

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

April 25, 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 25th day of April, 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; Albert Ramirez of Lake Management Systems, LP; Sarah Valladares of Stormwater Solutions; Brandon West of Touchstone District Services; Greg Dubiel of Municipal Operations & Consulting, Inc. ("MOC"); Veronica Hernandez of McLennan & Associates, L.P.; Kristy Hebert of Tax Tech, Inc.; Angel Ruvalcaba and Justin Bruno of KGA/DeForest LLC; Enrique Sanchez of R. G. Miller Engineers, Inc. ("RGM"); Andrew Rue of Woodmere Development Co., Ltd. ("Woodmere"); and Brooke Milbauer, Julie Gerdes, Tequila Shelvin, and Holly Huston of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENT

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

MINUTES

The Board considered approving the minutes of March 28, 2024, regular meeting. After review and discussion, Director Adams moved to approve the minutes, as presented. Director Metzger seconded the motion, which passed unanimously.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board considered a renewal proposal from Brown & Brown Insurance Services ("BBI") for the District's insurance policies due to expire May 23, 2024. Following review and discussion, Director Metzger moved to approve the renewal proposal in the amount of \$37,783. Director Hedrick seconded the motion, which was approved by unanimous vote.

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. She presented and reviewed additional checks nos. 1849, 1850, and 1851 payable to BBI, Texas Mutual, and TML IRP for insurance coverage. Following review and discussion, Director Greenwood moved to approve the bookkeeper's report, and payment of the invoices, including the additional checks as presented. 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 98.06% of the 2023 taxes had been collected as of March 31, 2024. After review and discussion, Director Greenwood moved to approve the tax assessor/collector's reports and payment of the invoices as presented. Director Smith 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 stated that bids were received for the construction of Briarwood Crossing Detention 5 (A-C). He recommended that the Board award the contract to NorthTex Construction, LLC ("NorthTex") in the amount of \$2,436,858.66. The Board concurred that, in its judgment, NorthTex 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. Sanchez updated the Board on the status of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 13.

Mr. Sanchez updated the Board on the status of Interim Wastewater Treatment Plant, Phase 3.

Mr. Sanchez updated the Board regarding the status of construction of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 17.

Mr. Sanchez requested Board authorization to prepare Bond Application No. 13.

Following review and discussion, Director Smith moved to (1) approve the Engineer's Report as presented; (2) award the contract for construction of Briarwood Crossing Detention 5 (A-C) to NorthTex in the amount of \$2,436,858.66 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; and (3) authorize RGM to begin preparation of Bond Application No. 13. Director Adams 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 presented and reviewed proposals for the preparation of plans and specifications for the following projects: (1) Briarwood Crossing Phase 2 Section 13 landscaping improvements; and (2) Briarwood Crossing Phase 2 Section 17 landscaping improvements.

Mr. Ruvalcaba stated that bids were received for the construction of Briarwood Crossing, Phase 2, and Section 12 landscaping improvements. He recommended that the Board award the contract to Triple E Growers dba Triple E Landscapes ("Triple E") in the amount of \$218,943.98. The Board concurred that, in its judgment, Triple E 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, and based upon the landscape architect's recommendation, Director Greenwood moved to (1) approve the landscape architect's report as presented; (2) approve the following proposals for the preparation of plans and specifications for the following projects: (i) Briarwood Crossing Phase 2 Section 13 landscaping improvements; and (ii) Briarwood Crossing Phase 2 Section 17 landscaping improvements; and (3) award the contract for construction of Briarwood Crossing, Phase 2, and Section 12 landscaping improvements to Triple E in the amount of \$218,943.98 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 Smith 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. A copy of the operator's report is attached. Mr.

Dubiel stated that there were 10 new residential taps installed during the month of March. He requested approval of submit 1 account in the amount of \$173.30 to collections.

Following review and discussion, Director Smith moved to (1) approve the operator's report; and (2) authorize submittal of 1 accounts in the amount of \$173.30 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 AND RECEIVE REPORT FROM OPERATOR ON IDENTITY THEFT PREVENTION PROGRAM

The Board reviewed an annual report on the District's Identity Theft Prevention Program. Mr. Dubiel stated that the report indicates there were no significant incidents of identity theft detection. He recommended continued implementation of the program without changes and the Board concurred. No action was necessary.

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 damage to the District's facilities.

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.

MAINTENANCE OF DETENTION AND AMENITY PONDS

Mr. Ramirez presented and reviewed the following proposals: (1) a proposal in the amount not to exceed \$1500 for Lake B south fountain repairs; (2) a proposal in the amount of \$3,850.00 to replace the well meter at Fairpark Village; and (3) a proposal in the amount of \$503.00 to replace the No Fishing Signs around the lake at Fairpark Village. Following review and discussion, Director Smith moved to approve the proposal as presented. Director Metzger seconded the motion, which passed by a unanimous vote.

MEETING SCHEDULE

The Board concurred to conduct the next regular meeting on May 23, 2024, at 11:00 a.m.




ASST. Secretary, Board of Directors

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