

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

May 28, 2024

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 28th day of May, 2024, at the James West Community Center, 14023 West Belfort, 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. ("Champions"); Erin Garcia of Myrtle Cruz, Inc. ("MCI"); Austin Muse of Municipal District Services LLC ("MDS"); Chad Abram and Roy Ward of IDS Engineering Group ("IDS"); Tara Klein of Four and One, LLC; Jackie Schmidt a resident of the District; Ed Griffin, a member of the public; Miriam Lewis of Townewest Homeowners Association (was present for a portion of the meeting); and Whitney Higgins and Merry Heyne 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 April 23, 2024, regular meeting and consultant reports were previously distributed. After discussion, Director Fuentes Mendoza moved to approve all 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 April 23, 2024, regular meeting, as submitted; (2) the tax assessment and collector's report; (3) the engineer's report; (4) the operator's report; and (5) approve payment of up to three per diems, three hotel nights, six meals, and an advance, if requested, in the amount of up to \$1,000.00 for each director attending the Association of Water Board

Directors ("AWBD") summer conference. Director Stewart seconded the motion, which passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the consent agenda.

GARBAGE AND RECYCLING MATTERS

Director Fateh updated the Board regarding garbage and recycling matters.

SECURITY PATROL MATTERS

The Board discussed security patrol matters in the District. A copy of the security patrol report is attached.

Officer Johnson discussed the new patrol vehicle. He stated that Classic Chevrolet's prices have become very high, so he is currently setting up an account with Auto Solutions located on Highway 6 that is much more reasonably priced.

Officer Johnson reported that the security officer who was approved by the Board at the last meeting has not been approved to work in the District by his current employer. He added that he is looking for a new security officer to work in the District.

Officer Johnson reported that Fort Bend County has still not renewed its contract with Lexis Nexis, which provides entire grid statistics to the District. Following discussion, the Board directed Director Fuentes Mendoza to contact the Fort Bend County Sheriff's Office.

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.

The Board requested that Champions remove the dead bushes by the clubhouse near the electric meter by the fence. Mr. Cebrian stated that Champions will remove the dead bushes today.

PUBLIC COMMENTS (CONTINUED)

Director Kelley reopened the meeting for public comments. Mr. Griffin introduced himself to the Board and stated that he is working on a project at 2515 Eldridge Road. There being no additional public comments, Director Kelley closed the meeting to public comments.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia reviewed the bookkeeper's report, including the District's bills, budget comparison, and investment report, including check no. 2711 to Townewest HOA in the amount of \$1,600.00 for rental of the building for meetings, check no. 2712 to Townewest CIA in the amount of \$150.00 for rental of the building for meetings, check no. 2713 to Director Stewart in the amount of \$1,000.00 as an advance for the AWBD summer conference, and check no. 2714 to Director Fuentes Mendoza in the amount of \$1,000.00 as an advance for the AWBD summer conference. 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, including check nos. 2711 through 2714. Director Fuentes Mendoza seconded the motion, which passed unanimously.

ACTION ITEMS FOR ENGINEERING AND OPERATIONS, INCLUDING RESOLUTION IN SUPPORT OF MUNICIPAL SETTING DESIGNATION

Mr. Muse reviewed the operator's report, a copy of which is attached. He also reviewed the proposed bill message with the Board.

The Board requested a bill message next month stating that trash day is on Thursdays and includes heavy trash and recycling.

Mr. Muse reviewed a proposal from C and C Water Services LLC ("C and C") in the amount of \$51,486.00 to replace the offsite well motor.

After review and discussion, Director Dudley moved to (1) approve the bill message, as presented; and (2) approve the proposal from NTS in the amount of \$16,750.00. Director Fateh seconded the motion, which passed unanimously.

The Board discussed the upcoming hurricane season and requested that MDS trim certain overhanging trees to ensure that the primary routes are clear to the water plants, as discussed.

Following review and discussion, Director Dudley moved to (1) approve the bill message; and (2) approve the proposal from C and C to replace the offsite well motor at a cost of \$51,486.00. Director Stewart 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 noted

there are no accounts recommended for write-off. A copy of the lists for extensions, adjustments, and write-offs is filed and retained in the District's official records.

