

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23

May 24, 2018

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 23 (the "District") met in regular session, open to the public, on the 24th day of May, 2018, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas 77027, outside the boundaries of the District, and the roll was called of the members of the Board:

William Thomas	President
Anzilla Gilmore	Vice President
Ellen Hughes	Secretary
Chris Robinson	Assistant Vice President
Steven Gates	Assistant Secretary

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

Also present at the meeting were Tracey Scott of Myrtle Cruz, Inc.; Patrick Newton of LJA Engineering, Inc. ("LJA"); Donna Bryant of Assessments of the Southwest, Inc. ("ASW"); Calvin Browne and Ursalla Kelly of Municipal District Services, LLC ("MDS"); Christie Leighton of Best Trash, LLC ("Best Trash"); and Adisa Harrington and Merry Heyne of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

The minutes of the April 26, 2018, regular Board meeting, and April 5, 2018, special Board meeting, and consultant reports were provided in advance of the meeting. After discussion, Director Gates moved to acknowledge, after annual review, that there are no recommended revisions to the District's Procedures for Continuing Disclosure Compliance at this time, to 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 April 26, 2018, regular Board meeting, and April 5, 2018, special Board meeting; (2) the tax assessor/collector's report and delinquent tax report; (3) the operator's report; (4) the District's annual report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions pursuant to SEC Rule 15c2-12, subject to final review; and (5) the Administrative Manager's report. Director Gilmore seconded the motion, which passed unanimously. Copies of all reports are attached.

## REORGANIZE THE BOARD

The Board concurred to retain the current positions on the Board of Directors.

## DISTRICT REGISTRATION FORM

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors. Following review and discussion, Director Hughes moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Gates seconded the motion, which passed by unanimous vote.

## GARBAGE AND RECYCLING MATTERS

Ms. Leighton discussed garbage and recycling matters in the District and the recent transition in garbage providers to Best Trash. She presented a blue 35 gallon recycle cart for the Board's consideration. The Board then discussed the various options for recycling bins in the District.

## PARKS AND RECREATIONAL FACILITIES MATTERS

Director Thomas updated the Board on the request from the Andover Farms Community Association ("Andover Farms CA") for a park rules sign for the Andover Farms pavilion and splash pad area similar to the District's park rules sign. He presented and reviewed a proposal provided by Marcus Campbell of Time and Season from Signarama in the amount of \$541. Following discussion, the Board concurred to have Director Thomas present the proposal for the park rules sign to Andover Farms CA at the next Andover Farms CA meeting.

## REPORT ON DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Scott presented and reviewed the bookkeeper's report, investment report, and the bills presented for payment from the District's accounts. She noted that check no. 2161 to Texas Network, the District's former website manager, has been voided, and that the IKLO park construction contract settlement is being paid from the District's operating fund because there are no remaining park bond proceeds. Following review and discussion, Director Hughes moved to approve the bookkeeper's report, investment report and payment of the bills. Director Robinson seconded the motion, which passed unanimously. A copy of the bookkeeper's report is attached.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR ASSOCIATION OF WATER BOARD DIRECTORS SUMMER CONFERENCE

The Board discussed fees of office and expenses in connection with the Association of Water Board Directors ("AWBD") summer conference. After discussion and consideration of the District's Travel Reimbursement Guidelines, Director Hughes moved to authorize directors attending the conference to receive up to four per diems, three hotel nights, and reimbursement of up to \$50.00 per day for meals. Director Gilmore seconded the motion, which passed by unanimous vote.

ENGINEERING MATTERS

Mr. Newton presented and reviewed the engineer's report, a copy of which is attached.

Mr. Newton updated the Board on the South Post Oak Boulevard extension and the proposed detention pond location on property owned by the District. He reported that Directors Hughes and Gates met with Fort Bend County on May 1, 2018, to discuss the location of the detention pond. He further reported that Fort Bend County is willing to enter into an agreement with the District regarding maintenance of the proposed pond but that any sidewalks along the road would need to be paid for and maintained by the District. He added that LJA is working on a cost estimate for the sidewalks along the road.

The Board discussed drainage issues in the District and surrounding area and requested that LJA confirm ownership of the stretch of Long Point Creek that is adjacent to the District.

