

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

April 21, 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, April 21, 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, except Supervisor Hamilton, 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; Bart Downum with Environmental Development Partners ("EDP"), the District's Operator; Michael Others with McCall Gibson Swedlund Barfoot PLLC ("MGSB"), the District's Auditor; Justin Ring and Kenneth Schaefer representing the Teal Gardens development; Ulises Flores, Jose Contreras, Alma Gomez and Enedino Gomez, residents 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.

Mr. Flores: Mr. Flores addressed the Board concerning his property at 3615 Louise, and the characterization of the property as commercial.

Teal Gardens: Mr. Ring and Mr. Schaefer updated the Board concerning the Teal Gardens development.

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 Casher, seconded by Supervisor Vallejo, 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. 12 from B-5 Construction Co. for \$204,454.13 and Invoice No. 13 from Terracon for \$2,527.50; 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 final grading, drainage swales, concrete work, and electrical components.
 - Request Board's approval of Pay Estimates No. 12 from B-5 Construction Co. for construction of the project for \$204,454.13.
 - Request Board's approval of Invoice No. 13 from Terracon for material testing services for \$2,527.50
 - Request Board's approval of Change Order No. 1 from B-5 Construction Co. for modification to level gauge enclosure box on GST for \$2,588.00
 - Anticipate construction being completed 3rd Q 2022 (Contractor currently having issues with delivery of above ground piping components) (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 CoH approval of project next week...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
 - Third townhall meeting was conducted on March 24th for the Gateway Acres West

section... a total of 105 applications have been secured so far...the next townhall meeting will be on April 28th for the Gateway Acres West section (area west of the center of Alice St) (revision requested by Board to account for residents not able to attend last townhall meeting)...afterwards, there will be two remaining townhall meetings in May and June of this year (Board to consider a 7th townhall meeting to allow all sections 3 opportunities)...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 mid 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
- 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...working with District BK as necessary to assist with reimbursing District’s General Fund with funds from TCEQ loan
- 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...District Operator to update plan as necessary...no water and wastewater record drawing information needs to be updated at this time

(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	Teleview 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)	
- received all required information from customer, except for on-site wastewater treatment system permit from FBC...once received, application will be presented to Board for approval and EDP can work with customer toward remaining steps in process for receiving District water service	
Fresno Food Mart (Trammel Fresno Rd)	
- waiting on all required docs from customer 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.)	
- waiting on all required docs from customer to complete application	
Nena's Secret Cuts and Styles – Beauty Salon (Trammel Fresno Rd)	
- present application with fee to Board and request approval to start processing application...waiting on all required docs from customer to complete 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 (minus field bathrooms)
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...have received drawings from CoA to review

(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
- Utility Relocations – waiting on coordination meeting with FBC
- Road Construction – FBC to update

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 plan to fund the relocation of the District's utilities

- **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**-

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

- **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...including a proposed overpass at the BNSF RR crossing
- **Schedule** –
 - 30% Utility Coordination meeting was conducted in September 2021
 - 60% Utility Coordination meeting was conducted in April 2022
 - Anticipate 100% completed construction plans by September 2022
 - Anticipate coordinating necessary wastewater forcemain relocations in 2023
 - Anticipate roadway widening project to start construction in 2024
- **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

Mr. Dybala and Mr. Willis also presented to the Board a contract with Hudson Energy for the new electrical account for Water Plant No. 2. Mr. Willis explained it is set with a term to expire at the same time as the District's current electrical contract with Hudson for its other facilities.

Upon motion made by Supervisor Casher, seconded by Supervisor Vallejo, and after full discussion, the Board voted unanimously to approve (i) the electrical contract with Hudson Energy; (ii) the application for service of St. James Knanaya Church; (iii) Change Order No. 1 from B-5 Construction Co. in the amount of \$2,588; and (iv) the Engineer's Report, as presented.

