

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

March 17, 2022

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, at 6:00 p.m. on Thursday, March 17, 2022, 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; Miguel Gonzalez, a resident of the District; and Michael R. Willis of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), the District's Attorney.

The meeting was called to order at 6:00 p.m. and the following business was transacted.

1. HEAR FROM PUBLIC (MATTERS ON THE AGENDA)

At this time, the Vice President opened the meeting to comments from the public.

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 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 (i) to approve the Bookkeeper's Report; (ii) to authorize the payment of the checks and invoices listed therein, including Pay Estimate No. 11 from B-5 Construction Co. for \$291,824.46 and Invoice No. 12 from Terracon for \$2,361.00; and (iii) to approve the Tax Assessor/Collector's Report.

3. 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 installation of perimeter fence, drainage swales, concrete work, and electrical components.
- Request Board's approval of Pay Estimates No. 11 from B-5 Construction Co. for construction of the project for \$291,824.46.
- Request Board's approval of Invoice No. 12 from Terracon for material testing services for \$2,361.00
- Anticipate construction being completed 3rd Q 2022 (timeline does not account for installation of additional water treatment system, if required)
- District Est. Water Conn. Timeline (FBCFWSD#1 WP#1 Conn. Capacity = 1,875).
 - End of 2022 = 1,825

ii) Gateway Acres Subdivision Wastewater Collection System

- Currently working to secure the last two agency signatures (City of Houston and FBC Engineering) needed to advertise the project...anticipate next month to have all approvals

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Currently in process of securing approval signatures on the final construction plans from review agencies needed for advertisement of project...anticipate next month to have all approvals

iv) Gateway Acres Subdivision Wastewater Plumbing Contract

- Second townhall meeting was conducted on February 24th for the Gateway Acres Central section... a total of 69 applications have been secured so far...the next townhall meeting will be on March 24th for the Gateway Acres West section (area west of the center of Alice St)...afterwards, there will be three remaining townhall meetings in April through June of this year...recommend only allowing 40 applications to be processed at each townhall meeting, which takes around 3 hours to complete
- Anticipate Gateway Acres Sub WW Collection System project being completed early 2023 and the plumbing contract being completed within 2023

(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
- 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
- 2022 TCEQ Loan (\$10.45M) – funds from the loan 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

(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)	
- completed review of updated information from customer...received comments from EDP, which Jacobs	

need to review and respond back to customer
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
Kingdom Hall of Jehovah Witnesses (East Sycamore St.) - received application and application fee from customer...request Board's approval to review and process application

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 3rd Q 2022 ...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, per the temporary water service agreement)...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...need to consider all steps once they complete their WP (pay back CoA, take back 625 connections, discontinue water bills to CoA, close vault to make emergency interconnect, rework RFC into a standard emergency interconnect agreement and a waste disposal agreement)

(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) –

- Waiting for results from re-rate study, being performed by CoA, to determine if the RFC's gpd/connection value (currently at 350) can be reduced to 250 or less...if favorable results are not provided to the District by March 31, 2022, then the District's capacity at the WWTP would be equal to 350,000 gpd and the District would be able to provide wastewater service to 1,000 connections

- Also, CoA is contractually obligated to the District to complete the expansion of the WWTP from 0.675 MGD to 0.95 MGD on or before June 2024

(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** -
 - Jacobs and EDP discussed recommended waterline relocations for road widening project...EDP to prepare and present costs to both the District and County for their approval and for cost sharing discussion
 - 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

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

- o **Scope** – 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, side swales, and sidewalk
- o **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
- o **Estimated Cost**-
 - In process of reviewing roadway construction plans to determine extent and cost of utility relocations

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

- o **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,
- o **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 mid-2022

- Anticipate roadway widening project to start construction in 2023
 - **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:**
 - **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

- **Evergreen Road Widening Project (California Rd to Mustang Bayou):**
 - **Scope** – Proposed 80' ROW, with 2-12' lanes, 6' shoulders, asphalt roadway, with roadside ditches
 - **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

- **Evergreen Road Widening Project (Mustang Bayou to FM521):**
 - **Scope** – Proposed 80' ROW, with 2-12' lanes, 6' shoulders, asphalt roadway, with roadside ditches
 - **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

Upon motion made by Supervisor Casher, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve (i) the service application for Kingdom Hall of Jehovah Witnesses; and (ii) the Engineer's Report, as presented.