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; and (2) 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 Fateh seconded the motion, which passed unanimously.

ACTION ITEMS FOR ENGINEERING AND OPERATIONS (CONTINUED)

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 as noted in his report.

Mr. Abram updated the Board on the MS4 Phase II SWMP Year 5 Annual Report. He reported that the Texas Commission on Environmental Quality ("TCEQ") contacted IDS about a random audit of the Year 5 Report that IDS has responded to. He added that the MS4 Phase II SWMP Year 4 Annual Report was submitted to the TCEQ on April 28, 2023, and the District is still waiting for approval.

Mr. Abram updated the Board on Water Plant No. 1, Hydropneumatic Tank No. 1 and No. 2 Recoating Project. He reported that construction is underway. Mr. Abram reviewed and recommended approval of Change Order No. 1 to the contract with Sustanite Support Services ("Sustanite") for the Water Plant No. 1, Hydropneumatic Tank No. 1 and No. 2 Recoating Project to increase the contract in the amount of \$4,867.00 for removal and replacement of the drain assembly for Hydropneumatic Tank No. 2. The Board determined that Change Order No. 1 is beneficial to the District.

Mr. Abram reviewed a request from Tur-Con, Inc. for a resolution in support of the application of Tur-Con, Inc. for a municipal setting designation ("MSD") located at 810 Industrial Boulevard, Sugar Land, Texas. Mr. Abram stated IDS has no objection to the District adopting a resolution in support of the MSD.

Following review and discussion, Director Dudley moved to (1) approve Change Order No. 1 in the amount of \$4,867.00 as an increase to the contract with Sustanite for

the Water Plant No. 1, Hydropneumatic Tank No. 1 and No. 2 Recoating Project, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; and (2) adopt a Resolution in Support of the Application of Tur-Con, Inc. to the TCEQ for a Municipal Designation at 810 Industrial Boulevard, Sugar Land, Fort Bend County, Texas, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Fateh seconded the motion, which passed unanimously.

ANNEXATION MATTERS

There was no additional discussion on this agenda item.

DISTRICT WEBSITE MATTERS

Director Dudley updated the Board on the District's website.

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

Director Dudley reported on an AWBD class she recently attended online.

NORTH FORT BEND WATER AUTHORITY ("NFBWA")

There was no discussion on this agenda item.

ATTORNEY'S REPORT; PUBLIC INFORMATION ACT TRAINING

Ms. Higgins discussed the Texas Public Information Act ("TPIA") and noted that the Texas Legislature has made it explicit that officers and employees of governmental entities are temporary custodians of public information. Ms. Higgins distributed a memorandum regarding Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board of Directors to receive TPIA training as soon as possible and forward their certificate of completion to ABHR for inclusion in the District's permanent records.

Director Kelley left the meeting.

UPDATE ON PROPERTY ACQUISITION MATTERS AND AUTHORIZE APPROPRIATE ACTION

Ms. Higgins stated that this matter will be discussed during executive session.

CONSIDER USE OF EMINENT DOMAIN AUTHORITY TO CONDEMN PROPERTY AND, IF APPROPRIATE, ADOPT RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY TO CONFIRM THE EXISTENCE OF A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PROPERTIES AND PROPERTY INTERESTS ALONG THE ROUTE DESCRIBED IN THE RESOLUTION

There was no discussion on this matter.

CONVENE IN EXECUTIVE SESSION

The Board convened in Executive Session at 9:38 a.m. pursuant to Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property. Present in executive session were Directors Stewart, Dudley, and Fateh, Ms. Higgins, Ms. Heyne, Mr. Abram, and Mr. Ward. Director Fuentes Mendoza was not present during executive session.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 9:53 a.m. There was no Board action taken.


MEET WITH TOWNWEST HOMEOWNERS ASSOCIATION TO DISCUSS PARK IMPROVEMENTS

The Board met with Ms. Klein and Townwest Homeowners Association. Ms. Klein presented and reviewed a Conceptual Site Plan for the Towne West Park detention expansion, a copy of which is attached. There was no Board action taken.

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

(SEAL)




Secretary, Board of Directors

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