

MINUTES

NORTH FORT BEND WATER AUTHORITY

February 26, 2025

The Board of Directors (the "Board") of the North Fort Bend Water Authority (the "Authority") met in regular session, open to the public, on the 26th day of February, 2025, at HUB 510, 10419 W. Hidden Lake Lane, Suite B, Richmond, Texas, and the roll was called of the members of the Board:

Peter Houghton	President
Robert Patton	Vice President
Dana Hollingsworth	Secretary
Robert Darden	Assistant Vice President
Donald Abrahamson II	Assistant Secretary
Michael Rusk	Assistant Secretary
Craig Lewis	Assistant Secretary

and all of the above were present in person, thus constituting a quorum.

Also present in person for all or part of the meeting were Matt Froehlich, Whitney Milberger, Lindsay Kovar, and Miriam Valdez of BGE, Inc. ("BGE"); Taylor Watson and Stephanie Bahn of Municipal Accounts & Consulting, L.P.; Dale Clayton of Inframark, LLC; Christina Miller, Audrey Briscoe, and Justine M. Cherne of Allen Boone Humphries Robinson LLP; and persons listed on the attached attendance sheets.

COMMENTS FROM THE PUBLIC

Members of the public were provided with the opportunity to make comments. Ms. Miller reported that copies of correspondence and Texas Public Information Act requests received from Luther Jack Moller, Director of Fort Bend County Municipal Utility District No. 124, were previously distributed to the Board.

APPROVE MINUTES

The Board considered approving the minutes of its regular meeting held on January 29, 2025. After review and discussion, Director Abrahamson moved to approve the minutes as written. Director Hollingsworth seconded the motion, which passed unanimously.

PUBLIC COMMUNICATION, WATER CONSERVATION, AND REUSE MATTERS

Ms. Milberger reviewed a Communication, Conservation, and Reuse Report (the "CCR Report"), a copy of which is attached. Ms. Milberger reported on the Authority's

previous and planned participation in constituent and other events, including conferences. She stated that updates have been made to the Communications Dashboard attached to the CCR Report.

Ms. Milberger reported that the Authority's Communication, Conservation, and Reuse Committee ("CCR Committee") recommended that the Board approve securing booth space for the Association of Water Board Directors ("AWBD") summer conference in an amount not to exceed \$1,500.00.

Ms. Milberger reported that the Authority's CCR Committee recommended that the Board approve paying Mighty Citizen's first 2025 invoice for 300 hours in the amount of \$67,500.00.

Ms. Milberger reported that 72 irrigation system evaluations were completed through the Authority's W.I.S.E. Guys Irrigation System Evaluation Program during January 2025.

Ms. Milberger updated the Board on the status of the Authority's Homeowners Association Irrigation Management Pilot Program. She reported that the reports are complete for the three evaluations performed to date. She stated that the Authority's CCR Committee recommended that the Board approve paying invoices submitted by Masuen Consulting for performing a water usage analysis and a consultation meeting for Falcon Ranch Homeowners Association in the amounts of \$1,500.00 and \$500.00, respectively. Ms. Milberger stated that information regarding the program is posted on the Authority's website.

Ms. Milberger reviewed updates made to the Reuse System and Credit Summary Charts, copies of which are attached to the CCR Report.

Ms. Milberger discussed implementation of the Authority's Water Provider Conservation Program ("WPC Program"). She reported that participants in the 2024 WPC Program have completed their submittals, and the results will be presented at an upcoming regular meeting of the Board. Ms. Milberger stated that interest forms for the 2025 WPC Program are posted to the Authority's website.

Ms. Milberger responded to inquiries regarding the Authority's marketing consultant and use of the Authority's mobile learning lab.

Mr. Moller addressed the Board regarding an alleged source of Per- and Polyfluoroalkyl Substances ("PFAS").

