

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

July 24, 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 24th day of July, 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 Phillips, thus constituting a quorum.

Also attending the meeting were Avni Patel of Forvis Mazar LLP (“Forvis”); Kristy Hebert of Tax Tech, Inc.; David Wood of Robert W. Baird & Co. Incorporated (“Baird”); Sarah Valladeres and Melanie Burges 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; Enrique Sanchez of R. G. Miller Engineers, Inc. (“RGM”); Justin Wagner of Woodmere Development Co., Ltd. (“Woodmere”); and Holly Huston of Allen Boone Humphries Robinson LLP (“ABHR”).

Attending the meeting via teleconference were Director Phillips; and Greer Pagan of 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.

MINUTES

The Board considered approving the minutes of June 26, 2025, regular meeting. After review and discussion, Director Metzger moved to approve the minutes. Director Hedrick seconded the motion, which passed unanimously.

## SECURITY MATTERS

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

The Board next reviewed the Constable Contract Deputy Budget Proposal for the period started October 1, 2025, through September 30, 2026, with a total estimated cost of \$277,620 and a monthly payment of \$21,980. Following review and discussion, Director Adams moved to approve the proposal as presented. Director Hedrick seconded the motion, which passed by a unanimous vote.

## ENGAGE AUDITOR TO CONDUCT AUDIT FOR FISCAL YEAR END JULY 31, 2025

Ms. Patel reviewed a proposal from Forvis to conduct the audit for the District's fiscal year end July 31, 2025, for an amount of \$23,500, plus expenses. After review and discussion, Director Hedrick moved to engage Forvis to conduct the audit for the District's fiscal year ending July 31, 2025. Director Metzger seconded the motion, which passed by unanimous vote.

## 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.

Ms. Hernandez presented a budget for fiscal year end July 31, 2026, a copy of which is attached to the bookkeeper's report. Mr. Wood requested McLennan to review the fees associated with the Rate Order with the District Operator and modify the draft budget accordingly.

Following review and discussion, Director Adams moved to (1) approve the bookkeeper's report, and payment of the invoices; and (2) adopt the budget for the fiscal year end July 31, 2026, subject to incorporation of consultant comments. Director Hedrick 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 98.42% of the 2024 taxes had been collected as of June 30, 2025. Ms. Hebert reported the 2025 Certified Value for the District is \$510,255,526. 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.

## ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2025 TAX YEAR

Mr. Pagan discussed to the “truth-in-taxation” property tax calculations and tax levy process for water districts in Chapter 49, Texas Water Code. He stated that there are three main categories for water districts, based on a district’s development status and/or tax rate. Mr. Pagan reviewed the definitions for each of the three categories and said the Board must annually determine the District’s category for that tax year and follow the associated notice and levy provisions in the Texas Water Code. Discussion ensued regarding the District’s development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2025 tax year. Following review and discussion, Director Adams moved to adopt a Resolution Regarding Development Status for 2025 Tax Year establishing the District as a Developing District for the 2025 tax year, pursuant to Section 49.23603, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District’s official records. Director Metzger seconded the motion, which passed unanimously.

## ENGINEERING MATTERS

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

Mr. Sanchez 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. Sanchez 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. He reviewed and recommended Pay Estimate No. 1 in the amount of \$826,634.92 payable to Fellers & Clark, LP (“FCLP”).

Mr. Sanchez updated the Board regarding the status of paving facilities to serve Courageous Trail Street Extension, Phase 1.

Following review and discussion, Director Adams moved to (1) approve the Engineer’s Report as presented; (2) approve Pay Estimate No. 1 in the amount of \$826,634.92 payable to FCLP for the water, sewer, and drainage facilities to serve Briarwood Crossing, Section 18 and Courageous Trail Street Extension, Phase 1. Director Hedrick seconded the motion, which passed by unanimous vote.

## UPDATE ON BOND APPLICATION NO. 14

Mr. Sanchez updated the Board regarding the status of Bond Application No. 14.

## 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 design for Briarwood Crossing Courageous Trail landscaping improvements.

Mr. Ruvalcaba updated the Board regarding the Briarwood Crossing Phase 2, Section 18 Fencing Improvements. He stated that bids and recommended that the Board award the contract to American Wall Systems, LLC ("AWS") in the amount of \$258,968.00. The Board concurred that, in its judgment, AWS 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 status of design for Briarwood Crossing Phase 2 Section 18, landscaping improvements. He stated that bids were and recommended that the Board award the contract to Landecor, LLC ("Landecor") in the amount of \$294,969.70. The Board concurred that, in its judgment, Landecor 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 13 landscaping improvements.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2, Section 17 landscaping improvements. He reviewed and recommended approval of Pay Application No. 4 in the amount of \$41,188.49 payable to HLU Services.

Following review and discussion, and based upon the landscape architect's recommendation, Director Hedrick moved to (1) approve the landscape architect's report as presented; (2) award the contract for construction of Briarwood Crossing Phase 2, Section 18 Fencing Improvements to AWS in the amount of \$258,968.00, 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) to award the contract for construction of Briarwood Crossing Phase 2 Section 18, landscaping improvements to Landecor in the amount of \$294,969.70, 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; and (4) approve Pay Application No. 4 in the amount of \$41,188.49 payable to HLU Services for the construction of Briarwood Crossing Phase 2, Section 17 landscaping improvements. Director Walker 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. He requested authorization to submit five accounts to collections in the amount of \$594.93. Mr. Dubiel requested approval of two return payment cut off in the amount of \$156.10. A copy of the operator's report is attached. Following review and discussion, Director Hedrick moved to (1) approve the operator's report; (2) authorize submittal of five accounts to collections in the amount of \$594.93; and (3) approval of two return payment cut off in the amount of \$156.10. Director Walker 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 Hedrick 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 Walker 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.

## TOUCHSTONE DISTRICT SERVICES

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

## DISCUSS EVALUATION OF MAY 2025 BOND ELECTION

The Board reviewed a proposal in the amount of \$5,400.00 for election education support. Following review and discussion, Director Walker moved to approve the proposal. Director Hedrick seconded the motion, which passed by a unanimous vote.

## 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.

## REPORT REGARDING LEGISLATIVE MATTERS

The Board reviewed a report prepared by ABHR regarding legislative matters pertaining to the 89th Regular Session of the Texas Legislature.

## MEETING SCHEDULE

The Board concurred to conduct the next regular meeting on August 28, 2025, at 11:00 a.m., and schedule a special meeting the week of August 11, 2025.



/s/ Bobby J. Adams  
Secretary, Board of Directors

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