

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

April 25, 2023

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 2 (the "District") met in regular session, open to the public, on the 25<sup>th</sup> day of April, 2023, at Townewest Club House, 10322 Old Towne Lane, Sugar Land, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Pam Kelley	President
Betty J. Stewart	Vice President
Lisa Dudley	Secretary
Jessica Fateh	Assistant Vice President
Jose Luis Fuentes Mendoza	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also attending the meeting were Brittany Keeswood of Assessments of the Southwest, Inc.; Officer Calvin Johnson; Luis Cebrian of Champions Hydro-Lawn, Inc.; Erin Garcia of Myrtle Cruz, Inc.; Rebecca Marcucci and Austin Muse of Municipal District Services LLC ("MDS"); Chad Abram of IDS Engineering Group ("IDS"); and Whitney Higgins and Kathryn Easey of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Kelley opened the meeting for public comments. There being no public comments, Director Kelley closed the meeting to public comments.

CONSENT AGENDA

The minutes from the March 18, 2023, special Board meeting and the March 28, 2023, regular Board meeting and consultant reports were previously distributed. After discussion, Director Stewart moved to remove agenda item no. 2(b) from the consent agenda, and approve all remaining items on the consent agenda, and to direct that, where appropriate, items are filed and retained in the District's official records, including the following: (1) the minutes from the March 18, 2023, special Board meeting and the March 28, 2023, regular Board meeting, as submitted; (2) the engineer's report; and (3) the operator's report. Director Dudley second the motion, which passed by a vote of 4 to 0, with Director Kelley abstaining from voting.

## ITEMS REMOVED FROM CONSENT AGENDA

### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Keeswood presented and reviewed the tax assessor/collector's report, a copy of which is attached. Discussion ensued regarding the delinquent tax roll and preliminary values received from the Fort Bend Central Appraisal District. After discussion, Director Dudley moved to approve the tax assessor/collector's report, including payment of the bills. Director Stewart seconded the motion, which passed unanimously.

### SECURITY PATROL MATTERS

Officer Johnson reported on security patrol matters in the District. A copy of the security patrol report is attached. The Board reviewed and discussed the Community Crime Maps for the District and surrounding areas, copies of which are attached to the security patrol report.

Officer Johnson updated the Board on the delivery of the new patrol vehicle and delays at the manufacturing plant.

Officer Johnson updated the Board on the status of repairing the radar head on the eastbound traffic control sign on W. Belfort Blvd. He stated the cloud subscription and traffic control software will be moved to the westbound traffic control sign on W. Belfort Blvd.

Officer Johnson stated he received a report that the District's patrol unit was allegedly seen in Richmond, Texas writing vehicle citations. He reported on the findings of his investigation and determined the report was false.

Officer Johnson reported on discussions with the Northeast Fort Bend County Volunteer Fire Station #1 ("Fire Station") for an additional permanent location to store the patrol vehicles beginning August 1, 2023. Discussion ensued regarding security and insurance matters.

Discussion ensued regarding the security and patrol presentation at the District's upcoming special meeting with the Homeowners Associations and Community Improvement Associations located within the District on Thursday, April 27, 2023 at 6:00 p.m.

Following review and discussion, Director Kelley moved to approve parking the patrol vehicles at the Fire Station beginning August 1, 2023. Director Dudley seconded the motion, which passed unanimously.

## GARBAGE AND RECYCLING MATTERS

The Board discussed garbage collection matters, including establishing user deposits, managing excessive trash pickup, updating the user policy, and working with the homeowner associations in the District on enforcement measures related to excessive trash.

## DETENTION AND DRAINAGE FACILITIES AND LANDSCAPING REPORT FROM CHAMPIONS HYDRO-LAWN, INC., PROJECTS, AND RELATED AGREEMENTS

Mr. Cebrian reviewed a detention and drainage facilities report, a copy of which is attached. Mr. Cebrian reported on graffiti on a resident's fence on Old Town Lane and New Village Lane.

Mr. Cebrian stated the estimated cost to clean and repair the interceptor pipes that are covered with mud will be between \$15,000 and \$20,000. Mr. Abram reported the Fort Bend County Drainage District agreed to reinspect the interceptor pipes, but has not yet reported on the findings of the inspection.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia reviewed the bookkeeper's report, including the District's bills, budget comparison, and investment report. A copy of the bookkeeper's report is attached. Following review and discussion, Director Dudley moved to approve the bookkeeper's report and the bills presented for payment. Director Stewart seconded the motion, which passed unanimously.

## QUARTERLY BUDGET REVIEW AND ADOPT AMENDED BUDGET FOR FISCAL YEAR ENDING OCTOBER 31, 2023

The Board reviewed the budget for the fiscal year ending October 31, 2023, and discussed the detention maintenance line items, the proposed interceptor pipe cleaning and repairs, and upcoming capital projects. The Board took no action on this agenda item.

## ACTION ITEMS FOR ENGINEERING AND OPERATIONS

Mr. Muse reviewed the operator's report, a copy of which is attached. He reviewed the proposed bill messages with the Board. Mr. Muse updated the Board on the status of the storm sewer cleaning. He reported the tree trimming and traffic sign surveys are complete, the replacement traffic signs have been ordered, and the quote for tree trimming is still in process.

Mr. Muse reviewed the annual report on the Identity Theft Prevention Program ("Program") and stated that the procedures have been implemented and that no

significant incidents have occurred. The Board reviewed MDS's general recommendations for changes in the Program. The Board took no action on this agenda item.

