

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

September 25, 2025

The Board of Directors (the “Board”) of Fort Bend County Municipal Utility District No. 5 (the “District”) met in regular session, open to the public, on the 25th day of September, 2025, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Nancy E. Hedrick	President
John Metzger	Vice President
Bobby J. Adams	Secretary
LaToya Phillips	Assistant Vice President
Carol Walker	Assistant Secretary

and all of the above were present, except Directors Adams and Metzger, thus constituting a quorum.

Also attending the meeting were Albert Ramirez of Lake Management Systems, LP; Alfonso Castrejon of EHRA Engineering (“EHRA”); Kristy Hebert of Tax Tech, Inc.; David Smalling of Robert W. Baird & Co. Incorporated (“Baird”); Sarah Valladeres of Stormwater Solutions, LLC (“SWS”); Brandon West and Justin Waggoner of Touchstone District Services (“Touchstone”); Greg Dubiel of Municipal Operations & Consulting, Inc. (“MOC”); Veronica Hernandez of McLennan & Associates, L.P.; Angel Ruvalcaba of KGA/DeForest LLC; Justin Wagner of Woodmere Development Co., Ltd. (“Woodmere”); and Greer Pagan, Savannah Melton, and Holly Huston of Allen Boone Humphries Robinson LLP (“ABHR”).

PUBLIC COMMENT

The Board offered any members of the public attending the meeting the opportunity to make public comment. There being no additional members of the public requesting to make public comment, the Board moved to the next agenda item.

ANNUAL REPORT TO BOND REVIEW BOARD

Mr. Pagan presented a memorandum regarding the required submission of an annual report to the Bond Review Board containing certain information about the District’s voter-approved but unissued bonds, a copy of which is attached, and stated that ABHR will work with the District’s consultants to prepare and submit the annual report by the September 30th deadline.

MINUTES

The Board considered approving the minutes of August 28, 2025, regular meeting. After review and discussion, Director Hedrick moved to approve the minutes, as presented. Director Walker seconded the motion, which passed unanimously.

SECURITY MATTERS

The Board reviewed a copy of the security report, a copy of which is attached.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Hernandez presented the bookkeeper's report and invoices for the Board's review. She requested approval of the following checks payable to Director Walker for expense reimbursement and the City of Rosenberg. A copy of the bookkeeper's report, including a list of checks presented for approval, is attached. Following review and discussion, Director Hedrick moved to (1) approve the bookkeeper's report, and payment of the invoices, including the additional checks as presented; and (2) authorize amending the previous authorization for expense reimbursement from \$1,000 to \$2,500 per subdivision. Director Walker seconded the motion, which was approved by unanimous vote.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Hebert presented the tax assessor/collector's reports and invoices for the Board's review. A copy of the tax assessor/collector's reports, including a list of checks presented for approval, is attached. She reported that 99.14% of the 2024 taxes had been collected as of August 31, 2025. After review and discussion, Director Hedrick moved to approve the tax assessor/collector's reports and payment of the invoices. Director Walker seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Hebert stated that the notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2025 total tax rate of \$1.25. The Board opened the public hearing. There being no comments from the public, the Board then closed the public hearing. The Board then reviewed an Order Levying Taxes reflecting the proposed 2025 tax rate. He then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Fort Bend County. After review and discussion, Director Walker moved to: (1) adopt the Order Levying Taxes reflecting a total 2025 tax rate of \$1.24 per \$100 of assessed valuation, comprised of \$0.875 to pay debt service on water, sewer, and drainage bonds, and \$0.365 for operations and maintenance; (2) authorize execution of

the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

ENGINEERING MATTERS

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

Mr. Castrejon stated design is underway for the following projects: (1) Briarwood Crossing, Section 19; (2) Briarwood Crossing, Section 20; (3) Briarwood Crossing, Section 21; and (4) Regional Permanent Wastewater Treatment Plant, Phase 1.

Mr. Castrejon updated the Board regarding the status of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 18 and Courageous Trail Street Extension, Phase 1.

Mr. Castrejon updated the Board regarding the status of paving facilities to serve Courageous Trail Street Extension, Phase 1. He reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$390,129.03 payable to Beyer Construction, LLC ("Beyer").

Following review and discussion, Director Phillips moved to (1) approve the Engineer's Report as presented; (2) approve Pay Estimate No. 1 in the amount of \$390,129.03 payable to Beyer for the paving facilities to serve Courageous Trail Street Extension, Phase 1. Director Walker seconded the motion, which passed by unanimous vote.

LANDSCAPE ARCHITECT'S REPORT

Mr. Ruvalcaba reviewed the landscape architect's report, a copy of which is attached.