Following review and discussion, Director Abrahamson moved to approve the CCR Report, including approval of: (1) securing booth space for the AWBD summer conference in an amount not to exceed \$1,500.00; (2) paying Mighty Citizen's first 2025 invoice for 300 hours in the amount of \$67,500.00; and (3) paying invoices submitted by

Masuen Consulting for performing a water usage analysis and a consultation meeting for Falcon Ranch Homeowners Association in the amounts of \$1,500.00 and \$500.00, respectively. Director Hollingsworth seconded the motion, which passed unanimously.

CONTRACTS

Ms. Miller reported that the Authority's Finance and Policy Committee recommended that the Board approve an engagement letter with Willdan Financial Services for performing a Water Rate Study in the amount of \$29,000.00. Following review and discussion, Director Abrahamson moved to approve the engagement letter as presented. Director Hollingsworth seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS AND CONDUCT HEARING

Mr. Watson presented the bookkeeper's report, including receipts, a list of checks presented for payment, fund and wire transfers, a supplemental cash flow report, account balances, current period and year-to-date actual versus budget comparisons, and a schedule of debt service payments. A copy of the bookkeeper's report is attached. Mr. Watson additionally reviewed a chart tracking the amounts expended by the Authority related to the City of Fulshear's rate challenge. Following review and discussion, Director Abrahamson moved to approve the bookkeeper's report and payment of the checks presented for payment. Director Hollingsworth seconded the motion, which passed unanimously.

OPERATION OF AUTHORITY FACILITIES

Mr. Clayton presented the operator's report and reported on the operations of the Authority's facilities, including inspections, maintenance, repairs, joint facility expenses, and water accountability. A copy of the operator's report is attached. Mr. Clayton reported that the motor for booster pump no. 1 is scheduled to be delivered in approximately three to four weeks. He responded to Board inquiries regarding the amount of line locations performed as reflected in the Texas 811 Line Location Report. Following review and discussion, Director Abrahamson moved to approve the operator's report. Director Hollingsworth seconded the motion, which passed unanimously.

REGULATORY MATTERS: SUBSIDENCE DISTRICT REGULATIONS AND PERMITTING, AND AUTHORITY'S GROUNDWATER REDUCTION PLAN ("GRP")

Mr. Froehlich presented the engineer's report, a copy of which is attached.

Mr. Froehlich reported that the results for the tests performed to date for PFAS per the U.S. Environmental Protection Agency's ("EPA") PFAS National Primary Drinking Water Regulation were below the published EPA Maximum Contaminant

Levels. He stated that the Authority will continue to conduct monthly PFAS testing. Mr. Froehlich explained that a recent U.S. Presidential Executive Order nullifying rules related to the discharge of PFAS in wastewater has no impact on current PFAS regulations for drinking water.

Mr. Froehlich reported that BGE submitted the Authority's Annual Groundwater Reports to the Fort Bend Subsidence District and the Harris-Galveston Subsidence District.

Mr. Froehlich reported on matters related to the Authority's GRP, including the monthly amounts of surface water delivered, groundwater pumped, and reclaimed water utilized by the Authority.

Mr. Froehlich reported that BGE issued a conditional approval letter in response to a new well request from Fort Bend County Municipal Utility District No. 219.

Mr. Froehlich recommended approval of Payment Request No. 2 submitted by Fort Bend County Municipal Utility District No. 37 ("FB 37") for conversion of its water plant no. 1 to chloramines disinfection in the amount of \$3,130.50, pending FB 37's execution of a receipt.

Mr. Froehlich reported that BGE provided an acknowledgement letter to Fort Bend County Municipal Utility District No. 142 for a proposed 23.22-acre annexation.

Mr. Froehlich reported on the status of BGE's preparation of the Authority's required Risk and Resilience Assessment and Emergency Response Plan due March 31 and September 30, 2025, respectively, in compliance with the EPA's America's Water Infrastructure Act.

