

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

September 16, 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, September 16, 2021, at 6:00 p.m., at 4521 F.M. 521 North, Fresno, Fort Bend County, Texas 77545, a designated meeting place inside the boundaries of the District, and 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, 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; Rosa Tristan, 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 6:10 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 AND TAX ASSESSOR/COLLECTOR'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 the invoices discussed in more detail under 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.

Ms. Grimes next updated the Board on the billing discrepancy with CoH and the District, as discussed at the previous meeting. Ms. Grimes reviewed previous bills and determined the amount to reimburse CoA for overbilling. The consensus of the Board was to defer actual reimbursement until CoH has prepared its reimbursement to the District.

Ms. Grimes 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 (i) approve the Bookkeeper's Report, as presented, (ii) authorize the payment of the checks and invoices listed therein, including the invoices discussed under the Engineer's Report, and (iii) approve the Tax Assessor/Collector's Report.

3. CONDUCT PUBLIC HEARING ON PROPOSED 2021 TAX LEVY

The Board noted that notice of the public hearing and the tax rate was published pursuant to Chapter 49, Texas Water Code, as required, and the public hearing was opened at 6:21 p.m. The Board noted that no members of the public present wished to discuss the tax rate. The Board closed the public hearing at 6:24 p.m.

4. ADOPT ORDER SETTING TAX RATE AND LEVYING TAX FOR 2021

The Board then considered adoption of the proposed Order Setting Tax Rate and Levying Tax for 2021. Having conducted the public hearing as required by law and publishing notice thereof, the Board deemed it appropriate to proceed with setting the 2021 tax rate.

Upon a motion made by Supervisor Medina, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to (1) set and levy (i) a debt service tax rate for 2021 in the amount of \$0.59 per \$100 of assessed valuation, and (ii) an operation and maintenance tax of \$0.41 per \$100 of assessed valuation for a total tax rate of \$1.00 per \$100 of assessed valuation, and (2) adopt the Order Setting Tax Rate and Levying Tax for 2021, a copy of which is on file in the Official Records of the District.

5. AMENDED NOTICE TO SELLERS AND PURCHASERS

Consideration was then given to the proposed Amended Notice to Sellers and Purchasers, which notice sets forth the 2021 tax rate.

Upon a motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to approve the Amended Notice to Sellers and Purchasers, a copy of which is on file in the Official Records of the District.

6. DISCUSS PROVISION OF ADDITIONAL WATER CAPACITY TO CITY OF ARCOLA

The Board considered the request of the City of Arcola ("CoA") for additional water capacity as discussed at previous meetings and recognized Mr. Willis who reported the City had provided comments to the proposed agreement for additional connections, and requested the District participate in the rerating

costs based on the District's participation in the plant, which is estimated to be approximately \$7,500 at this time.

Upon a motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to approve cost sharing in the plant rerating.

7. 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) Water Plant #2

- Project currently under construction...Contractor has completed the off-site waterline, including tie-ins with District's existing waterlines and has completed the installation of both HPTs...Contractor is currently working on the installation of the foundations for the GST and BPs...Alsay (well driller) is currently working on collecting the four water samples for evaluation, which is anticipated to be completed by the end of September
- Request Board's approval of Pay Estimates No. 5 from B-5 Construction Co. for construction of the project for \$439,009.47
- Request Board's approval of Invoice No. 6 from Terracon for material testing services for \$4,855.50
- Will be presenting at October/November meeting a proposal for addition material testing services
- Anticipate construction being completed by mid-2022
- District Est. Water Conn. Timeline (FBCFWSD#1 WP#1 Conn. Capacity = 1,875 when temporary water service agreement gets signed by CoA)
 - End of 2021 = 1,750
 - Mid 2022 = 1,785

ii) Gateway Acres Subdivision Wastewater Collection System

- Construction plans are completed and Jacobs is in the process of coordinating with the various review agencies (TCEQ, CoH, FBC Engineering and Drainage, Centerpoint, AT&T, and Frontier) for their review and approval needed for advertising the project...it is anticipated that the project will be advertised near the end of this year

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Final design comments are being addressed and construction plans are anticipated to be ready for submission to the review agencies by the end of this month...construction plans will be submitted to the TCEQ, CoH, FBC Engineering and Drainage,

Centerpoint, AT&T and Frontier for comment/approval

iv) Gateway Acres Subdivision Wastewater Plumbing Contract

- Tentative Schedule (actual schedule dependent on when construction plans are bid ready and TCEQ loan secured, which is anticipated to occur by the end of this year...could be impacted by available WWTP capacity, which temporary water service agreement is needed to resolve):
 - o Townhall Meetings (potentially with FBC CDBG assistance) – January thru May 2022 (once a month)...breaking GA into three sections, with each section having its own meeting in January thru March...April and May would be a general meeting for all sections...utilizing this plan, all sections would have three opportunities to attend a meeting
 - o Anticipate Gateway Acres Sub WW Collection System project being completed in 4Q of 2022, with the plumbing project starting construction immediately afterwards

