

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

May 18, 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, May 18, 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 Medina, thus constituting a quorum.

Also present at the meeting were: Tyler Leggett with Municipal Accounts & Consulting, LP, the District's Bookkeeper ("MAC"); David Dybala with Jacobs Engineering Group, Inc. ("Jacobs"), the District's Engineer; Raquel Garcia and Robert Lugo 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 6:08 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.

2. BOOKKEEPER'S REPORT AND TAX ASSESSOR/COLLECTOR'S REPORT

The Board then considered the Bookkeeper's Report presented by Mr. Leggett, 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.

Mr. Leggett then presented the Tax Report from the Fort Bend County Tax Office.

Upon motion duly made by Supervisor Carreon, seconded by Supervisor Vallejo, 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

- DA to provide update regarding project exceeding contract time, damages to the District, and any further actions that the District should take in order for the Contractor to complete final punchlist items and closeout paperwork

ii) Gateway Acres Subdivision Wastewater Collection System

- Reddico currently has gravity sanitary sewer system installed within the Gateway Acres Subdivision, except along Alice St and a portion along Avenue A and Jan St...their crews are currently working on installation of sanitary sewer service leads, dressing up ditches, and performing testing...remaining sections of gravity sanitary sewer system, including along Trammel Fresno Road, will be installed once Reddico installs dewatering devices...project is approximately 50% complete
- Request Board's approval of PE#5 from Reddico for construction of project in the amount of \$686,503.37
- Request Board's approval of Invoice #4 from Terracon for material testing for the project in the amount of \$8,762.50

iii) Fresno Ranchos Subdivision Wastewater Lift Station and Force Main

- Reddico currently has forcemain installed along Kansas St and Trammel Fresno Road, except for the crossing of Trammel Fresno Road at the lift station site, and has successfully passed the hydrostatic testing of the sections of forcemain installed...their crews are currently sinking the lift station wet well to its final elevation and working to install the wet well bottom...their crews are also in the process of dressing up the ditches where the forcemain work occurred...project is approximately 50% complete
- Continuing to coordinate efforts with Centerpoint for delivery of electrical power to the site
- Request Board's approval of PE#4 from Reddico for construction of project in the amount of \$673,463.78

- Request Board’s approval of Invoice #3 from Terracon for material testing for the project in the amount of \$3,472.50
- iv) Gateway Acres Subdivision Wastewater Plumbing Contract
 - Final townhall meeting was conducted on June 30, 2022 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
 - Project currently under design
- vi) Expansion of Televue Terrace Subdivision Lift Station
 - Continuing coordination with District Operator regarding possible options for increasing pumping capacity of Televue Terrace Subdivision Lift Station

(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:	
E&J Auto Sales (Trammel Fresno Rd)	
- District Operator to update regarding service to customer	

Processing Application:	
Kingdom Hall of Jehovah Witnesses (East Sycamore St.)	
- per the Board at their April meeting, the District Attorney was directed to send a letter to the customer informing them that they are to contact the District prior to the May Board meeting to discuss their application, otherwise it would be considered expired...as no communication has been received from them, it is requested that the Board consider this application expired	
Nena's Secret Cuts and Styles – Beauty Salon (Trammel Fresno Rd)	
- per communication with customer, business is no longer there and building will be used solely for residential purposes...customer was informed to contact District Operator if they want District services	
Nalco Water (FM521)	
- application only pertains to providing District water to supplement the filling of their fire water tanks during a fire event...plans have been reviewed by Jacobs and the District Operator...waiting for customer to provide metes and bounds description with exhibit for required water meter easement	
St Peter and Paul Church (Illinois St)	
- waiting on all required docs from customer to complete application...customer currently receiving District water, but would like to add an additional building on property	
Sosa Electric (Avenue C)	
- waiting on all required docs from customer to complete application	
Parks Fresno Food Market (FM521)	
– received application as interested customer...waiting for receipt of application fee of \$2,500 to present to Board	

