

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

July 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, July 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 Vallejo, 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; Wendy Duncan, Bruce Dubiel and ElizaBeth Reeves 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 6:06 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.

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. Ms. Grimes noted that the District's 2021 taxes are 90.61% collected as of May 31, 2022.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, 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. 14 from B5 Construction Co., Inc. for \$274,046.67 and Invoice No. 16 from Terracon for \$1,757.50; 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 the booster pump and well header piping.
- Request Board's approval of Pay Estimate No. 14 from B5 Construction Co., Inc. for construction of the project for \$274,046.67.
- Request Board's approval of Invoice No. 16 from Terracon for material testing services for \$1,757.50.
- As of July 1, 2022, Contractor has been informed that they must fully complete the project on or before August 12, 2022 in order to comply with the construction time permitted in the contract...if the completion of the project extends beyond August 2022, then Jacobs most likely will need to request additional funds from the District to continue construction administration and observation services. Discuss proposed plan with District to handle this matter.
- Discuss latest construction schedule with District and the anticipated completion date for the project.
- Once the well pump and motor is installed, additional testing can be performed to determine if an additional water treatment system is necessary.
- 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

- Project is currently being advertised for bids...mandatory pre-bid meeting scheduled for July 28th...bid opening scheduled for August 16th...anticipate providing bid results

and recommendation of award of project at August Board meeting...anticipate construction starting October of this year.

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Currently in process of securing remaining approval signature of the final construction plans from FBC Engineering, which is needed to advertise the project...anticipate advertising in August and having bid results and recommendation of award at September Board meeting
- Discuss with Board additional funds needed to complete project (drainage design and study required by FBCDD)...anticipate presenting ASA at August meeting

iv) Gateway Acres Subdivision Wastewater Plumbing Contract

- Final townhall meeting was conducted on June 30th for all Gateway Acres sections... a total of 197 applications have been secured for this project
- Anticipate Gateway Acres Sub WW Collection System project being completed 2023 and the plumbing contract being completed 2023/2024

(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
- 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:	
St. James Knanaya Church (Ave C) – District Operator to provide update regarding connection	

Processing Application:	
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 March 2021...per customer, working on securing plat for development...informed customer that this application is subject to being considered expired and this matter will be discussed with the Board	
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) - waiting on all required docs from customer to complete application	
E&J Auto Sales (Trammel Fresno Rd) - 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 (<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:	

Discussions with Nalco Water – Nalco Water is interested in the possibility of receiving District water service for potable, process, and fire water needs...they are currently reviewing their facility and preparing a proposed plan for a possible connection with the District's system...they were informed that if they want to continue this matter with the District, they will need to submit an application, with fee, so further discussions can continue regarding this matter...District may want to re-evaluate its current water rates for industrial customers

(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 1st/2nd Q 2023...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 provided in April 2022

(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):**

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

- **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

- **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):**

- **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 ???
- Anticipate coordinating necessary water and wastewater utility 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

- **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 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 - TBD
- 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 - TBD

○ **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 Medina, and after full discussion, the Board voted unanimously to approve the Engineer's Report, as presented.

4. 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 7 residential taps and meters;
- Pulled booster pump # 2 for repair;
- Replaced faulty chlorine regulator;

- Replaced site glass on HPT #1;
- Repaired and re-installed #1 and #4 booster pumps;
- Replaced hubs and elements for booster pump # 2;
- Repaired rental well motor;
- Performed annual maintenance on generator; and
- Replaced broken bolts on packing gland.

Mr. Dubiel then updated the Board on the following:

1. Fuel Surcharge Letter: EDP requested consideration of a fuel surcharge.
2. Write-Off List: EDP attached a current write-off list. The accounts are from October 2021 through March 2022. The list totals ten accounts in the amount of \$5,459.14.
3. 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.
4. 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.
5. Booster Pump No. 3 Isolation Valve Replacement: EDP was authorized to replace the 16” butterfly isolation valve due to the closing mechanism failing. This is complete.
6. 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. This is complete.
7. 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, ad C&C installed a rental motor. The estimated cost of repair is \$43,000.00.
8. 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.
9. 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.
10. 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.
11. 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.

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 Medina, 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 June 16, 2022, and June 30, 2022 were presented for approval.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the minutes of the June 16, 2022, and June 30, 2022, meetings, as presented.

B. Regional Facilities Contract

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

C. Private Easement Policy

Mr. Willis and Mr. Dybala then discussed with the Board matters related to private easements in the water system clean-up phase. The Board called a special meeting to be held at 11:30 a.m. on Monday, August 8, 2022 at the offices of SK Law. The Board noted no action was necessary in connection with the private easement policy.

6. REGIONAL PLANT COMMITTEE REPORT

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

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

7. 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 8/18/22.

Calvin Casher
Secretary

[SEAL]