ENGINEERING MATTERS: DESIGN, CONSTRUCTION, PROJECTS, AND STUDIES

Mr. Froehlich reported on the status of property acquisition matters. A chart summarizing the status of property acquisition matters is attached to the engineer's report.

Mr. Froehlich reported that all of the Authority's automated meter readers have been installed. He recommended approval of Pay Estimate No. 15 and Final submitted by Accurate Meter & Backflow, LLC ("AMB") in the amount of \$314,435.00, acceptance of the facilities, and adding the facilities to the Authority's insurance policies.

Mr. Froehlich reported on the status of construction of water lines for the Authority's 2027 surface water supply system (the "2027 System"). He stated that construction of Main Segment 11A is nearing completion. He recommended approval of Pay Estimate No. 13 submitted by Main Lane Industries, Ltd. in the amount of \$31,248.90.

Mr. Froehlich reported on the status of construction of the 2027 System surface water line connection for Fort Bend County Fresh Water Supply District No. 2's ("FWSD 2") water plant no. 2. He stated that, as previously reported, construction is complete, and connection and testing will be performed after construction of FWSD 2's water plant no. 2 is completed.

Mr. Froehlich reported that construction of the Authority's 2027 System surface water line connection and meter station for Fort Bend County Municipal Utility District No. 255 ("FB 255") administered by FB 255 in connection with FB 255's water plant project is complete. He reported that the water plant is online and receiving surface water. He stated that a reimbursement request from FB 255 remains pending.

Mr. Froehlich reported on the status of the design of surface water lines for the 2027 System by the following design consultants: (1) IDS Engineering Group for Main Segment 13B; (2) Quiddity Engineering, LLC for Main Segment 13C, Phase 1; (3) BGE for Main Segment 18A; (4) Carollo Engineers, Inc. for Main Segment 19; (5) Binkley & Barfield, Inc. for Main Segment 17A; (6) R.G. Miller Engineers, Inc. for Main Segment 17C; and (7) JNS Engineers, LLC for Main Segment 18B. Mr. Froehlich provided an update on anticipated access to property located at the southwest corner of FM 1093 and FM 359 due to the recent sale of the property. He discussed a proposed phased approach to Main Segment 13B and other work related to the 2027 System due to the delayed access to the property.

Mr. Froehlich recommended approval of Agreements For Professional Design Consulting Services for Main Segment 16B, Phase I, with HR Green, Inc., and Main Segment 17B with Lockwood, Andrews and Newnam, Inc. in the amounts of \$468,623.36 and \$1,028,041.06, respectively. Mr. Froehlich reported that Main Segment 16B will be designed in two phases.

Mr. Froehlich reported that completion of work on the 2027 System Environmental Determination Form ("EDF") and Cultural Resources Study ("CRS") is on hold pending access to property located at the southwest corner of FM 1093 and FM 359. He stated that additional services required to renew EDF approvals and update the CRS to the current standards are underway. He reported that the Texas Historical Commission approved an extension of the antiquities permit.

Mr. Froehlich reported on the status of the expanded transient analysis and design services for the cathodic protection systems for the 2027 System to include Main Segments 17A, 17C, and 18B.

REGIONAL PLANNING MATTERS: JOINT PROJECTS AND WATER SUPPLY

Mr. Froehlich reported on the status of agency review of the design plans for the Bellaire Pump Station (the "BPS") Phase II Improvements Project. He reported that

plans were forwarded to the City of Houston (“COH”). Mr. Froehlich stated that BGE is addressing comments on the design plans received from COH’s Building Code Enforcement.

Mr. Froehlich reported that that a proposal is being prepared for replacing loose and broken blocks and adding structural epoxy to the cracks in the walls of the BPS.

Mr. Froehlich reported that a pre-construction meeting was held on February 19, 2025, with Great Barrier Roof, LLC, for the project to install a new thermoplastic polyolefin roof for the BPS. He stated that Notice to Proceed for the project will be issued effective March 3, 2025.