*** Purolite investigating possibility of needing District water service for a potential new facility that would be constructed to the west of their existing facility

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:	
Sosa Electric (Avenue C) - waiting on all required docs from customer to complete application	
Parks Fresno Food Market (FM521) – received application as interested customer...waiting for receipt of application fee of \$2,500 to present to Board	

(g) Potential Emergency Water Interconnect with BCMUD21

- Conducted phone conversation with LJA (Kane Mudd), Engineer for BCMUD21, in May 2023 regarding potential emergency water interconnect between our Districts...BCMUD21 is now considering interconnect location at end of Sycamore Road and requesting 50/50 split in cost to complete project

(h) Status of New CoA WP –

- a. CoA WP is in service and interconnect between the District and CoA is now functioning as an emergency water interconnect
- b. Status of District paying funds owed to CoA regarding take back of 625 connections worth of water service
- c. Status of water bills to CoA
- d. Status of rework of RFC into a standard emergency water interconnect agreement and a waste disposal agreement

(i) Status of CoA Current and Future WWTP Expansion Projects (current project will increase capacity from 0.675 MGD to 0.95 MGD) –

- District’s current WWTP capacity (0.35MGD) is capable of providing wastewater service to 1,000 ESFCs (350 GPD/connection)
- DA to discuss a) status of current and future WWTP expansion projects, 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 each entity}), c) purchase/lease capacity from CoA, d) initiate next WWTP expansion, e) CoA’s WWTP’s ultimate treatment capacity (4.6MGD) and FW’s maximum capacity at CoA’s WWTP

(1.905MGD), which needs to be documented, and f) status of District's WWTP in north wastewater service area

- Anticipated Timeline for Full Use of WW Connection Capacity (Current 1,000 Connection Capacity):

- Current Connections = Approximately 578
- Anticipated Connections at End of 2023 = 596 (assuming 2 connections each month)
- Anticipated Connections at End of 2024 = 820 (assuming 200 connections for GA Sub and 2 connections each month)
- Starting in 2025, anticipate having a remaining connection capacity of 180 connections...at this point, the District will need to determine what direction they want to take regarding the addition of wastewater connections (a) handling connections within areas of the District with existing wastewater system at approximate 2 connections each month and b) providing service to the Teal Gardens Development at approximate 100 connections)...with the assumptions made above, the Fresno Ranchos Sub will not be able to be served until matters discussed above are resolved (anticipate 185 connections through a District plumbing project)

- Next WWTP Expansion Options

- Current WWTP Capacity = 350,000 GPD = 1,000 Conn
- Option 1) Additional 250,000 GPD Capacity = 600,000 GPD = 1,714 Conn
- Option 2) Additional 500,000 GPD Capacity = 850,000 GPD = 2,428 Conn
- Current and Anticipated Connections:

- Current Conn = 578

Anticipated Connections:

- End of 2023 = 596 (assuming 2 conn each month)
- End of 2024 = 820 (assuming 200 conn for GA Sub and 2 conn each month)
- End of 2025 = 944 (assuming 100 conn for Teal Gardens Development and 2 conn each month)
- End of 2026 = 1,153 (assuming 185 conn for Fresno Ranchos Sub and 2 conn each month)
- End of 2028 = 1,326 (assuming 125 conn for brown area south of

Mustang Bayou and 2 conn each month)

(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 Inframark 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 Inframark completed test hole efforts and provided results to Jacobs on 04/05/23

o Jacobs completed review, with coordination with Inframark and the roadway design team, of District's record drawings, test hole information and proposed roadway plans for the section of FM521 from the District's WP#1 location to Willow St and determined that it is not anticipated that the District's waterline along this section of the roadway project needs to be relocated...possibly waterline appurtenances and service lines will need to be relocated during construction through coordination with the District Operator

o Jacobs will continue its investigation, with Inframark, of the remaining sections of the roadway project to determine if utility relocations are necessary