4. 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 6 residential taps and meters;
- Replaced a leaking service line at 3939 Kansas Street.

Ms. Campbell then updated the Board on the following:

1. Booster Pump No. 1: Repairs to booster pump no. 1 have been made, and the pump will be installed by the end of next week.
2. South Post Oak Road Widening: EDP was authorized at the January meeting to move forward with relocation of identified interferences along S. Post Oak Road. District representatives have a meeting pending with Commissioner Prestage for a cost sharing agreement.
3. FM 521 Road Widening: EDP is working with Jacobs to confirm and quantify potential interferences along FM 521.
4. W Sycamore Road Widening: EDP is working with Jacobs to confirm and quantify potential interferences along FM 521.

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.

Upon a motion duly made by Supervisor Carreon, seconded by Supervisor Vallejo, and after full discussion, the Board voted unanimously to approve the Operator's Report, the repairs to the water and wastewater system and the termination list and account write-offs.

5. 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 17, 2022, and February 24, 2022 were presented for approval.

Upon motion duly made by Supervisor Vallejo, seconded by Supervisor Medina, the Board voted unanimously to approve the minutes of the February 17, 2022, and February 24, 2022 minutes, as presented.

B. Regional Facilities Contract

Mr. Willis noted there was no action in connection with the Regional Facilities Contract.

C. Certificate of Unopposed Candidates

Mr. Willis then presented to the Board a Certificate of Unopposed Candidates (the "Certificate"), which certifies that the two candidates for Supervisor are unopposed.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to accept the Certificate.

D. Order Canceling Election and Declaring Unopposed Candidates Elected to Office

Mr. Willis then presented a proposed Order Canceling Election and Declaring Unopposed Candidates Elected to Office (the "Order"). The Board noted that, per the Certificate, Candidates Hamilton and Carreon are unopposed for the May 7, 2022, Supervisors Election. Mr. Willis stated that pursuant to Section 2.053 of the Texas Election Code, as amended, the Board is authorized to cancel the election and declare the unopposed candidates elected to office.

Upon motion duly made by Supervisor Cahser, seconded by Director Vallejo, the Board voted unanimously to adopt the Order, thereby canceling the Supervisors Election called for May 7, 2022, and declaring Paul Hamilton and Rodrigo Carreon elected to the Board for a four (4) year term which expires in May 2026. A copy of the Order is on file in the Official Records of the District.

E. Notice to Sellers and Purchasers

Mr. Willis next presented to the Board an amended Notice to Sellers and Purchasers (the "Notice") in connection with the Bonds that closed earlier in the day. Mr. Willis noted that the Notice is being amended to reference the newly-sold Bonds, and it would be recorded in the Real Property Records of Fort Bend County.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to approve the Notice, and authorize SK Law to file the Notice in the Real Property Records of Fort Bend County.

F. Rate Order

Mr. Willis presented to the Board an amended Rate Order, clarifying the District's policy on plugging private water wells.

Upon motion duly made by Supervisor Carreon, seconded by Supervisor Vallejo, the Board voted unanimously to approve the amended Rate Order.

6. REGIONAL PLANT COMMITTEE REPORT

The Board next recognized Supervisor Hamilton, who presented the Regional Plant Committee Report.

Ms. Grimes then discussed with the Board a meeting to be held with the City of Arcola concerning amounts due to the District for over-billing, and release of a check to the City of Arcola.

Upon a motion made by Supervisor Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously (i) to approve the Regional Plant Committee Report, and (ii) to authorize Ms. Grimes to release the check to the City of Arcola upon receipt of a check from the City of Arcola for amounts due to the District.

7. 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 4/21/22.

Calvin Casher
Secretary

[SEAL]