Following review and discussion, and based on the engineer's recommendation, Director Robinson moved to approve the engineer's report. Director Gilmore seconded the motion, which passed unanimously.

UPDATE ON ROAD POWER MATTERS

Mr. Newton updated the Board on acquiring road powers for the District.

ANNUAL REVIEW OF CDC MAINTENANCE AGREEMENT

Mr. Browne reported that no changes are needed to the CDC Maintenance Agreement or the current maintenance schedule at this time.

CRITICAL LOAD SPREADSHEET

Mr. Browne reviewed the Critical Load Spreadsheet (the "Spreadsheet") for District facilities with the Board. Ms. Harrington stated that the District's operator, engineer, and bookkeeper have reviewed the Spreadsheet and made the necessary revisions. Ms. Harrington added that the Spreadsheet for District's facilities will be filed with the

appropriate governmental agencies as required by the Water Code. Following review and discussion, Director Hughes moved to authorize annual filing of the Spreadsheet and direct that it be filed appropriately and retained in the District's official records. Director Gilmore seconded the motion, which passed unanimously.

#### ADDITIONAL OPERATING MATTERS

Mr. Browne requested authorization to write off six uncollectable accounts totaling \$427.02 and send them to a collection agency.

The Board discussed the current \$3.00 donation option on the District water bills for the Fresno Volunteer Fire Department ("VDF") and the formatting of the District water bills. Following review and discussion, the Board concurred to return to the District water bill format that was used prior to last month with the exception of spelling out VFD as Volunteer Fire Department. The Board noted that although the \$3.00 donation is voluntary, it will be completely removed from the District water bills effective December 31, 2018. Director Hughes stated that she has notified the VFD that the voluntary donation will be phased out as of the end of this year.

Discussion ensued regarding electronic versus paper billing, and the Board requested that Mr. Browne research paperless billing options and report back to the Board.

Mr. Browne reported that the 2017 Consumer Confidence Report has been updated to include a photo of a District water plant.

Mr. Browne reported on a recent request for service for a residential group home in the District. The Board discussed the requirements of the group home to follow the rate order as it pertains to a commercial business.

Mr. Browne presented and reviewed two proposals to remove and replace the oleanders, reestablish the beds, and remulch the perimeter fence at the wastewater treatment plant, from Diversified Services in the amount of \$7,500 and CDC Unlimited, LLC in the amount of \$7,688.

Following review and discussion, Director Hughes moved to (1) authorize MDS to write off six uncollectable accounts totaling \$427.02 and send them to a collection agency; and (2) authorize Diversified Services to remove and replace the oleanders, reestablish the beds, and remulch the perimeter fence at the wastewater treatment plant, at a cost of \$7,500, as discussed. Director Robinson seconded the motion, which passed by unanimous vote.

## UPDATE ON INSTALLATION OF SMART METERS IN THE DISTRICT

Mr. Browne updated the Board on the installation of smart meters in the District. Discussion ensued and the Board concurred to hold off on posting smart meter updates on the District website until the entire District has been converted to smart meters, in order to minimize potential confusion among residents who do not yet have smart meters.

## HEARING ON TERMINATION OF WATER AND SEWER SERVICE

Mr. Browne presented a list of delinquent customers and reported the residents 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 the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Following review and discussion, Director Hughes moved to authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Robinson seconded the motion, which passed by unanimous vote.

## AMEND RATE ORDER

The Board considered amending the Rate Order to reflect the MDS contract increases. Following review and discussion, Director Hughes moved to adopt the Amended Rate Order effective immediately, as discussed, and direct that the Amended Rate Order be filed appropriately and retained in the District's official records. Director Gates seconded the motion, which passed unanimously.

## DISTRICT SECURITY MATTERS

Director Thomas updated the Board on security matters in the District.

## REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS ON DISTRICT OPERATIONS

The Board discussed the request from Off Cinco to add information regarding hurricane preparedness to the District website. Following discussion, the Board concurred to authorize Off Cinco to add this hurricane preparedness information to the District website.

## CONVENE IN EXECUTIVE SESSION

The Board convened in executive session at 7:52 p.m. pursuant to Section 551.071, Texas Government Code.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 8:06 p.m. There was no Board action taken.

There being no further business to come before them, the Board concurred to adjourn the meeting.

  
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Secretary, Board of Directors

(SEAL)



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