

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

February 16, 2023

**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, February 16, 2023, 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; 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 6:00 p.m. and the following business was transacted.

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

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

Mr. Franco addressed the Board concerning a bill adjustment request. The Board noted that it had already granted an adjustment to Mr. Franco’s bill at a prior meeting pursuant to the Board’s leak adjustment policy and could not make further adjustments.

Ms. Sanchez addressed the Board concerning a leak at her property. Ms. Garcia noted EDP would investigate and speak to Ms. Sanchez, and report to the Board at the next meeting.

**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 Carreon, seconded by Supervisor Medina, 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.

**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

- Water plant is operational and in service...B5 currently working on punchlist items and preparation of documentation to close out project...have requested updated schedule from B5 as previous schedule indicated that they would be fully complete with the project by February 7<sup>th</sup>
- DA to provide update regarding project exceeding contract time and any further actions that the District should take

ii) Gateway Acres Subdivision Wastewater Collection System

- Reddico a) currently working on installation of wastewater system within western sections of the Gateway Acres Subdivision b) trying to address dewatering issue along Trammel Fresno Road, and c) mobilizing an additional crew to begin installation of wastewater system within eastern sections of the Gateway Acres Subdivision
- Request Board's approval of PE#2 from Reddico for construction of project in the amount of \$155,339.85
- Request Board's approval of Invoice #1 from Terracon for material testing for the project in the amount of \$3,186.25

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Reddico a) currently working on constructing the concrete wet well of the lift station, b) trying to address the dewatering issue along Trammel Fresno Road, and c)

mobilizing an additional crew to begin work on the installation of the forcemain along Kansas St

- Request Board's approval of PE#1 from Reddico for construction of project in the amount of \$165,150.00

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...updated overall District water and wastewater exhibits have been included with this report...exhibits have also been provided to DA to update District website

**(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>	
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	Televue 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

<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> - application only pertains to providing District water to supplement the filling of their fire water tanks during a fire event...have reviewed plans and provided comments to customer...have requested customer to address comments and are waiting for comments back from DA and District Operator	
<b>St Peter and Paul Church (Illinois St)</b> - received application and fee from customer...request Board's approval to start processing application...customer currently receiving District water, but would like to add an additional building on property	

\*\*\* Received phone call from Purolite regarding possibility of providing District water service (500gpm of continuous water service) to a possible new facility that would be constructed adjacent to their existing facility

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 (minus field bathrooms)</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
- Request Board’s approval to contact BCMUD21 to see if they still have interest in an emergency interconnect

**(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)**

- District Est. Water Conn. Timeline (FBCFWSD#1 WP#1 Conn. Capacity = 1,875)
  - o End of 2022 = 1,825

**(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 {possibly different re-rate numbers for both entities...possibly CoA beyond their current connection capacity}, 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

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): - *Waiting for EDP to present costs to Board associated with performing test holes to obtain 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**

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 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 TBD
- 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 (Lake Olympia Pkwy and California Road)**

- 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 Vallejo, seconded by Supervisor Carreon, and after full discussion, the Board voted unanimously to (1) approve Pay Estimate No. 2 from Reddico in the amount of \$155,339.85 for the Gateway Acres Subdivision Wastewater Collection System Project; (2) approve Invoice No. 1 from Terracon for material testing in the amount of \$3,186.25; (3) approve Pay Estimate No. 1 from Reddico in the amount of \$165,150.00 for the Fresno Ranchos Lift Station and Force Main Project; (4) approve processing commercial service application for St. Peter and Paul Church; (5) authorize Jacobs to discuss emergency interconnect with Brazoria County MUD No. 21; and (6) approve the Engineer's Report, as presented.

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

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

- EDP excavated and installed 9 residential taps and meters.
- EDP replaced Fire Hydrant No. 168.

Ms. Garcia then updated the Board on the following:

1. Write-off List: EDP is recommending writing off 24 accounts and sending them to collections, totalling \$3,935.83.
2. North and South Locust Street Inspection: EDP will be performing site and property inspections to determine the number of remaining private wells that are on the properties along these streets. This information will help determine whether the District can switch to a standard 5/8" meter instead of the check valve meters.
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 and pump are installed. This job is complete.
4. Booster Pump No. 4: EDP is requesting authorization to remove and replace this booster pump for an estimated cost of \$20,330.00.
5. FM 521 Road Widening (North): EDP is requesting authorization for Texas Hot Taps to check the depths of the utilities for the road widening project on FM 521. The estimated cost is \$18,300.00.

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.
7. Fire Hydrant Repairs: EDP is requesting authorization to complete fire hydrant repairs identified by the fire hydrant survey in the amount of \$18,710.50.

**B. Requests for Water Taps**

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

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

Ms. Garcia provided a confidential 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 write-off list, the repairs to the water and wastewater system, the fire hydrant repairs 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 January 19, 2023, were presented for approval.

Upon motion duly made by Supervisor Vallejo, seconded by Supervisor Carreon, the Board voted unanimously to approve the minutes of the January 19, 2023 meeting, as presented.

**B. Regional Facilities Contract**

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

**C. Discuss Resolution Regarding Tax Exemptions**

Mr. Willis next presented to and reviewed with the Board a proposed Resolution Concerning Tax Exemptions for 2023.

Upon motion by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously not to grant any tax exemptions for 2023 and to adopt the Resolution Concerning Tax Exemptions For 2023. A copy of said resolution is on file in the official records of the District.

**D. Approve Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes**

Mr. Willis then presented to and reviewed with the Board a proposed Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes.

Upon motion by Supervisor Medina, seconded by Supervisor Vallejo, the Board voted unanimously to (i) authorize a 20% penalty on 2022 real property taxes which are delinquent on July 1, 2023 and thereafter, (ii) authorize a 20% penalty on 2022 personal property taxes which are delinquent on April 1, 2023 and thereafter, and (iii) adopt the Resolution Implementing 20% Penalty on Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Taxes. A copy of said resolution is on file in the official records of the District.

**E. Approve Amended Rate Order**

The Board deferred action on adopting an amended Rate Order.

**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 Medina, seconded by Supervisor Carreon, 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 March 16, 2023.

Calvin Casher  
Secretary

