>Q 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
- 4<sup>th</sup> 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 April for DA, FA, and Engineer review...once approved, the BAR will be submitted to the TCEQ
  - FBC CDBG Funds...per communications from Carol Borrego, Director for FBC Community Development Department, the Gateway Acres Subdivision is not eligible for CDBG funds as the area does not qualify per HUD criteria
  - Meeting with Commissioner Morales...In connection with District funding, Supervisor Hamilton discussed with the Board a planned meeting with the Precinct 1 Commissioner’s Office to discuss the potential for obtaining federal assistance for the District’s remaining projects. Supervisor Hamilton advised that the meeting is scheduled for Friday, April 16, 2021. He further advised that a future meeting will be requested with Representative Nehls regarding this matter.

**(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...do not recommend any updates to EPP, other than EDP making updates to plan regarding contact information

**(f) Status of Non-Residential Applications for Water Service –**

<b>Connections Pending</b>	
<b>Stop N’ Grubb (Mobile Food Truck at 3502 Jan Street)</b>	
- EDP to provide update regarding connection...per EDP, tap letter provided to customer in June 2020...EDP and Jacobs are in process of contacting this customer to determine if they are still interested in receiving service or if the application should be considered expired	
<b>Quality Paint and Body (Pecan Street)</b>	
- EDP to provide update regarding connection	
<b>General Office Space (514 Pecan Street)</b>	
- EDP to provide update regarding connection	
<b>Fresno Gym (3941 FM 521)</b>	
- EDP to provide update regarding connection	

<b>Processing Application</b>	
<b>St. James Knanaya Church (Ave C)</b>	
- waiting for customer to provide plumber’s info...informed customer that application is over a year old...per customer, they have had issues with FBC approving drainage plan for site, but should have plans approved in next couple to three months	

<p><b>Fresno Food Mart (Trammel Fresno Rd)</b>  - present application to Board...waiting on all required docs to complete application (this is second application from customer as previous application had expired)</p>
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**Status of Non-Residential Applications for Wastewater Service –**

<p><b>Connections Pending</b></p>	
<p><b>Quality Paint and Body (Pecan Street)</b>  - EDP to provide update regarding connection</p>	
<p><b>General Office Space (514 Pecan Street)</b>  - EDP to provide update regarding connection</p>	

- (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 2<sup>nd</sup> 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)**  
– DA to provide update regarding communications with CoA regarding receipt of letter from CoA outlining a) overall schedule for project and b) District’s share of costs for project...Per Llarance Turner with 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
- (j) **FM521 Roadway Widening Project –** 30% Utility Coordination meeting was conducted on November 12<sup>th</sup>...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 application from Fresno Food Mart and approve the Engineer’s Report, as presented.

**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.

**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;
- Fueled generator for Winter Storm Uri;
- Installed lift pump #3; and
- Cleaned pumps and lubed check valves.

Ms. Campbell informed the Board the emergency repairs to Hydro Tank #1 are expected to be complete prior to the next Board meeting and the repairs to Ground Storage Tank #1 have been completed.

Ms. Campbell then informed the Board 1111 Trammel Fresno had requested a leak adjustment (not due to damage from Winter Storm Uri) and recommended an adjustment of \$66.00 per the District's rate order. Ms. Campbell noted there is another customer requesting an adjustment due to damage from Winter Storm Uri, and the consensus of the Board was it would approve an adjustment per the rate order subject to the customer providing Ms. Campbell sufficient proof the leak was fixed and is now resolved.

Ms. Campbell informed the Board the customer at 513 Pecan Street, Quality Paint and Body, requested a payment arrangement for a commercial tap fee, and the customer will pay a deposit, which includes inspection fees of \$675, of \$2,225 plus an additional \$1,000 toward the tap fees, with the remaining \$16,000 to be paid monthly in the amount of \$1,000 plus the amount for each monthly water bill.

Ms. Campbell also informed the Board Mr. Coyle at 514 Pecan Street has arranged to pay a deposit, which includes inspection fees of \$450, of \$1,525 plus an additional \$2,800 toward the tap fees, with the remaining \$7,200 to be paid monthly in the amount of \$400 plus the amount for each monthly water bill.

**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 reported to the Board EDP had reviewed the Identity Theft Prevention Program and there were no red flag events. No changes to the program were recommended by Ms. Campbell at this time.

Ms. Campbell informed the Board the NFBWA Water Conservation Plan Annual Report and the TWDB Water Loss Audit Report and sent copies to Mr. Willis.

Upon a motion duly made by Supervisor Medina, seconded by Supervisor Casher. and after full discussion, the Board voted unanimously (i) to approve the Operator's Report and repairs to the water and wastewater system; (ii) to approve the leak adjustment of \$66.00 for 1111 Trammel Fresno; (iii) to approve an adjustment subject to receipt of proof of completion and authorize EDP to calculate the adjustment amount per the rate order; (iv) to approve the payment plans for 513 Pecan and 514 Pecan as recommended; (v) to approve the annual Identity Theft Prevention Program; and (vi) to authorize filing of the NFBWA Water Conservation Plan Annual Report and the TWDB Water Loss Audit Report.

**7. 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 February 25, 2021, and March 15, 2021 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 February 25, 2021, and March 15, 2021 meetings as presented.

**B. Discuss Regional Facilities Contract**

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

**C. Consider approving Resolution Regarding Annual Review of Red Flags Policy**

Mr. Willis next presented to and reviewed with the Board a proposed Resolution Regarding Annual Review of Red Flags Policy.

Upon motion by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to adopt the Resolution Regarding Annual Review of Red Flags Policy. A copy of said resolution is on file in the official records of the District.

**8. 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.

**9. HEAR FROM THE PUBLIC.**

At this time, the Board recognized Supervisor Hamilton who informed the Board a meeting was scheduled with Mr. Willis, Mr. Dybala, and the congressman for the District regarding upcoming funding opportunities.

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 May 20, 2021.

[SEAL]

