

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

November 18, 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, November 18, 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; Alyssa Saccomen for McCall Gibson Swedlund Barfoot PLLC, the District's Auditor; 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 6:15 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. 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 delivered the signed commitment for additional connections. The Board noted there was no action necessary at this time.

3. 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 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 authorize the payment of the checks and invoices listed therein, including (i) Pay Estimate No. 7 from B-5 Construction Co. for \$315,210.65 and (ii) Invoices No. 8 and 9 from Terracon for \$5,534.50 and \$5,302.00, as discussed in the Engineer's Report. The Board deferred action on (i) approval of the Bookkeeper's Report and (ii) approval of the Tax Assessor/Collector's Report.

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) Water Plant #2

- Project currently under construction – Contractor is currently working on a) completion of the MCC building foundation, b) erection of the GST, c) grade adjustments needed for drainage and installation of perimeter fence, and d) initial cleaning of installed water well. Anticipate being able to collect a water sample from the completed well by December / January to evaluate and make determination if additional treatment is needed (possibly for elevated fluoride). Anticipate needing to work with DA and District in January to secure an easement agreement with Centerpoint for bringing in electrical power to site.
- Request Board's approval of Pay Estimates No. 7 from B-5 Construction Co. for construction of the project for \$315,210.65
- Request Board's approval of Invoice No. 8 and 9 from Terracon for material testing services for \$5,534.50 and \$5,302.00, respectively
- Anticipate construction (not including if additional treatment is needed) 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 – per DA, agreement signed but not received)
 - End of 2021 = 1,750
 - Mid 2022 = 1,785

- ii) Gateway Acres Subdivision Wastewater Collection System
 - Construction plans have been submitted to the appropriate review agencies (TCEQ, CoH, FBC Engineering and Drainage, FBC R&B, Centerpoint, AT&T, and Frontier) and comments have been received from all of them, including comments being received this week from the CoH...it is anticipated that the project will be fully approved by all review agencies and ready for advertisement by the end of this year / first part of next year

- iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
 - Construction plans have been submitted to the appropriate review agencies (TCEQ, CoH, FBC Engineering and Drainage, FBC R&B, FBC Fire Marshall, Centerpoint, AT&T, and Frontier) and comments have been received from all of them, except TCEQ, FBC R&B, FBC Fire Marshall, and AT&T)...it is anticipated that the project will be fully approved by all review agencies and ready for advertisement by the end of this year / first part of next year

- iv) Gateway Acres Subdivision Wastewater Plumbing Contract
 - Currently working on six exhibit boards (3 black and white and 3 with an aerial...2 for each section)...Spreadsheet containing property ownership information for those properties included in the project have been provided to the DA and EDP for preparation of notification letters of upcoming townhall meetings

 - 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 / first part of next year...could be impacted by available WWTP capacity, which temporary water service agreement is needed to resolve - per DA, agreement signed but not received):
 - o Townhall Meetings – 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 is currently under technical review...comments have been received and addressed, except for one comment that the DA and FA are needing to resolve with the TCEQ...once final comment addressed, BAR will move to managerial review...anticipate funds being available first part of next 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

(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 assist EDP with 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:	
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Processing Application:	
St. James Knanaya Church (Ave C)	
- received this week correspondence from customer related to proposed development...per the District's direction at the October 2021 Board meeting, if new material does not significantly advance the project, the application will expire by the end of this year	
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:	
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Processing Application:	
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(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 (DA

to provide update from monthly conversations with CoA Engineer)...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 - per DA, agreement signed but not received)...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 gp/connection to some lesser amount (if the results of the study are not favorable, then the agreement would require CoA to provide interim capacity) 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 (from W Sycamore to Trammel Fresno Rd):**

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

o **Estimated Cost** -

- Per communications from County, they will assist financially regarding the relocation of the utilities on a case-by-case basis...initially proposing to fund the relocation of the water mains while the District funds the relocation of the water service lines
- Provided EDP and LJA (FBC Engineer) my recommendations for relocating waterlines for the southern half of the project...both parties are to review to determine if they agree to changes...EDP to determine costs for these changes and present to Board for their approval and coordinate with FBC for financial assistance
- Anticipate completing my review of northern half of project and providing my recommendations for waterline relocations in November

- **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 (possibly include our relocation work

in the roadway plans)

- **West Sycamore Road Widening Project:**

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

o **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

o **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

- **Evergreen Road Widening Project (California Rd to Mustang Bayou):**

o **Scope** – Proposed 80' ROW, with 2-12' lanes, 6' shoulders, asphalt roadway, with roadside ditches

o **Schedule** –

- Working on 30% complete roadway plans...no overall schedule provided yet

o **Estimated Cost** –

- Will begin efforts to determine extent and cost for utility relocations once roadway plans are further along...will ask if utility relocations can be included in roadway plans and if FBC will assist financially

- **Evergreen Road Widening Project (Mustang Bayou to FM521):**

o **Scope** – Proposed 80' ROW, with 2-12' lanes, 6' shoulders, asphalt roadway, with roadside ditches

o **Schedule** –

- Working on 30% complete roadway plans...no overall schedule provided yet

○ **Estimated Cost –**

- Will begin efforts to determine extent and cost for utility relocations once roadway plans are further along...will ask if utility relocations can be included in roadway plans and if FBC will assist financially

- **Other Road Widening Projects Within District**

- FBC Representative to provide updates at monthly meetings

The Board discussed the status of the application from St. James Knanaya Church with Mr. Dybala, as discussed at previous meetings. Mr. Dybala informed the Board the engineer and owner contacted him and is providing the requested information.

The Board deferred action on the Engineer's Report at this time.

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 5 locations; and
- Repaired service line damaged by Terracon.

Ms. Campbell then reported the repairs, as discussed at the previous meeting, were in process for the seal and shaft failures on booster pumps #1 and #2 for Water Plant #1. Ms. Campbell reported the valve survey of District water lines in connection with the South Post Oak road widening project, as authorized and discussed at previous meetings, is in process.

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 next informed the Board a customer had requested a leak adjustment and recommended approval of the adjustment for \$10, pursuant to the District's Rate Order.

Ms. Campbell then informed the Board the NFBWA representative is currently planning to attend the District's January meeting to discuss the authority's fees.

D. Assignment and Amendment of Agreement for Operating Services

Ms. Campbell then presented to and reviewed with the Board a draft Assignment and Amendment of Agreement for Operating Services in connection with the merger of EDP and Inframark, LLC. Ms. Campbell informed the Board EDP would remain the customer facing entity and there would be practically no impact on provisions of services to the District's customers.

Upon a motion duly made by Supervisor Carreon, 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 for \$10; (iii) to approve the termination list and account write-offs; and (iv) to approve the Assignment and Amendment of Agreement for Operating Services, as presented.

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 October 21, 2021 were presented for approval.

The Board deferred action on this matter.

7. ENGAGE AUDITOR FOR FISCAL YEARS ENDING DECEMBER 31, 2021 and 2022

The Board recognized Ms. Saccomen who then presented the engagement letter for audit services for the fiscal years ending December 31, 2021 and 2022 by McCall Gibson Swedlund Barfoot PLLC.

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

8. REGIONAL PLANT COMMITTEE REPORT

Supervisor Hamilton then presented the Regional Plant Committee Report.

The Board deferred action on this matter.

9. HEAR FROM THE PUBLIC.

The Board then discussed designating an additional meeting place for the District's regular meeting at an upcoming meeting, as the current location is not consistently accessible.

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 December 17, 2021

Calvin Casher

Secretary

[SEAL]