(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 Plumbing Project...01/15/2022
- 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 (\$10.45M) – BAR was submitted to the TCEQ and declared administratively complete on August 2nd...BAR is currently under technical review...a meeting was conducted on August 24th with the TCEQ reviewer and he felt that the technical review of the report could be completed by October of this year...anticipate funds being available at the end of this year...funds from the BAR are needed to fund 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
- FBC CDBG Funds...will pursue funding source for future plumbing projects...a message was left with Carol Borrego (Director of FBC CDBG Dept) on September 14th regarding if the Gateway Acres Sub would qualify for CDBG funds due to updated info from the census...waiting for a response back

(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
- will need to coordinate with EDP for completion of AWIA emergency response plan that needs to be completed by the end of this year

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

Connected:	
4320 Doreen Avenue (Multi-Family Dwelling)	Interconnect with FBCMUD23
293 Teakwood Avenue (Multi-Family Dwelling)	La Fresno Food Mart
297 Teakwood Avenue (Multi-Family Dwelling)	Lou's Back Porch
Church of God of Prophecy	LT No Limits
Crossroad Market	Mustang Community Center
Dollar General	MVP Auto Parts (Domestic & FW)
Enriquez Tire Shop (East Palm)	New Quality Life Ministries (Church)
FBC Water Connection at Water Plant	New Quality Life Ministries (Restaurant)
First Baptist Church of Fresno (Domestic & FW)	Papa Nick's BBQ Kitchen – Mobile Food Truck
Fresno Gym (3941 FM 521)	PMC International Tire Shop
Fresno Market – FM521 (Domestic & Irrigation)	Quality Paint and Body (Pecan Street)
Fresno Motor	Richard Martini-Rental Livestock Pasture
Fresno Mount Corinth Baptist Church	Robbins Nest for Children (Domestic & FW)
Fresno Volunteer Fire Department	St. James Knanaya Church – Fire Tap
F&R Tax	St. Peters & St. Pauls Orthodox Church of Houston
General Office Space (514 Pecan Street)	Swingby#3 Gas Station (Domestic & Irrigation)
Gulf Coast LP Gas Company	Televue Terrace Subdivision Lift Station
HEFCO Enterprises	Tiny Toes Academy
Iglesia Bautista Del Calvario Church	Tire Shop at 1739A Trammel Fresno
Iglesia Principe De Paz Church	Valero Gas Station
Interconnect with City of Arcola	Welcome Foods

Connections Pending:	

Processing Application:	
St. James Knanaya Church (Ave C)	
- customer working on coordinating a meeting between Jacobs and EDP and their engineer and fire system designer to discuss their proposed plan...informed customer that application is over a year old (submitted on 12/2019) and subject to being considered expired...per customer, they have had prior issues with FBC approving drainage plan for site	
Fresno Food Mart (Trammel Fresno Rd)	
- waiting on all required docs to complete application (this is second application from customer as previous application had expired)...application submitted in April 2021	
Mobile Food Truck Business (Jan St)	
- request Board's approval to start processing application once customer provides application fee to District Bookkeeper	

Status of Non-Residential Applications for Wastewater Service –

Connected:	
4320 Doreen Avenue (Multi-Family Dwelling)	General Office Space (514 Pecan Street)
293 Teakwood Avenue (Multi-Family Dwelling)	Mustang Comm Center (<i>minus field bathrooms</i>)
297 Teakwood Avenue (Multi-Family Dwelling)	New Quality Life Ministries (Church)
Church of God of Prophecy	New Quality Life Ministries (Restaurant)
First Baptist Church of Fresno	Quality Paint and Body (Pecan Street)

Fresno Volunteer Fire Department	
Connections Pending:	
Processing Application:	

(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 FBCFWSD#1 completes its 2nd Water Plant

(h) Status of New CoA WP – CoA anticipates their water plant being completed by mid-2022...completion date may be extended due to recent water sampling results...once completed, interconnect with CoA will become an emergency water interconnect and the District will owe funds to CoA, per the RFC, for taking back 500 connections worth of water service (plus 125 connections, if temporary water service agreement is finalized)...if it is determined later that there will be a significant delay in the completion of the CoA WP, then the District may want to consider conducting an elevated storage tank waiver application with the TCEQ for additional water connections

(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 of capacity through this expansion) –

DA is coordinating this matter with the CoA by means of the temporary water service agreement, which would require a) a study to be submitted to the TCEQ in an attempt to re-rate the WWTP from 350 gpd/connection to some lessor amount and b) require the WWTP expansion project to be completed on or before June 2024...Currently, per the RFC, the District is only capable of providing wastewater service to 714 connections

(j) Roadway Widening Projects Within District (which will require utility and service line relocations):

- **South Post Oak Boulevard Widening Project:**

o **Scope** – Increased ROW width, with 2 lane road and additional lanes throughout sections, with roadside ditches

o **Schedule** –

- County is currently in process of clearing ROW and acquiring easements
- Road Design Phase – current to end of September 2021
- Utility Relocations – October 2021 to March 2022

- Road Construction – anticipated start April 2022

- **Estimated Cost -**

- Requested from County if they would assist financially regarding the relocation of utilities...waiting for a response
- In process of reviewing roadway construction plans to determine extent and cost of utility relocations

