

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

October 20, 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, October 20, 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 and Raquel Garcia 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 6:00 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 93.62% collected as of September 30, 2022.

Upon motion duly made by Supervisor Carreon, 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. 17 from B5 Construction Co., Inc. for \$208,172.47 and Invoice No. 19 from Terracon for \$1,366.00; 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 still under construction...B5 currently working on a) work related to make the well operational and for conducting testing, b) testing equipment and piping, and c) addressing punchlist items.
- DA to provide update through Attorney's report regarding project exceeding contract time and any further actions that the District should take...Requested that B5 provide an updated schedule for full completion of project to assist in DA's discussion
- Request Board's approval of Pay Estimate No. 17 from B5 Construction Co., Inc. for construction of the project for \$208,172.47.
- Request Board's approval of Invoice No. 19 from Terracon for material testing services for \$1,366.00.
- Request Board's approval of Invoice No. 1 from Preventive Services for coating inspections for \$4,450.00
- 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

- NTP date of October 17, 2022 established for construction of project...Reddico working on submittals and setting up for mobilization, surveying, and pre-construction photos

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- NTP date of October 31, 2022 established for construction of project...Reddico working on submittals and setting up for mobilization, surveying, and pre-construction photos
- Request Board's approval of Terracon proposal for performing material testing services for an estimated cost of \$57,614.00
- Discuss with Board additional funds needed to complete project (drainage design and study required by FBCDD) and request approval of ASA for \$23,744.50

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 and the Fresno Ranchos Sub LS and FM projects being completed 2023 and the plumbing contract being completed 2023/2024

- v) Fresno Ranchos Subdivision Wastewater Collection System and Expansion of Teleview Terrace Subdivision Lift Station
- Anticipate later this year presenting proposals for design and construction phase services for these projects

(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. James Banquet Hall – (Domestic & FW)
General Office Space (514 Pecan Street)	St. Peters & St. Pauls Orthodox Church of Houston
Gulf Coast LP Gas Company	Swingby#3 Gas Station (Domestic & Irrigation)
HEFCO Enterprises	Teleview Terrace Subdivision Lift Station
Iglesia Bautista Del Calvario Church	Tiny Toes Academy
Iglesia Principe De Paz Church	Tire Shop at 1739A Trammel Fresno

Interconnect with City of Arcola	Valero Gas Station
	Welcome Foods

Connections Pending:	

Processing Application:	
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	
Nalco Water (FM521)	
- application and fee received from customer...request Board's approval to start processing application to a) provide District water to supplement the filling of their fire water tanks during a fire event if their on-site well cannot provide all fire water and b) provide District water for their RO unit in place of their on-site well	

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 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) –

- District's current WWTP capacity is capable of providing wastewater service to 1,000 ESFCs
- DA to discuss within Attorney's report a) status of current WWTP expansion project and b) possible options for increasing the connection capacity for the District (revision to RFC, purchase/lease capacity, initiate next WWTP expansion, and consider other treatment facilities or construct own facility)

(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 a) clearing ROW and acquiring easements and b) updating drainage design
- Utility Relocations – waiting on FBC for funding agreement and updated construction plans
- 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 scheduled for August 24, 2022
- Anticipate 100% completed construction plans by October 2022
- Anticipate coordinating necessary water and wastewater utility relocations by mid-2023
- Anticipate roadway widening project to start construction in August 2023 with south bound lane work first

o **Estimated Cost-**

- Currently determining extent and cost for utility relocations as roadway plans are 90% complete...later will coordinate with EDP and roadway team so solution and costs can be determined and presented to Board...will perform relocations after NORA is signed

- 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 end of 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
 - Received 95% complete roadway plans for review on August 11, 2022...requested updated plans, as drainage design is still being updated, prior to completing review
 - 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 - 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
- o **Estimated Cost** –
 - Per communications with FBC Commissioner, all relocation costs will be paid for by the County
- **Other Road Widening Projects Within District**
 - o FBC Representative to provide updates at monthly meetings...per information provided at 90% complete meeting for FM521 North roadway project, the Lake Olympia Parkway project should be under construction about the same time as the FM521 North roadway project

Upon motion made by Supervisor Medina, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to (1) approve Invoice No. 1 from Preventative Services for coating inspections; (2) to approve the proposal from Terracon for material testing services; (3) approve the additional services authorization with Jacobs; and (4) 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 1 residential sewer tap;
- Installed booster pump and motor no. 2 at the water plant;
- Replaced the isolation valve on booster pump no. 3;
- Replaced booster pump and motor no. 3;
- Laid crushed gravel for driveway;
- Installed 1 commercial tap and meter;
- Excavated and repaired a service line leak at 515555 Ash;
- Excavated and repaired a sewer line damaged by contractors at 4710 Althea Lane.

Mr. Dubiel then updated the Board on the following:

1. **NFBWA Notice**: Mr. Dubiel presented to the Board a notice from the NFBWA indicating no change to the current rates.
2. **Write-Off List**: Mr. Dubiel presented a list of 24 accounts totaling \$5,459.14 from October 2021 through March 2022 for write-off, to be sent to collections.
3. **Booster Pump No. 2**: EDP was authorized to replace the booster pump and motor for the estimated cost of \$26,666.00. A Manufacturing defect affected the pump operation, and it was pulled again. This work is in progress.
4. **Booster Pump No.3**: EDP was authorized to replace the booster pump and motor for the estimated cost of \$25,000.00. The new motor is installed. The pump is pending delivery.
5. **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.

6. Water Plant No. 1 Well Insurance Claim: EDP initiated an insurance claim on behalf of the District on April 19, 2022. This is complete and is pending release of the check from the insurance company.
7. South Post Oak Road Widening: No new updates this month.
8. FM 521 Road Widening: No new updates this month.
9. W Sycamore Road Widening: EDP has reviewed the 95% plans with the Engineer and is waiting on the 100% plans from the County. The County has agreed to pay 100% of these costs for relocation.
10. Evergreen Road Widening Project: No new updates this month.

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.

The Board then recognized a number of residents seeking a variance from the Private Easement Policy. The Board concurred to call a special meeting to address the matter.

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

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 meeting held on September 15, 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 September 15, 2022, meeting, as presented.

B. Regional Facilities Contract

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

6. 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 Vallejo, and after full discussion, the Board voted unanimously to approve the Regional Plant Committee Report.

7. RENEWAL OF DISTRICT INSURANCE

Mr. Willis presented to the Board a proposal from McDonald & Wessendorff Insurance to renew the District's insurance policies (the "Renewal Policy").

Upon motion duly made by Supervisor Casher, seconded by Supervisor Medina, the Board voted unanimously to approve the Renewal Policy.

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 11/17/22.

Calvin Casher
Secretary

[SEAL]