Mr. Ruvalcaba updated the Board regarding the status of Briarwood Crossing Courageous Trail landscaping improvements. He stated that bids were received and recommended that the Board award the contract to Bluegrass Landscape Design, LLC ("BLD") in the amount of \$711,870.65. The Board concurred that, in its judgment, BLD was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2, Section 17 landscaping improvements. He reviewed and recommended approval of Pay Estimate No. 5 in the amount of \$1,566.00 payable to HLU Services ("HLU").

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2, Section 18 Fencing Improvements. He reviewed and recommended

approval of Change Order No. 1 to the contract with American Wall to increase or the contract in the amount of \$1,050.00. The Board determined that Change Order No. 1 is beneficial to the District.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2 Section 18, landscaping improvements.

Following review and discussion, and based upon the landscape architect's recommendation, Director Walker moved to (1) approve the landscape architect's report as presented; (2) to award the contract for construction of Briarwood Crossing Courageous Trail landscaping improvements to BLD in the amount of \$711,870.65, based upon the landscape architect's recommendation and receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor; (3) approve Pay Estimate No. 5 in the amount of \$1,566.00 payable to HLU for the construction of Briarwood Crossing Phase 2, Section 17 landscaping improvements; and (4) approve Change Order No. 1 in the amount of \$1,050.00 as a increase to the contract with American Wall construction of Briarwood Crossing Phase 2, Section 18 Fencing Improvements, based upon the Board's finding that the Change Order is beneficial to the District and the landscape architect's recommendation. Director Phillips seconded the motion, which passed by a unanimous vote.

\$8,415,000 SERIES 2025 UNLIMITED TAX BONDS AND \$3,000,000 SERIES 2025 PARK BONDS ("SERIES 2025 BONDS")

REVIEW BIDS AND AWARD SALE OF THE DISTRICT'S SERIES 2025 BONDS

Mr. Smalling distributed and reviewed a bid summary reflecting the five bids received for the District's \$8,415,000 2025 Unlimited Tax Bonds, Series 2025, a copy of which is attached. He recommended the Board accept the bid with the lowest net effective interest rate of 4.646369% submitted by Crews & Associates, Inc. ("C&A"). Mr. Smalling stated a good faith check was submitted by C&A as required, and he verified the accuracy of the bid. After review and discussion, Director Walker moved to award the sale of the \$8,415,000 2025 Unlimited Tax Bonds, Series 2025 to C&A, with a net effective interest rate of 4.646369%. Director Phillips seconded the motion, which passed by unanimous vote.

Mr. Smalling then distributed and reviewed a bid summary reflecting the four bids received for the District's \$3,000,000 2025 Unlimited Tax Park Bonds, Series 2025, a copy of which is attached. He recommended the Board accept the bid with the lowest net effective interest rate of 4.612359% submitted by SWBC Investment Services, LLC ("SWBC"). Mr. Smalling stated a good faith check was submitted by C&A as required, and he verified the accuracy of the bid. After review and discussion, Director Walker moved to award the sale of the \$3,000,000 2025 Unlimited Park Tax Bonds, Series 2025 to SWBC, with a net

effective interest rate of 4.612359%. Director Phillips seconded the motion, which passed by unanimous vote.

RESOLUTION AUTHORIZING THE ISSUANCE OF THE SERIES 2025 BONDS

Mr. Pagan reviewed the Resolutions Authorizing the Issuance of the Series 2025 Bonds (the "Resolution") with the Board and explained that the document sets forth, among other items, the terms and provisions of issuance and delivery of the Series 2025 Bonds, the payment of principal and interest over the life of the Series 2025 Bonds, and certain District covenants regarding the tax-exempt status of the Series 2025 Bonds. After review and discussion, Director Walker moved to adopt the Resolutions and direct that the Resolutions be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

PAYING AGENT/REGISTRAR AGREEMENT

Mr. Pagan reviewed a Paying Agent/Registrar Agreements between the District and BOKF NA. After review and discussion, Director Walker moved to approve the Paying Agent/Registrar Agreements with BOKF NA, and direct that the agreement be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

OFFICIAL STATEMENT

Mr. Pagan explained that the Official Statements for the Series 2025 Bonds will be updated to reflect the terms of the sale, including the purchaser, interest rates, and debt service requirements. After discussion, Director Walker moved to approve the Official Statements for the Series 2025 Bonds and direct that the Official Statements be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

