

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

January 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 January, 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 Sarah Valladares of Stormwater Solutions, LLC; Albert Ramirez of Lake Management Systems, LP; Brandon West of Touchstone District Services; Greg Dubiel of Municipal Operations & Consulting, Inc. ("MOC"); Derek Davenport and Veronica Hernandez of McLennan & Associates, L.P.; Angel Ruvalcaba of KGA/DeForest Design, LLC; Albert Ramirez of Lake Management Services, LP ("LMS"); Kristy Hebert of Tax Tech, Inc.; Justin Wagner of R. G. Miller Engineers, Inc. ("RGM"); Andrew Rue of Woodmere Development Co., Ltd. ("Woodmere"); and Duggan Baker and Holly Huston of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENT

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

2024 DIRECTORS ELECTION

Mr. Baker discussed procedures related to the 2024 Directors Election. The Board reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period.

Mr. Baker reported on requirements to post a Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election.

Mr. Baker stated that the District may contract with Fort Bend County (the "County") to conduct the District's 2024 Directors Election.

Mr. Baker discussed procedures related to the 2024 Directors Election. He reviewed an Order Calling Directors Election.

Mr. Baker discussed that Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Fort Bend County, if necessary.

The Board considered adopted a Resolution Adopting a Voting System, if required.

Following review and discussion, Director Smith moved to (1) adopt a Resolution Designating an Agent of the Secretary of the Board During the 2024 Directors Election Period appointing Holly Huston as the agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election, authorize the agent to post the related notice as required, and direct that the Resolution be filed appropriately and retained in the District's official records; (2) authorize the Secretary's agent to post the notice as required; (3) approve the contract with the County to administer the District's election; (4) adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records; (5) authorize the Secretary's agent to post or publish and provide to the Fort Bend County Clerk and Voter Registrar Notice of Election, if required, and to direct that the Notice be filed appropriately and retained in the District's official records; and (6) adopt the Resolution Adopting Voting System, if required. Director Hedrick seconded the motion, which passed unanimously.

MINUTES

The Board considered approving the minutes of November 30, 2023, regular meeting. After review and discussion, Director Metzger moved to approve the minutes, as presented. Director Hedrick seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Davenport 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.

Mr. Baker reported that in accordance with the District's Investment Policy, the District's bookkeeper and Investment Officer, are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. He stated that the disclosure statements are filed annually with the Texas Ethics Commission.

Following review and discussion, Director Metzger moved to (1) approve the bookkeeper's report, and payment of the invoices; and (2) accept the disclosure

statements and direct that the statements be filed appropriately and retained in the District's official records. 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 3.42% of the 2023 taxes had been collected as of December 31, 2023. After review and discussion, Director Smith 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. Wagner presented the engineer's report, a copy of which is attached.

Mr. Wagner reported on the status of design of District facilities for the following projects: (1) Briarwood Crossing, Section 13; (2) Briarwood Crossing, Section 18; (3) Courageous Trail Street Extension, Phase 1; (4) Regional Permanent Wastewater Treatment Plant, Phase 1; and (5) Transmission Water Line Rosenberg Interconnect.

Mr. Wagner requested Board approval of plans and specifications and authorization for advertisement for bid: (1) Briarwood Crossing Detention 5 (A-C); (2) Briarwood Crossing, Section 17; and (3) Interim Wastewater Treatment Plant Phase 3.

Mr. Wagner reported on the status of construction of storm sewer, sanitary sewer, and water line facilities to serve Briarwood Crossing, Section 12.

Mr. Wagner reported on the status of the construction of storm sewer, sanitary sewer, and water line facilities to serve Briarwood Crossing, Section 16.

Mr. Wagner reported the previous request for Board approval of Special Warranty Deed for the 15.52-acre Briarwood Crossing Detention 5 have been revised for the Board's approval of a easement. He reported the conveyance will happen at a later date.

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: (i) Briarwood Crossing Detention 5 (A-C); (ii) Briarwood Crossing, Section 17; and (iii) Interim Wastewater Treatment Plant Phase 3; and (3) revise the Board's previous authorization to execute a Special Warranty Deed for the 15.52-acre Briarwood Crossing Detention 5 to approval of a Detention Easement over the same tract. 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 updated the Board regarding the construction of Briarwood Crossing Phase 2, Detention Pond Improvements.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing, Phase 2, and Section 15 Landscaping Improvements.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing, Phase 2, and Section 16 landscaping improvements. He reviewed and recommended approval of the following pay estimates payable to Landcor: (1) Pay Application No. 4 in the amount of \$2,790.00; (2) Pay Application No. 5 in the amount of \$0.00; and (3) Pay Application No. 6 and Final in the amount of \$33,877.45 and final acceptance of the contract.

Following review and discussion, Director Greenwood moved to (1) approve the landscape architects' report as presented; and (2) approve the following pay estimates payable to Landcor for the construction of Briarwood Crossing, Phase 2, and Section 16 landscaping improvements: (i) Pay Application No. 4 in the amount of \$2,790.00; (ii) Pay Application No. 5 in the amount of \$0.00; and (iii) Pay Application No. 6 and Final in the amount of \$33,877.45 and final acceptance of the contract.. Director Smith seconded the motion, which passed by a unanimous vote.

MAINTENANCE OF DETENTION AND AMENITY PONDS

Mr. Ramirez updated the Board regarding maintenance of detention and amenity ponds within the District.

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 7 new residential taps installed during the month of December. Following review and discussion, Director Smith moved to approve the operator's report, 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 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 Hedrick seconded the motion, which was approved by unanimous vote.

REPORT FROM STORM WATER SOLUTIONS

Ms. Valladeres presented and reviewed a report from Storm Water Solutions.

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.

ANNUAL REPORT REGARDING POST ISSUANCE COMPLIANCE POLICY

Mr. Baker reported on the District's compliance activities during the prior calendar year related to bond financings. He stated that no corrective action is required at this time.

MEETING SCHEDULE

The Board concurred to conduct the next regular meeting on February 22, 2024, at 11:00 a.m.




Secretary, Board of Directors

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