

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

February 27, 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 27<sup>th</sup> day of February, 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 Director Hedrick, thus constituting a quorum.

Also attending the meeting were Lieutenant Hansen and Constable Moore of Fort Bend County Constable; Kristy Hebert of Tax Tech, Inc.; David Wood of Robert W. Baird & Co. Incorporated ("Baird"); Sarah Valladeres of Stormwater Solutions, LLC ("SWS"); Brandon West 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 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, the Board then moved to the next agenda item.

MINUTES

The Board considered approving the minutes of January 30, 2025, regular meeting. After review and discussion, Director Metzger moved to approve the minutes, as corrected. Director Adams seconded the motion, which passed unanimously.

SECURITY MATTERS

Deputy Hansen addressed the Board regarding security matters within the District. The Board reviewed a copy of the security report. A copy of which is attached.

## 2025 BOND ELECTIONS

The Board considered adopting a Resolution Adopting Voting System. Following review and discussion, Director Adams moved to approve the Resolution as presented. Director Metzger seconded the motion, which passed unanimously.

## 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 Metzger moved to approve the bookkeeper's report, and payment of the invoices. Director Walker 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 88.17% of the 2024 taxes had been collected as of January 31, 2025. After review and discussion, Director Adams moved to approve the tax assessor/collector's reports and payment of the invoices. 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 Metzger moved to adopt a Resolution Concerning Exemptions from Taxation which provides for an exemption from ad valorem taxation of \$25,000 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 Walker seconded the motion, which was approved by unanimous vote.

## APPROVE BOND ENGINEERING REPORT

Mr. Sanchez presented and reviewed a Bond Engineering Report. Following review and discussion, Director Adams moved to approve the Report as presented. 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 stated the District will no longer be moving forward with the Interim Wastewater Treatment Plant, Phase 3 and the item can be removed from the agenda.

Mr. Sanchez updated the Board regarding the construction of Brentwood Offsite FM & Water line.

Mr. Sanchez updated the Board regarding the status of construction of Briarwood Crossing Detention 5 (A-C). He reviewed and recommended approval of Pay Estimate No. 7 in the amount of \$17,995.30 payable to Northtex Construction, LLC ("Northtex").

Mr. Sanchez updated the Board regarding the status of construction of water, sewer, and drainage facilities to serve Briarwood Crossing, Section 13.

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

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.

Mr. Sanchez requested the Board approve and authorize execution of the following items: (1) a Water Line Easement (0.0074 Acre; 0.0114 Acre) from Woodmere Development Co., Ltd; (2) a Sanitary Sewer Easement (0.0134 Acre; 0.7482 Acre) from Woodmere Development Co., Ltd; and (3) a Sanitary Sewer Easement (0.0192 Acre).

Following review and discussion, Director Adams moved to (1) approve the Engineer's Report as presented; (2) approve Pay Estimate No. 6 in the amount of \$621,572.58 payable to Northtex for the construction of the Briarwood Crossing Detention 5 (A-C); and (3) approve and authorize execution of the following easements; (i) a Water Line Easement (0.0074 Acre; 0.0114 Acre) from Woodmere Development Co., Ltd; (ii) a Sanitary Sewer Easement (0.0134 Acre; 0.7482 Acre) from Woodmere Development Co., Ltd; and (iii) a Sanitary Sewer Easement (0.0192 Acre). Director Metzger 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 design for Briarwood Crossing Courageous Trail Landscape Improvements.

Mr. Ruvalcaba updated the Board regarding the status of design for Briarwood Crossing Phase 2 Section 18.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2, Section 13 landscaping improvements. He reviewed and recommended approval of Pay Application No. 2 in the amount of \$80,805.74 payable to Triple E. Mr. Ruvalcaba reviewed and recommended approval of Change Order No. 2 to the contract with Triple E with no increase or decrease to the contract but a 7-day extension due to weather. The Board determined that Change Order No. 2 is beneficial to the District.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Phase 2, Section 17 landscaping improvements.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Section 13 Fencing Improvements. He reviewed and recommended approval of the following pay application payable to American Wall Systems ("AWS"): (1) Pay Application No. 1 in the amount of \$45,517.50; and (2) Pay Application No. 2 and Final in the amount of \$5,057.50, and final acceptance of the contract.

Mr. Ruvalcaba updated the Board regarding the construction of Briarwood Crossing Section 17 Fencing Improvements. He reviewed and recommended approval of Pay Application No. 2 in the amount of \$10,884.58 payable to AWS.

Following review and discussion, and based upon the landscape architect's recommendation, Director Metzger moved to (1) approve the landscape architects' report as presented; (2) approve Pay Application No. 2 in the amount of \$80,805.74 payable to Triple E for the construction of Briarwood Crossing Phase 2, Section 13 landscaping improvements; (3) approve Change Order No. 2 with no increase or decrease to the contract but a 7-day extension due to weather to the contract with Triple E for the Briarwood Crossing Phase 2, Section 13 landscaping improvements, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; (4) approve the following pay applications payable to AWS for the construction of Briarwood Crossing Section 13 Fencing Improvements: (i) Pay Application No. 1 in the amount of \$45,517.50; and (ii) Pay Application No. 2 and Final in the amount of \$5,057.50, and final acceptance of the contract; and (5) approve Pay Application No. 2 in the amount of \$10,884.58 payable to AWS for the construction of Briarwood Crossing Section 17 Fencing 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 six accounts to collections in the amount of \$520.08. A copy of the operator's report is attached. Following review and discussion, Director Adams moved to (1) approve the operator's report; and (2) authorize submittal of six accounts to collections in the amount of \$520.08. Director Metzger 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 Adams 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 Metzger seconded the motion, which was approved by unanimous vote.

## REPORT FROM STORM WATER SOLUTIONS

Ms. Valladares reviewed a report from Storm Water Solutions. 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.

## DEVELOPER'S REPORT

Mr. Wagner updated the Board on home sales and development in the District.

GARABGE AND RECYCLING MATTERS

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

The Board concurred to conduct the next regular meeting on March 27, 2025, at 11:00 a.m.

  
Secretary, Board of Directors



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