Mr. Froehlich reported on the status of design, permitting, construction, and property acquisition, as appropriate, for the Authority’s joint Surface Water Supply Project (“SWSP”) with the West Harris County Regional Water Authority (the “WHCRWA”), including Segments A1 and A2, combined Segments B1 and B2, Segments B3, C1, and C2, the Kinder Morgan subsegments, the Segment 3 subsegments, the Repump Station, the Central Pump Station, and the three meter stations. Copies of a chart and summaries of the status of design/construction are included in the attached engineer’s report.

Mr. Froehlich reported on the Authority’s consultants’ coordination with COH on COH’s temporary decrease of water delivery to the Authority in the amount of 12 to 14 million gallons due to the shutdown of a 66-inch water line to establish a new connection with a 72-inch water line. He stated the line was shut down for a second time on February 24, 2025, after the recent freezing weather event. He stated that COH anticipates the line will be closed for two weeks.

Ms. Kovar updated the Board on COH’s Northeast Water Purification Plant Expansion Project (“NEWPP Expansion Project”) per its Design-Build Agreement with the Houston Waterworks Team (“HWT”). Ms. Kovar reported that Phase 2A is online, operational, and providing 80 million gallons per day of water. Status summaries for the Influent Pump Station, North Plant, Central Plant, South Plant, and the Balance of Plant are included in the attached engineer’s report.

Mr. Froehlich responded to Board inquiries regarding the Authority’s backup generators and costs related to SWSP.

Following review and discussion, Director Abrahamson moved to approve the engineer’s report as presented, including approval of:

- (1) Payment Request No. 2 submitted by FB 37 for conversion of its water plant no. 1 to chloramines disinfection in the amount of \$3,130.50, pending FB 37’s execution of a receipt;

- (2) Pay Estimate No. 15 and Final submitted by AMB in the amount of \$314,435.00, acceptance of the facilities, and adding the facilities to the Authority's insurance policies;
- (3) Pay Estimate No. 13 submitted by Main Lane Industries, Ltd. in the amount of \$31,248.90;
- (4) The Agreement For Professional Design Consulting Services with HR Green, Inc. for Main Segment 16B, Phase I, in the amount of \$468,623.36; and
- (5) The Agreement For Professional Design Consulting Services with Lockwood, Andrews and Newnam, Inc. for Main Segment 17B in the amount of \$1,028,041.06.

Director Hollingsworth seconded the motion, which passed unanimously.

FINANCING PLAN MATTERS

Ms. Miller reported on coordination with the WHCRWA to review the amounts in the SWSP accounts.

REALTY INTEREST ACQUISITION

The Board concurred to defer this item.

LEGISLATIVE UPDATE

Ms. Miller reported on the status of certain proposed bills with potential impact to the Authority during the 89th Regular Session of the Texas Legislature.

MEETING PLANNING AND SCHEDULING MATTERS

The Board concurred to meet on Wednesday, March 26, 2025.

Ms. Miller discussed scheduling a special Board meeting to discuss ongoing litigation between COH and HWT related to construction delays for NEWPP.

CONVENE EXECUTIVE SESSION

The Board convened in executive session at 7:01 p.m., pursuant to Section 551.071, Texas Government Code, to seek the advice of its attorney regarding pending or contemplated litigation or to seek and receive legal advice by the Authority's attorney. The Board determined that the attendance in this executive session of Ms. Kovar and Mr. Froehlich was necessary in order for the Board to obtain the necessary legal advice from its attorneys, and the Board requested their presence in the executive session.

RECONVENE IN OPEN SESSION

At 7:26 p.m., the Board reconvened in open session. No action was taken by the Board.

PUBLIC COMMUNICATION MATTERS, CONTINUED

Ms. Miller and Mr. Froehlich responded to Board inquiries regarding correspondence and Texas Public Information Act requests received.

There being no further business to come before the Board, the meeting was adjourned.

(SEAL)




Asst. Secretary, Board of Directors

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