Mr. Muse reviewed the Consumer Confidence Report ("CCR"), a copy of which is attached, regarding the quality of the District's water and stated that it will be filed with the Texas Commission on Environmental Quality ("TCEQ") and distributed to the District's residents by July 1, 2023. Discussion ensued regarding distributing the CCR to residents by July 1, 2023, via a direct link included in the bill message to a website hosted by MDS.

After review and discussion, Director Dudley moved to (1) approve the CCR and direct that the CCR be filed appropriately and retained in the District's official records, and authorize it to be filed with the TCEQ and distributed to the District's residents by July 1, 2023, via a direct link included in the bill message to a website hosted by MDS; and (2) approve the bill message, as amended to include the CCR direct link. Director Fuentes Mendoza seconded the motion, which passed unanimously.

Mr. Abram presented and reviewed the engineer's report, a copy of which is attached, and provided an update on the status of engineering projects in the District.

Mr. Abram stated the Year 4 Annual Report for the Texas Pollutant Discharge Elimination System (TPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit is complete and requested authorization to submit the Year 4 Annual Report to the TCEQ on behalf of the District.

Mr. Abram updated the Board on the status of the Sanitary Sewer Lift Station No. 1 Rehabilitation project. He reviewed and recommended approval of Pay Estimate No. 2 in the amount of \$119,700.00, payable to Pioneer Construction Services, LLC ("Pioneer").

Mr. Abram updated the Board on the status of the Water Plant No. 1 Ground Storage Tank No. 2 Recoating project.

Mr. Abram updated the Board on the status of plan preparation for the Water Plant No. 1 Improvement Project.

Mr. Abram reported that Kipp Charter School is proposing to add a cafeteria to the facility. He stated he is awaiting construction plans for review.

Mr. Abram updated the Board on the status of the Watpa Buddhayan Meditation Center, Inc. ("Watpa") proposed annexation. Mr. Abram presented and reviewed an annexation feasibility study related to the proposed annexation, a copy of which is attached to the engineer's report. The Board discussed additional conditions which would need to be satisfied by Watpa before filing the City of Houston consent

application, as well as conditions of the District's Rate Order that would need to be satisfied by Watpa prior to connecting to the District's water and sewer facilities, as detailed in the annexation feasibility study.

Following review and discussion, Director Dudley moved to (1) approve the Year 4 Annual Report and authorize IDS to submit the report to the TCEQ, as required and direct that the Year 4 Annual Report be filed appropriately and retained in the District's official records; (2) approve Pay Estimate No. 2, payable to Pioneer, in the amount of \$119,700.00 for the Sanitary Sewer Lift Station No. 1 Rehabilitation project, based on the engineer's recommendation; (3) accept the engineer's feasibility report, as amended to include receipt of an additional deposit in the amount of \$15,000; and (4) authorize ABHR to prepare a second letter agreement for Watpa's consideration as reflected in the amended annexation feasibility report. Director Fateh seconded the motion, which passed unanimously.

#### HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND CUSTOMER APPEALS

Mr. Muse reviewed customer correspondence and discussed updates to the extensions and adjustments approved by MDS since the last Board meeting and reviewed accounts recommended for write-off as listed in the operator's report. A copy of the lists for extensions, adjustments, and write-offs is filed and retained in the District's official records.

The Board considered a request from a resident for a billing credit in the amount of \$584.55 for a high usage water bill caused by an undetected leak.

The Board considered a request from a resident for a credit in the amount of \$8.77 related to a late payment penalty.

The Board next conducted a hearing on the termination of utility service to delinquent accounts. Mr. Muse reported that the residents on the delinquent list were mailed written notice prior to this meeting in accordance with the District's Rate Order, notifying them of the opportunity to appear before the Board to explain, contest, or correct the nonpayment of their utility service bill, and to show reason why utility service should not be terminated for reason of nonpayment.

After review and discussion, Director Dudley moved to (1) approve the extensions, adjustments and write-off accounts as recommended by MDS; (2) approve the resident's request for a billing credit in the amount of \$584.55, subject to the resident providing receipts showing the repairs have been made; (3) authorize MDS to credit the resident's account in the amount of \$8.77; and (4) authorize that service to the customers on the termination list with accounts remaining unpaid and who were not present at the meeting and had not presented any written statement on the matter be terminated in

accordance with the District's Rate Order, except for accounts in amounts below \$30.00. Director Fuentes Mendoza seconded the motion, which passed unanimously.

ANNEXATION MATTERS

There was no further discussion on this agenda item.

DISTRICT WEBSITE MATTERS

Director Dudley updated the Board on updates to the District website.

CORRESPONDENCE RECEIVED BY THE DISTRICT, DIRECTORS OR CONSULTANTS, AND REPORTS ON DISTRICT BUSINESS AND OPERATIONS

The Board discussed the topics to be presented at the special meeting with the Homeowners Associations and Community Improvement Associations located within the District.

NORTH FORT BEND WATER AUTHORITY ("NFBWA")

There was no discussion on this matter.

ATTORNEY'S REPORT

There was no discussion on this matter.

DISCUSS MEETING DATES

The Board concurred to hold the next regular meeting on May 23, 2023, at 8:30 a.m.

There being no further business to come before the Board, the meeting was adjourned by agreement.



Asst.   
Secretary, Board of Directors

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