4. OPERATOR'S REPORT/TERMINATION OF SERVICE

Next the Board recognized Mr. Downum, 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

Mr. Downum reported substantial system repairs and maintenance as follows:

- Installed 4 residential taps and meters;

Mr. Downum then updated the Board on the following:

1. **Booster Pump No. 2:** EDP requested authorization to replace the booster pump and motor for an estimated cost of \$26,266 due to mechanical seal failure and end-of-life cycle. The pump and motor are not economical to repair as the repair cost exceeds the new pump and motor cost. EDP replaced the pump in 2017 due to end-of-life cycle. The current motor is original.
2. **Booster Pump No.3:** EDP requested authorization to replace the booster pump and motor for an estimated cost not to exceed \$25,000 due to mechanical seal failure and end-of-life cycle. This pump and motor are slightly smaller than booster pump no. 2. EDP replaced the pump in 2018 due to a coupling and shaft failure. This pump cannot be pulled until EDP replaces the isolation valve which has failed.
3. **Booster Pump No. 3 Isolation Valve Replacement:** EDP requested authorization to replace the 16" butterfly isolation valve for an estimated cost of \$6,850 due to the closing mechanism failing.
4. **Booster Pump No. 4:** The booster pump and motor will be removed for an evaluation once booster pump no. 2 and no. 3 are replaced. The shaft is warped, which will cause a mechanical failure eventually. Booster pump no. 4 is an original pump and motor and is nearing the end of its life cycle. This replacement cost will be similar to booster pump no. 3 as they are the same size.
5. **Water Plant No. 1 Well Insurance Claim:** EDP initiated an insurance claim on behalf of the District on April 19, 2022. Due to an electrical surge, the well motor failed, and C&C installed a rental motor. A teardown report is pending. This well motor was replaced in 2018 and 2020 due to electrical surges for about \$36,000 each occurrence. A new motor estimated in 2020 was listed at \$46,000. EDP recommends a new 250 HP motor with additional electrical protection devices once an estimate for repair/replacement is received.
6. **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.
7. **FM 521 Road Widening:** EDP is working with Jacobs to confirm and quantify potential interferences along FM 521.
8. **W Sycamore Road Widening:** EDP is working with Jacobs to confirm and quantify potential interferences along FM 521.

9. NFBWA Usage Report: EDP has completed the North Fort Bend Water Authority Usage Report. A copy of the report has been sent to the District's attorney.
10. Texas Water Development Board Water Loss Audit: EDP completed the TWDB Water Loss Audit. A copy of this report has been sent to the District's attorney.
11. Annual Report on Identity Theft Prevention Program: EDP has not sited any instances of identity theft and is not recommending any changes to the program.
12. Critical Load Facility List: EDP will provide the updated Critical Facility List to the District's electrical provider, the State of Texas and Fort Bend County.
13. Emergency Generator Rental Agreement: EDP recommends the District enter into an agreement with GenSolutions to secure a rental generator for Lift Station No. 1 for a cost of \$1,375 per month for the months of June through November. In connection therewith, the Board requested information on other options, including purchase of a portable generator, and rental for the entire year. The Board deferred action on this matter.

B. Requests for Water Taps

Mr. Downum did not report any requests at this time.

C. Delinquent Water Accounts and Service Terminations

Mr. Downum 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 Vallejo, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to approve the Operator's Report, the repairs to the water and wastewater system, 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 March 17, 2022, and March 24, 2022 were presented for approval.

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

B. Regional Facilities Contract

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

C. Consider approving Resolution Regarding Annual Review of Identity Theft Policy

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

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

6. REGIONAL PLANT COMMITTEE REPORT

The Board again recognized Mr. Willis, who in the absence of Supervisor Hamilton, presented the Regional Plant Committee Report.

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

7. AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

The Board recognized Mr. Others, who presented to and reviewed with the Board the audit for the fiscal year ended December 31, 2021.

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

8. HEAR FROM THE PUBLIC.

The Board then opened the meeting to comments from the public.

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 19, 2022.

Calvin Casher
Secretary

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