

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

March 28, 2024

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 28th day of March, 2024, 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:

Margaret F. Greenwood	President
Gary P. Smith	Vice President
Bobby J. Adams	Secretary
Nancy E. Hedrick	Assistant Vice President
John Metzger	Assistant Secretary

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

Also attending the meeting were Carol Walker and LaToya Phillips, residents of the District; Sarah Valladares of Stormwater Solutions; Brandon West of Touchstone District Services; Greg Dubiel of Municipal Operations & Consulting, Inc. ("MOC"); Derek Davenport and Veronica Hernandez of McLennan & Associates, L.P.; Kristy Hebert of Tax Tech, Inc.; Angel Ruvalcaba of KGA/DeForest LLC; Enrique Sanchez of R. G. Miller Engineers, Inc. ("RGM"); Andrew Rue and Justin Wagner of Woodmere Development Co., Ltd. ("Woodmere"); and Greer Pagan and Holly Huston of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENT

There being no members of the public requesting to make public comment, Mr. Pagan moved to the next agenda item.

MINUTES

The Board considered approving the minutes of February 22, 2024, regular meeting. After review and discussion, Director Metzger moved to approve the minutes, as presented. Director Adams seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

Mr. Pagan discussed procedures related to the 2024 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received four candidate applications for the two director positions with two applications withdrawn for the May 4, 2024, Directors Election.

Mr. Pagan presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office ("Order Cancelling") stating that the May 4, 2024, Directors Election is cancelled and that the unopposed candidates, Carol Walker and LaToya Phillips, are declared elected to office to serve from the May 4, 2024, election until the May 6, 2028, Directors Election. He reviewed the posting requirements for the Order Cancelling.

Mr. Pagan discussed that the Board had approved entering into a contract with Fort Bend County (the "County") to administer the District's 2024 Directors Election.

Following review and discussion, Director Metzger moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records; (2) adopt the Order Cancelling, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records; and (3) cancel the contract with the County for election services for the May 4, 2024 Directors Election. Director Adams seconded the motion, which passed unanimously.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board discussed a renewal proposal from HARCO Insurance Services for the District's insurance policies due to expire May 23, 2024. The Board concurred to defer action on this item until a renewal proposal has been received.

PROPOSAL FROM ACCLAIM ENERGY

The Board concurred to defer discussion on this agenda item.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Hernandez presented the bookkeeper's report and invoices for the Board's review. A copy of the bookkeeper's report, including a list of checks presented for approval, is attached. Following review and discussion, Director Greenwood moved to approve the bookkeeper's report, and payment of the invoices. Director Smith 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 97.02% of the 2023 taxes had been collected as of February 29, 2024. After review and discussion, Director Greenwood moved to approve the tax assessor/collector's reports and payment of the invoices as presented. Director Hedrick seconded the motion, which passed unanimously.

ENGINEERING MATTERS

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

Mr. Sanchez reported on the status of design of District facilities for the following projects: (1) Briarwood Crossing, Section 18; (2) Courageous Trail Street Extension, Phase 1; (3) Regional Permanent Wastewater Treatment Plant, Phase 1; and (4) Transmission Water Line Rosenberg Interconnect.

Mr. Sanchez requested Board approval of plans and specifications and authorization for advertisement for bid for water, sewer, and drainage facilities to serve Briarwood Crossing, Section 13.

Mr. Sanchez stated that bids were received for construction of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 17. He recommended that the Board award the contract to Principal Services, LTD ("Principal") in the amount of \$1,989,411.70. The Board concurred that, in its judgment, Principal 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.

Following review and discussion, Director Smith moved to (1) approve the Engineer's Report as presented; (2) approval of plans and specifications and authorization for advertisement for bid for water, sewer, and drainage facilities to serve Briarwood Crossing, Section 13; and (3) award the contract for construction of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 17 to Principal in the amount of \$1,989,411.70, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Greenwood 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 plans and specifications for Briarwood Crossing, Phase 2, and Section 12 landscaping improvements.

Mr. Ruvalcaba reviewed and recommended approval of Change Order No. 2 to the contract with Landecor for Briarwood Crossing, Phase 2 and Section 16 Landscaping to decrease the contract in the amount of \$6,200.00. The Board determined that Change Order No. 2 is beneficial to the District.

Following review and discussion, Director Greenwood moved to (1) approve the landscape architects' report as presented; and (2) approve Change Order No. 2 in the

amount of \$6,200.00 as a decrease to the contract with Landecor for the Briarwood Crossing, Phase 2 and Section 16 Landscaping based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation. Director Hedrick seconded the motion, which passed by a unanimous vote.

MAINTENANCE OF DETENTION AND AMENITY PONDS

There was no discussion on this agenda item.

OPERATION OF DISTRICT FACILITIES

Mr. Dubiel presented the monthly operator's report and reported on repairs and maintenance of the District's facilities. A copy of the operator's report is attached. Mr. Dubiel stated that there were 4 new residential taps installed during the month of February. He requested approval of submit 5 accounts in the amount of \$470.24 to collections.

Mr. Dubiel updated the Board regarding a request from a resident to use the Briarwood Crossing detention pond to install soccer nets. Discussion ensued.

Following review and discussion, Director Smith moved to (1) approve the operator's report; and (2) authorize submittal of 5 accounts in the amount of \$470.24 to collections. Director Greenwood 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 Smith 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 Greenwood seconded the motion, which was approved by unanimous vote.

CONDUCT ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

Mr. Dubiel stated that the Texas Commission on Environmental Quality rules require that the District review and adopt an Amended and Restated Drought Contingency Plan in 2024, prior to May 1st. He reviewed an Amended and Restated Drought Contingency Plan with the Board. After review and discussion, Director Smith

moved to adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the District's official records. Director Metzger seconded the motion, which passed by unanimous vote.

EMERGENCY PREPAREDNESS PLAN

The Board then conducted a review of the Emergency Preparedness Plan. Following discussion, the Board concurred that no changes were necessary.

REVIEW CRITICAL LOAD SPREADSHEET

Mr. Dubiel discussed annual filing requirements for the District's Critical Load Spreadsheet, which lists the facilities operated by the District that receive electricity and is provided to various entities, including CenterPoint Energy and Fort Bend County, for emergency purposes. He stated that the Critical Load Spreadsheet was submitted to the District's consultants for review. Following review and discussion, Director Smith moved to authorize annual filing of the Critical Load Spreadsheet and direct that the spreadsheet be retained in the District's official records. Director Metzger seconded the motion, which was approved by unanimous vote.

REPORT FROM STORM WATER SOLUTIONS

Ms. Valladares presented and reviewed a report from Storm Water Solutions. A copy of which is attached. Discussion continued regarding a resident's request to install soccer nets at the Briarwood Crossing detention pond and potential.

TOUCHSTONE DISTRICT SERVICES

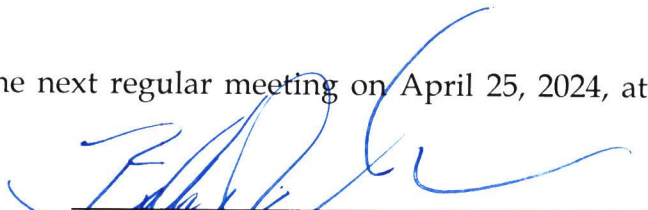
Mr. West presented and reviewed a report on the District's website. A copy of which is attached.

DEVELOPER'S REPORT

Mr. Rue updated the Board on development in the District.

MEETING SCHEDULE

The Board concurred to conduct the next regular meeting on April 25, 2024, at 11:00 a.m.


Secretary, Board of Directors



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