

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

December 15, 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 special session, open to the public, at 12:30 p.m. on Thursday, December 15, 2022, at 1980 Post Oak Boulevard, Suite 1380, Houston, Harris County, Texas 77056, a designated meeting place outside 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; Missy Stedman, Robert Cardenas 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 12:42 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 from the Fort Bend County Tax Office.

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; and (iii) to approve the Tax Assessor/Collector's Report.

Ms. Grimes then presented the proposed budget for fiscal year ending December 31, 2023, for consideration and approval.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously to approve the proposed budget.

### **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 with District Operator regarding final bacteriological testing for the project...anticipate BP startup next week with the potential of placing the facility into operation prior to the end of this year...afterwards, punchlist items (painting, final grading, establishing vegetation, paperwork submittal, etc...) will take place
- Waiting for an updated schedule from Contractor as to when they anticipate fully completing this project...based on site observations, it appears that the project could be fully complete January/February 2023
- Discuss results of well flow and vibration test...District Operator to provide update regarding latest water quality data (fluoride levels)
- DA to provide update regarding project exceeding contract time and any further actions that the District should take
- 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**

- Reddico currently working on installing dewatering devices needed for construction and plans to start construction along Trammel Fresno Road this week, weather permitting
- Request Board approval of CO#1 for \$4,025.00

- Discuss issues with California Road widening project by County and impact to project
- iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main
  - Reddico currently preparing lift station site and working on securing construction materials for project
- iv) Gateway Acres Subdivision Wastewater Plumbing Contract
  - Final townhall meeting was conducted on June 30<sup>th</sup> 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 Televue Terrace Subdivision Lift Station
  - A site visit was conducted on Tuesday, December 13<sup>th</sup> with the District Operator to evaluate the Televue Terrace Subdivision LS and to begin efforts in determining how to maximize the current conveyance capacity of the LS site by replacing the existing pumps with larger pumps
  - Anticipate early next year providing proposal for the design and construction of the Fresno Ranchos Subdivision Wastewater Collection System project

**(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
- 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 Kuanaya Church – Fire Tap</b>
<b>F&amp;R Tax</b>	<b>St. James Banquet Hall – (Domestic &amp; FW)</b>
<b>General Office Space (514 Pecan Street)</b>	<b>St. Peters &amp; St. Pauls Orthodox Church of Houston</b>
<b>Gulf Coast LP Gas Company</b>	<b>Swingby#3 Gas Station (Domestic &amp; Irrigation)</b>
<b>HEFCO Enterprises</b>	<b>Teleview Terrace Subdivision Lift Station</b>
<b>Iglesia Bautista Del Calvario Church</b>	<b>Tiny Toes Academy</b>
<b>Iglesia Principe De Paz Church</b>	<b>Tire Shop at 1739A Trammel Fresno</b>
<b>Interconnect with City of Arcola</b>	<b>Valero Gas Station</b>
	<b>Welcome Foods</b>

<b>Connections Pending:</b>	

<b>Processing Application:</b>	
<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> - waiting on all required docs from customer to complete application	
<b>Nalco Water (FM521)</b> - received plans from customer regarding item “a” below for review by District - goal = 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 –**

<b>Connected:</b>	
<b>4320 Doreen Avenue (Multi-Family Dwelling)</b>	<b>General Office Space (514 Pecan Street)</b>
<b>293 Teakwood Avenue (Multi-Family Dwelling)</b>	<b>Mustang Comm Center (<i>minus field bathrooms</i>)</b>
<b>297 Teakwood Avenue (Multi-Family Dwelling)</b>	<b>New Quality Life Ministries (Church)</b>
<b>Church of God of Prophecy</b>	<b>New Quality Life Ministries (Restaurant)</b>
<b>First Baptist Church of Fresno</b>	<b>Quality Paint and Body (Pecan Street)</b>
<b>Fresno Volunteer Fire Department</b>	

<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 FBCFWSD#1 completes its 2<sup>nd</sup> Water Plant

**(h) Status of New CoA WP – CoA anticipates their water plant being completed by 1<sup>st</sup> 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 based on re-rate study, purchase/lease capacity, initiate next WWTP expansion, CoA’s WWTP’s ultimate treatment capacity and CoA’s ultimate needs, 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
- **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):** - Coordinating with Roadway Team and EDP regarding test hole data needed to determine elevation of top of casings for utility crossings...info needed to determine necessary utility relocations along west side of ROW and utility crossings
  - **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 scheduled for August 24, 2022
    - Anticipate 100% completed construction plans by TBD
    - 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
  - **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...NORA provided to District
- **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 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

- **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...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 Casher, seconded by Supervisor Medina, and after full discussion, the Board voted unanimously to (1) approve Change Order No. 1 in the amount of \$4,025.00; and (2) approve the Engineer's Report, as presented.



#### **4. OPERATOR'S REPORT/TERMINATION OF SERVICE**

Next the Board recognized Ms. Stedman, 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. Stedman reported substantial system repairs and maintenance as follows:

- EDP excavated and repaired a short service line leak at 327 College Dr;

Ms. Stedman then updated the Board on the following:

1. Water Well Performance Test: Ms. Stedman noted that GM Services completed the performance testing of the District's water well. In general the report states that the well and pumping equipment are in excellent condition.
2. 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 complete.
3. 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.
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. This is complete and is pending release of the check from the insurance company.

##### **B. Requests for Water Taps**

Ms. Stedman did not report any requests at this time.

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

Ms. Stedman provided a list of customers that received a delinquent letter by mail and are subject to disconnection of service.

The Board then considered a request for bill adjustment pursuant to the Board's policy.

Upon a motion duly made by Supervisor Medina, seconded by Supervisor Casher, and after full discussion, the Board voted unanimously to approve (1) the Operator's Report, the write-off list, the repairs to the water and wastewater system, and the termination list; and (2) the request for bill adjustment pursuant to the Board's policy.

#### **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 November 7 and November 17, 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 November 7 and November 17, 2022, meetings, as presented.

**B. Regional Facilities Contract**

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

**C. Resolution Regarding Eminent Domain**

Mr. Willis presented to the Board a Resolution Evidencing Annual Review of Eminent Domain Authority (the "Resolution") and noted that an annual report must be filed with the Texas Comptroller by February 1, 2023 regarding same.

Upon motion duly made by Supervisor Medina, seconded by Supervisor Carreon, the Board voted unanimously to approve the Resolution, and authorize SK Law to file the annual report with the Comptroller by February 1, 2023.

**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 Casher, 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.

**[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.]**

PASSED, ADOPTED, and APPROVED this 1/19/23.

Calvin Caster  
Secretary

[SEAL]

