

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

December 9, 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 9<sup>th</sup> day of December, 2024, 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 David Patterson of Assessments of the Southwest, Inc.; Officer Calvin Johnson; Sandra Leija of Champions Hydro-Lawn, Inc. ("Champions"); Erin Garcia of Myrtle Cruz, Inc.; Austin Muse of Municipal District Services LLC ("MDS"); Chad Abram and Roy Ward of IDS Engineering Group; and Whitney Higgins and Carli Trojcek of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

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

CONSENT AGENDA

The minutes from the October 22, 2024, regular meeting, and consultant reports were previously distributed. After discussion, Director Dudley 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 October 22, 2024, regular meeting, as submitted; (2) the tax assessor collector's report; (3) the engineer's report; (4) the operator's report; and (5) authorize up to three per diems, six meals, two hotel nights, and an advance, if requested, in the amount of up to \$1,000 for any Director attending the Association of Water Board Directors winter conference if submitted in accordance with the District's travel reimbursement guidelines. Director Stewart seconded the motion, which passed unanimously.

## ITEMS REMOVED FROM CONSENT AGENDA

No items were removed from the consent agenda.

## 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.

## GARBAGE AND RECYCLING MATTERS

Director Fateh reported on District garbage matters. Discussion ensued regarding resident trash piles and the measures Texas Pride and the respective homeowner associations are taking to enforce removal.

## SECURITY PATROL MATTERS

Officer Johnson discussed security patrol matters in the District. A copy of the security patrol report is attached.

Officer Johnson presented a proposal from Tapco in the amount of \$7,666.50 for the purchase of two speed radar signs. Director Dudley requested that he forward the proposal to the various homeowner associations for their review. Discussion ensued regarding the District adding speed limit signs to existing poles. Officer Johnson stated the cost of each sign would be \$75.00.

Officer Johnson, as the independent contractor responsible for security staffing decisions, requested the Board consider terminating Officer Mason's contract.

After review and discussion, Director Dudley moved to (1) approve the purchase of four speed limit signs for a cost of \$75.00 per sign and authorize MDS to install the signs; and (2) approve the termination of Officer Mason effective as of December 9, 2024, as recommended by Officer Johnson. Director Fateh seconded the motion, which passed unanimously.

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

Ms. Leija reviewed a detention and drainage facilities report, a copy of which is attached. Discussion ensued regarding adding mulch to exposed tree roots and treating ant beds at Water Plant No. 1.

Ms. Leija noted there is a deep sinkhole along the Belknap Road detention pond behind 10507 Overview Drive. Director Dudley requested that a proposal be presented at the next meeting to repair the sinkhole.

Ms. Leija stated there are fence posts and debris along the Townewest Channel swale behind 10115 Old Town Lane. The Board requested that MDS notify the resident in writing regarding the stormwater violation and demand the debris be removed prior to the next Board meeting.

Director Dudley discussed the exposed utility box near the Townewest Club House and landscaping options to cover it up. The Board concurred to have Champions remove the existing plants and reassess the area in the springtime.

#### ACTION ITEMS FOR ENGINEERING AND OPERATIONS

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 discussed changes to the proposed bill message.

Mr. Muse updated the Board regarding the fines to be imposed on the automotive shop for failure to remove the debris from the District's drainage facilities. He stated the fine is \$150.00 plus all costs for cleanup.

Mr. Muse reviewed a proposal from NTS Pumps, Motors and Controls ("NTS") in the amount of \$13,250.00 for the purchase and installation of a soft starter for the well motor.

Mr. Muse reviewed a proposal from NTS in the amount of \$16,750.00 for the purchase and installation of a new variable frequency drive for Booster Pump No. 4 at Water Plant No. 1.

Director Dudley requested that MDS prepare and present a report at the next meeting on the number of storm inlets that the District has replaced or repaired. She also requested that the report be provided to Fort Bend County.

After review and discussion, Director Stewart moved to (1) approve the operator's report; (2) approve the bill message, as revised; (3) approve the proposal from NTS in the amount of \$13,250.00 for a new soft starter for the well motor; and (4) approve the proposal from NTS in the amount of \$15,750.00 for a new variable frequency drive for Booster Pump No. 4 at Water Plant No. 1. Director Dudley seconded the motion, which passed unanimously.

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

Mr. Muse 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 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 Fateh 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 Stewart seconded the motion, which passed unanimously.

## ACTION ITEMS FOR ENGINEERING AND OPERATIONS (continued)

Mr. Ward 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. Ward discussed the Notice of Intent (the "NOI") and the status of the updated Stormwater Management Program ("SWMP") prepared in accordance with the requirements set forth in the 2024 Texas Pollutant Discharge Elimination System General Permit No. TXR040000 for the Board's review.

Following review and discussion, Director Fateh moved to (1) approve the engineer's report; and (2) authorize Director Dudley to electronically execute and submit the NOI on behalf of the District to the Texas Commission on Environmental Quality, and direct that the NOI and the SWMP be filed appropriately and retained in the District's official records. Director Kelley seconded the motion, which passed unanimously.

## ANNEXATION MATTERS

There was no 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 updated the Board regarding current District matters.

Director Fuentes Mendoza joined the meeting.

#### NORTH FORT BEND WATER AUTHORITY ("NFBWA")

There was no discussion on this agenda item.

#### RESOLUTION CASTING VOTE FOR BOARD OF DIRECTOR ELECTION FOR FORT BEND CENTRAL APPRAISAL DISTRICT

The Board considered adopting a Resolution Voting for Director in the Board of Directors Election for the Fort Bend Central Appraisal District. After review and discussion, Director Kelley moved to adopt a Resolution Voting for Director in the Board of Directors Election for the Fort Bend Central Appraisal District reflecting the District's votes cast in favor of Michael D. Rozell and direct that the Resolution be filed appropriately and retained in the District's official records. Director Stewart seconded the motion, which passed unanimously.

#### REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Higgins reported ABHR will file the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas on behalf of the District.

#### ATTORNEY'S REPORT

There was no discussion on this agenda item.

#### UPDATE ON PROPERTY ACQUISITION MATTERS AND AUTHORIZE APPROPRIATE ACTION

The Board discussed the property acquisition matter.

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 agenda item.

CONVENE IN EXECUTIVE SESSION

The Board did not convene in executive session.

DISCUSS MEETING DATES

The Board concurred to hold the next regular meeting on January 28, 2025, at 8:30 a.m.

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

(SEAL)



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	<u>Page</u>
Tax assessor collector's report.....	1
Engineer's report.....	1
Operator's report.....	1
Bookkeeper's report.....	2
Security patrol report .....	2
Detention and drainage facilities report.....	2