

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

May 19, 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, May 19, 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; Bruce Dubiel with Environmental Development Partners ("EDP"), the District's Operator; members of the public, the names of whom are on file in the official public records 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 6:04 p.m. and the following business was transacted.

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

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

Mr. Castillo: Mr. Castillo addressed the Board concerning his property on West Dallas, and inquired about the timing of connection.

Ms. Garcia: Ms. Garcia addressed the Board concerning her property on Linden Street, and inquired about the timing of connection.

**2. QUALIFICATION OF SUPERVISORS**

The Official Oath of Office and Sworn Statement of Supervisors Hamilton and Carreon were then presented for approval. The Board noted that Supervisors Hamilton and Carreon had executed the Sworn Statement and taken the Oath of Office, in accordance with the provisions of Section 49.055 of the Texas Water Code.

Upon motion made by Supervisor Casher, and seconded by Supervisor Medina, the Board voted unanimously to accept said Sworn Statement and Oath and to authorize that each be filed and retained in the District's official records, and that such Oath be filed with the Secretary of State of the State of Texas.

### **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. In connection with the Tax Report, Mr. Willis presented to the Board the renewal Interlocal Agreement for the Collection of Taxes (the "TAC Agreement") by and between the District, Fort Bend County and the Fort Bend County Tax Assessor/Collector.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously (i) to approve the Bookkeeper's Report; and (ii) to authorize the payment of the checks and invoices listed therein, including Pay Estimate No. 13 from B-5 Construction Co. for \$222,494.85 and Invoice No. 14 from Terracon for \$1,160.00.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously to approve (i) the Tax Assessor/Collector's Report; and (ii) the TAC Agreement.

### **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 final grading, chlorine room, and electrical components. It is anticipated that by the end of this month the well pump will be installed and in another month it is anticipated that the well motor will be installed.
- Request Board's approval of Pay Estimates No. 13 from B-5 Construction Co. for construction of the project for \$222,494.85.

- Request Board's approval of Invoice No. 14 from Terracon for material testing services for \$1,060.00
- Anticipate construction being completed 3<sup>rd</sup> Q 2022 (Contractor currently having issues with delivery of piping components...working with Contractor and TWDB to try and find ways to resolve) (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

- Received CoH approval of project...working on securing last agency approval (FBC Engineering) needed to advertise project...anticipate advertising project in June

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Currently in process of securing remaining approval signatures of the final construction plans from FBC Fire Marshal, CoH, FBC Drainage, and FBC Engineering, which are needed to advertise the project...anticipate adverting project in July

iv) Gateway Acres Subdivision Wastewater Plumbing Contract

- Fourth townhall meeting was conducted on April 28<sup>th</sup> for the Gateway Acres West section... a total of 141 applications have been secured so far...the next townhall meeting will be on May 26<sup>th</sup> for all Gateway Acres sections...afterwards, there will be one remaining townhall meeting in June of this year (Board to consider a 7<sup>th</sup> townhall meeting if they feel additional time is needed)...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
- 4<sup>th</sup> 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
- (f) **Status of Non-Residential Applications for Water Service –**

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

<b>Connections Pending:</b>	
<b>St. James Knanaya Church (Ave C) – District Operator to provide update regarding connection</b>	

<b>Processing Application:</b>	
<b>Fresno Food Mart (Trammel Fresno Rd)</b>	
- 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...per customer, working on securing plat for development	
<b>Kingdom Hall of Jehovah Witnesses (East Sycamore St.)</b>	
- waiting on all required docs from customer to complete application	
<b>Nena’s Secret Cuts and Styles – Beauty Salon (Trammel Fresno Rd)</b>	
- waiting on all required docs from customer to complete application	
<b>E&amp;J Auto Sales (Trammel Fresno Rd)</b>	
- present application with fee to Board and request approval to start processing application...waiting on all	

required docs from customer to complete application	
<b>Status of Non-Residential Applications for Wastewater Service –</b>	
<b>Connected:</b>	
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	
<b>Connections Pending:</b>	
<b>Processing Application:</b>	

**(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 their water plant being completed by 3<sup>rd</sup> 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 this number changes, the RFC will need to be updated and possibly coordination with the TCEQ will be required...if favorable results are not provided to the District by March 31, 2022, per the agreement, 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...Jacobs provided comments back to the CoA regarding their initial construction drawings and design report

**(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 FBC for funding agreement
- Road Construction – FBC to update

o **Estimated Cost** -

- Jacobs and EDP discussed recommended waterline relocations for road widening project...Per communications with FBC Commissioner, all relocation costs will be paid for by the County

