

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

February 22, 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 22<sup>nd</sup> day of February, 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, except Director Greenwood, thus constituting a quorum.

Also attending the meeting were Carol Walker and LaToya Phillips, residents of the District; David Smalling of Robert W. Baird; 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.; Justin Wagner and Enrique Sanchez of R. G. Miller Engineers, Inc. ("RGM"); Andrew Rue 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 January 25, 2024, regular meeting. After review and discussion, Director Metzger moved to approve the minutes, as presented. Director Smith 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. Following review and discussion, Director Smith moved to

approve the bookkeeper's report, and payment of the invoices. Director Metzger 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 90.78% of the 2023 taxes had been collected as of January 31, 2024. After review and discussion, Director Smith moved to approve the tax assessor/collector's reports and payment of the invoices as presented. Director Metzger seconded the motion, which passed unanimously.

#### RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board next reviewed a Resolution Concerning Exemptions from Taxation. Mr. Pagan reviewed the optional exemptions, including a general residential homestead exemption and an exemption for disabled persons or persons over 65 years of age. Following review and discussion, Director Smith moved to adopt a Resolution Concerning Exemptions from Taxation which provides for an exemption from ad valorem taxation of \$20,000 of the appraised value of residence homesteads of individuals who are disabled or are 65 years of age or older, and rejects the general residence homestead, and direct that the resolution be filed appropriately and retained in the District's official records. Director Hedrick seconded the motion, which was approved by unanimous vote.

#### 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. He reviewed and recommended approval of Pay Estimate No. 3 and Final in the amount of \$22,947.52 payable to Fellers & Clark LP ("FCLP") and final acceptance of the contract. Mr. Wagner reviewed and recommended approval of Change Order No. 2 to the contract to decrease or the contract in the amount of \$40,224.10. The Board determined that Change Order No. 2 is beneficial to the District.

Mr. Wagner reviewed and recommended approval of a 0.1867-Acre Temporary Access Easement for Briarwood Section 17.

Following review and discussion, Director Smith moved to (1) approve the Engineer's Report as presented; (2) approve Pay Estimate No. 3 and Final in the amount of \$22,947.52 payable to FCLP for the construction of storm sewer, sanitary sewer, and water line facilities to serve Briarwood Crossing, Section 12, and final acceptance of the contract; (3) approve Change Order No. 2 in the amount of \$40,224.10 as a decrease to the contract with FCLP for the construction of storm sewer, sanitary sewer, and water line facilities to serve Briarwood Crossing, Section 12, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; and (4) approve the 0.1867-Acre Temporary Access Easement for Briarwood Section 17. Director Hedrick seconded the motion, which passed by unanimous vote.

#### LANDSCAPE ARCHITECT'S REPORT

There was no discussion on this agenda item.

#### 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 15 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

The Board 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.

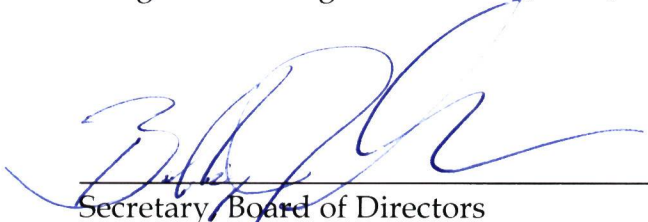
DISCUSS RESIDENTIAL SOLID WASTE COLLECTION CONTRACT

The Board discussed the Residential Solid Waste Collection Contract with Green for Life for garbage collection and recycling services. No action was taken at this time.

MEETING SCHEDULE

Mr. Pagan addressed the Board regarding the 2024 Director's Election.

The Board concurred to conduct the next regular meeting on March 28, 2024, at 11:00 a.m.

  
Secretary, Board of Directors



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