CERTIFICATE REGARDING PROVISION OF FINANCIAL ADVICE

Mr. Pagan presented and reviewed with the Board Certificates Regarding Provision of Financial Advice (the "Certificate") reflecting that ABHR has not provided the Board with financial advice in relation to the Series 2025 Bonds and the Board has relied solely upon financial advice provided by Baird. After review and discussion, Director Walker moved to approve the Certificates and direct that the Certificates be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

AUTHORIZE THE BOARD TO SIGN ALL DOCUMENTS RELATING TO BOND SALE AND AUTHORIZE ATTORNEY AND FINANCIAL ADVISOR TO TAKE ALL NECESSARY ACTION TO DELIVER BONDS TO PURCHASER

Mr. Pagan discussed signatures required for documents relating to the sale of the District's Series 2025 Bonds and actions needed to deliver the bonds to the purchasers. Following review and discussion, Director Walker moved to authorize the Board to sign all documents relating to the sale of the Series 2025 Bonds and authorize ABHR and Baird to take all necessary steps to deliver the bonds to the purchaser. Director Phillips seconded the motion, which was approved by unanimous vote.

APPROVE CHECK TO ATTORNEY GENERAL RELATING TO BOND ISSUE TRANSCRIPT REVIEW

Mr. Pagan stated that payment is required by the Texas Attorney General for review of the transcript for the Series 2025 Bonds. The Board then considered authorizing ABHR to submit a wire on the District's behalf to the Attorney General of Texas for review of the bond transcript. After discussion, Director Walker moved to authorize ABHR to submit wires on the District's behalf to the Attorney General of Texas for bond transcript review. Director Phillips seconded the motion, which passed by unanimous vote.

AMENDMENT TO INFORMATION FORM

Mr. Pagan stated that the Texas Water Code requires the District to file an Amendment to Information Form with Fort Bend County and the Texas Commission on Environmental Quality reflecting the amount of bonds issued by the District. He reviewed an Amendment to Information Form with the Board. After review and discussion, Director Walker moved to authorize execution of the Amendment to Information Form and direct that the document be filed appropriately and retained in the District's official records. Director Phillips seconded the motion, which passed by unanimous vote.

MAINTENANCE OF DETENTION AND AMENITY PONDS

Mr. Ramirez presented and reviewed the following items: (1) the annual maintenance proposal in the amount of \$27,480 for 2026; and (2) a proposal in the amount of \$6,848.28 to repair a power unit at the Fairpark North Fountain. Following review and discussion, Director Walker moved to approve the proposals as presented. Director Phillips seconded the motion, which passed by a unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Dubiel presented the monthly operator's report and reported on repairs and maintenance of the District's facilities. He requested authorization to submit one

account to collections in the amount of \$8.77. Mr. Dubiel requested the Board approve a proposal in the amount of \$33,380 for a pump replacement. A copy of the operator's report is attached. Following review and discussion, Director Walker moved to (1) approve the operator's report; (2) authorize submittal of one accounts to collections in the amount of \$8.77; and (3) approve repairs to the pump station in the amount of \$33,380.00. Director Hedrick seconded the motion, which was passed by a unanimous vote.

TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

The Board conducted a hearing on termination of utility service. Mr. Dubiel informed the Board that the customers included on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to this meeting of the opportunity to appear before the Board to explain, contest, or correct their utility service bill and to show reason for nonpayment. After review and discussion, Director Walker moved to terminate utility service to all customers included on the termination list in accordance with the District's Rate Order if their utility bills are not paid because said customers were neither present at the meeting nor had presented any written statement on the matter, and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Hedrick seconded the motion, which was approved by unanimous vote.

REPORT FROM SWS

Ms. Valladeres reviewed a report from SWS, a copy of which is attached.

LANDSCAPE ARCHITECT'S REPORT CONTINUED

Mr. Wagner addressed the Board regarding landscaping matters Culver Elementary.

TOUCHSTONE DISTRICT SERVICES

Mr. West presented and reviewed a report on the District's website, a copy of which is attached.

Mr. Waggoner updated the Board regarding the 2025 Bond Election and ongoing correspondence with District residents.

DEVELOPER'S REPORT

Mr. Wagner updated the Board on home sales and development in the District.

GARBAGE AND RECYCLING MATTERS

There was no discussion on this agenda item.

DIRECTOR MATTERS

The Board considered designating Director Walker as the voting representative for Association of Water Board District ("AWBD") moving forward. Director Hedrick moved to authorize Director Walker to be the District's Voting Representative for AWBD moving forward. Director Phillips seconded the motion, which passed by a unanimous vote.

MEETING SCHEDULE

The Board concurred to conduct the next regular meeting on October 23, 2025, at 11:00 a.m.

/s/ Carol Walker

Asst. Secretary, Board of Directors



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