- **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 ???
- 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):**

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...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 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...coordinating with roadway team so our relocations can be included in their construction plans, which they would design and their contractor construct...assistance would be provided by Jacobs and the District Operator throughout this process...requested that an agreement be provided to the District for this arrangement...currently this relocation effort would need to be paid for by the District, but still investigating the possibility that FBC or TxDOT possibly assist us financially

- **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
- Anticipate 100% complete roadway plans by the end of this year or early 2023
- Coordinating with roadway team to have utility relocations included within their construction plans so relocations can be done by their contractor
- Anticipate roadway widening project to start construction in 2023/2024

○ **Estimated Cost –**

- Per communications with FBC Commissioner, all relocation costs will be paid for by the County

- **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

- Coordinating with roadway team to have utility relocations included within their construction plans so relocations can be done by their contractor

○ **Estimated Cost** –

- Per communications with FBC Commissioner, all relocation costs will be paid for by the County

- **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
- Coordinating with roadway team to have utility relocations included within their construction plans so relocations can be done by their contractor

○ **Estimated Cost** –

- Per communications with FBC Commissioner, all relocation costs will be paid for by the County

- **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 the Engineer's Report, as presented.

**5. OPERATOR'S REPORT/TERMINATION OF SERVICE**

Next the Board recognized Mr. Dubiel, 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. Dubiel reported substantial system repairs and maintenance as follows:

- Installed 8 residential taps and meters;
- Installed broken coupling to motor at the Water Plant;

Mr. Dubiel then updated the Board on the following:

1. **Booster Pump No. 2:** EDP was authorized to replace the booster pump and motor due to mechanical seal failure and end-of-life cycle. The replacement is in process.



2. Booster Pump No.3: EDP was authorized to replace the booster pump and motor due to mechanical seal failure and end-of-life cycle. The replacement is in process.
3. Booster Pump No. 3 Isolation Valve Replacement: EDP was authorized to replace the 16” butterfly isolation valve due to the closing mechanism failing. The replacement is in process.
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.
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. The estimated cost of repair is \$43,000.00. Mr. Dubiel reported that the motor was installed earlier today.
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 met with Commissioner Prestage and are awaiting written approval of cost sharing.
7. FM 521 Road Widening: EDP is working with Jacobs to confirm and quantify potential interferences along FM 521. The District will have to pay 100% of the cost of relocation.
8. W Sycamore Road Widening: EDP is working with Jacobs to confirm and quantify potential interferences along FM 521. The County has agreed to cost share on this project.
9. Evergreen Road Widening Project: EDP is working with Jacobs to confirm and quantify the potential interferences along Evergreen Road. The County has agreed to cost share on this project.
10. 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.
11. Consumer Confidence Report: A draft copy of the 2021 Consumer Confidence Report (“CCR”) is attached to the Operator’s Report for approval.

**B. Requests for Water Taps**

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

**C. Delinquent Water Accounts and Service Terminations**

Mr. Dubiel 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 Casher, seconded by Supervisor Vallejo, and after full discussion, the Board voted unanimously (i) to approve the rental generator agreement with GenSolutions for the months of June to November; (ii) to approve the CCR, and authorize EDP to distribute it to District residents; and (iii) to approve the Operator’s Report, the repairs to the water and wastewater system, the termination list and account write-offs.

**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 meetings held on April 21, 2022, and April 28, 2022 were presented for approval.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to approve the minutes of the April 21, 2022, and April 28, 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 Emergency Preparedness Plan**

Mr. Willis next presented to and reviewed with the Board the proposed Resolution Regarding Annual Review of Emergency Preparedness Plan (“EPP”) (the “Resolution”), and noted that the Engineer and Operator have not recommended any changes to the EPP at this time.

Upon motion by Supervisor Medina, seconded by Supervisor Casher, the Board voted unanimously to approve the Resolution. A copy of the Resolution is on file in the official records of the District.

**D. Consider Unclaimed Property Report**

Mr. Willis presented to and reviewed with the Board the Unclaimed Property Report, noting that the District’s Bookkeeper identified \$36,607.62 in unclaimed funds.

Upon motion by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Unclaimed Property Report. A copy of the Unclaimed Property Report is on file in the official records of the District.

**E. Consider Annual Arbitrage Report**

Mr. Willis then presented to the Board the Annual Arbitrage Report.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously to approve the Annual Arbitrage Report.

**7. REGIONAL PLANT COMMITTEE REPORT**

The Board next recognized Supervisor Hamilton, who 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.

**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 June 16, 2022.

Calvin Casler  
Secretary

[SEAL]