- **FM521 Roadway Widening Project (North of SH6):**

- **Scope** – 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, side swales, and sidewalk

- **Schedule** –

- 30% Utility Coordination meeting was conducted in November 2020
- 60% Utility Coordination meeting was conducted in September 2021
- 90% Utility Coordination meeting???...waiting for TxDOT to coordinate
- Anticipate 100% completed construction plans by May 2022
- Anticipate coordinating necessary water and wastewater utility relocations by mid-2022
- Anticipate roadway widening project to start construction in 2023

- **Estimated Cost-**

- In process of reviewing roadway construction plans to determine extent and cost of utility relocations

- **FM521 Roadway Widening Project (South of SH6):**

- **Scope** – 4 lane, divided roadway with raised median, curb and gutter, and side path...proposed detention pond along west side of CoA WWTP and new WWTP entrance roadway

- **Schedule** –

- 30% Utility Coordination meeting was conducted in September 2021
- 60% Utility Coordination meeting???...waiting for TxDOT to coordinate
- Anticipate 100% completed construction plans by March 2022

- Anticipate coordinating necessary wastewater forcemain relocations by???
- Anticipate roadway widening project to start construction in???

○ **Estimated Cost –**

- Will begin efforts to determine extent and cost for utility relocations once roadway plans are further along

- **West Sycamore Road Widening Project:**

○ **Scope –** Proposed 100’ ROW, with 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, and sidewalk

○ **Schedule –**

- Received 30% complete roadway plans
- Requested from County overall project schedule and possibility of including utility relocation work within roadway plans...waiting for a response from County

○ **Estimated Cost –**

- Requested from County if they would assist financially regarding the relocation of utilities...waiting for a response
- Will begin efforts to determine extent and cost for utility relocations once roadway plans are further along

- **Other Road Widening Projects Within The Next 5 Years**

(k) Requested this information from County...waiting for a response

Upon motion made by Supervisor Carreon, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve (i) Pay Estimate No. 5 from B-5 Construction Co. for construction for \$439,009.47; (ii) Invoice No. 6 from Terracon for material testing services for \$4,855.50; (iii) authorize processing of application from Mobile Food Truck, pending clearance of customer’s payment; and (iv) approve the Engineer’s Report, as presented.

8. 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 7 locations;

- Made repairs to HPT hatch at water plant;
- Performed load bank test for generator at water plant;
- Replaced lift pump #1 check valve at Lift Station #1;
- Top clean of wet well at Lift Station #1;
- Excavated and installed 6” sanitary sewer lead.

Ms. Campbell then reported the repairs, as discussed at the previous meeting, were in process for (a) the seal and shaft failures on booster pump #1 for Water Plant #1 and (b) booster pump #2 for Water Plant #1.

Ms. Campbell then reported EDP and Jacobs have been coordinating on performance of the valve survey of District water lines in connection with utility relocations for the road widening project along South Post Oak Blvd. and potential relocations for the FM 521 and W. Sycamore road widening projects.

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 informed the Board the North Fort Bend Water Authority sent notice of its intent to raise GRP and Surface Water Fees to \$4.55 and \$4.90 per 1,000 gallons, respectively, to effective January 1, 2022.

D. Approve Addendum to Operations Contract and Processing Agreement with Central Bank

Ms. Campbell informed the Board BBVA Compass will not be able to continue providing payment services, and presented to the Board the lockbox service documents, including the Addendum to Operations Contract and Processing Agreement with Central Bank.

Ms. Campbell then informed the Board Ms. Tristan requested an adjustment to tap fees and reported EDP had estimated approximately \$3,630 for the water and sewer tap fees and inspection fees per the rate order. Ms. Campbell noted this cost is an estimate only, and a payment plan would require an approximately \$480 deposit and up-front fees, which would be payable at \$150 per month, plus the monthly water bill. The Board discussed with Ms. Tristan that no discount to the fees was available per the rate order, but the repayment period could be extended if requested.

Upon a motion duly made by Supervisor Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously (i) approve the Addendum to Operations Contract and Processing Agreement with Central Bank for lockbox services; (ii) to approve the Operator’s Report and repairs to the water and wastewater system; and (iii) to approve the termination list and account write-offs.

9. 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 August 19, 2021 were presented for approval. The Board deferred action on this matter.

B. Discuss Regional Facilities Contract

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

C. Consider Right of Entry Agreement with NFBWA for Automated Meter Reading System

Mr. Willis next presented to and reviewed with the Board a request from the North Fort Bend Water Authority (“NFBWA”) and proposed agreement for a Right of Entry permitting the NFBWA to install an automated meter reader, as discussed at the previous meeting.

No motion was made and the Board directed Mr. Willis to inform the NFBWA the agreement was not approved.

10. REGIONAL PLANT COMMITTEE REPORT

Supervisor Hamilton then presented the Regional Plant Committee Report. The Board deferred action on this matter.

11. HEAR FROM THE PUBLIC.

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

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 October 21, 2021.

Calvin Casher
Secretary