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 was conducted on 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 Inframark 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:**

o **Scope** – Proposed 100’ ROW, with 4 lane, divided roadway with raised median, curb and gutter, with underground storm sewer lines, and sidewalk

o **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

o **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):**

o **Scope** – Proposed 80’ ROW, with 2-12’ lanes, 6’ shoulders, asphalt roadway, with roadside ditches

o **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

- **Evergreen Road Widening Project (Mustang Bayou to FM521):**

o **Scope** – Proposed 80’ ROW, with 2-12’ lanes, 6’ shoulders, asphalt roadway, with roadside ditches

o **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 (Lake Olympia Pkwy, California Road, and Kentucky 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 Casher, seconded by Supervisor Vallejo, and after full discussion, the Board voted unanimously to (1) approve Pay Estimate No. 5 from Reddico in the amount of \$686,503.37 for the Gateway Acres Subdivision Wastewater Collection System Project; (2) approve Invoice No. 4 from Terracon for material testing in the amount of \$8,762.50; (3) approve Pay Estimate No. 4 from Reddico in the amount of \$673,463.78 for the Fresno Ranchos Lift Station and Force Main Project; (4) approve Invoice No. 3 from Terracon for material testing in the amount of \$3,472.50; and (5) 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 met with the Engineer to go over plans to install larger pumps in the wet well of Lift Station No. 1.
- EDP installed a ramp to get CL2 cylinders into the side of the building a Water Plant No. 2.
- EDP excavated and repaired a service line leak at 1112 Avenue A.
- EDP performed a waterline depth survey for the FM 521 Road Extension project.

Ms. Garcia then updated the Board on the following:

1. 2022 Consumer Confidence Report ("CCR): EDP included a draft of the CCR for review and approval.
2. Booster Pump No. 4: EDP has removed the pump and repairs are in progress.

3. Fire Hydrant Repairs: Repairs are in progress.
4. Additional Information: the 2022 Water Use Survey, the Water Conservation Plan Annual Report, and the Water Loss Audit were all submitted to the Texas Water Development Board.

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.

Ms. Garcia then discussed with the Board two leak adjustment requests, as detailed in the confidential report.

Upon a motion duly made by Supervisor Casher, 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 termination list, the CCR and one of the leak adjustment requests. The Board deferred action on the second leak adjustment request until the next meeting.

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 April 20, 2023, were presented for approval.

Upon motion duly made by Supervisor Vallejo, seconded by Supervisor Casher, the Board voted unanimously to approve the minutes of the April 20, 2023, meeting, 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 Casher, seconded by Supervisor Carreon, the Board voted unanimously to approve the Resolution. A copy of the Resolution is on file in the official records of the District.

D. Update Concerning Financial Analysis for Future Projects

Mr. Willis and Mr. Dybala then discussed with the Board options for expansion (the “Expansion”) of the City of Arcola Wastewater Treatment Plant (the “Plant”), and the financial implications thereof. Mr. Willis then presented to the Board a financial analysis prepared by the District’s Financial Advisor detailing the feasibility of a future \$12,000,000 bond issue. The Board considered how much capacity to seek in the Expansion.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Carreon, the Board voted unanimously to notify the City of Arcola of the District’s intention to request that the City expand the Plant by an additional 500,000 gallons per day for the benefit of the District, and to authorize SK Law to prepare the notice to the City.

E. Reimbursement Agreement with C.M.I. Teal Run, Ltd.

Mr. Willis then presented to the Board a proposed reimbursement agreement with C.M.I. Teal Run, Ltd. (the “Agreement”) Concerning the development of a tract west of Gateway Acres within the District.

Upon motion duly made by Supervisor Casher, seconded by Supervisor Vallejo, the Board voted unanimously to approve the Agreement, subject to final review of the Engineer and the Attorney.

F. Annual Arbitrage Report

Mr. Willis presented to the Board the Annual Arbitrage Report from Municipal Risk Management Group. Mr. Willis noted that the report recommended no action at this time.

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

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 Vallejo, 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 June 15, 2023.

Calvin Casher
Secretary

