

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23

February 28, 2019

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 28th day of February, 2019, 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 except Director Gates, thus constituting a quorum.

Also present at the meeting were Christie Leighton of Best Trash, LLC; Brittini Silva of Assessments of the Southwest, Inc. ("ASW"); Tracey Scott of Myrtle Cruz, Inc.; Brian Edwards of LJA Engineering, Inc. ("LJA"); Calvin Browne and Ursalla Kelly of Municipal District Services, LLC ("MDS"); Marcus Campbell of Time and Season; 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 January 31, 2019, regular Board meeting, and consultant reports were provided in advance of the meeting. After discussion, Director Gilmore 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 January 31, 2019, regular Board meeting; (2) the tax assessor/collector's report and delinquent tax report; (3) the operator's report; and (4) the Administrative Manager's report. Director Hughes seconded the motion, which passed unanimously. Copies of all reports are attached.

## GARBAGE AND RECYCLING MATTERS, INCLUDING AUTHORIZE EXECUTION OF AGREEMENT WITH SIMPLE RECYCLING

Ms. Leighton presented and reviewed a report from Best Trash, LLC on the recycled tonnage in the District, a copy of which is attached. She also reported on garbage matters in the District. Discussed ensued.

Ms. Harrington presented and reviewed an Agreement for Collection of Soft Recyclables with Simple Recycling. Following review and discussion, Director Hughes moved to approve the Agreement for Collection of Soft Recyclables with Simple Recycling. Director Gilmore seconded the motion, which passed unanimously.

## PARKS AND RECREATIONAL FACILITIES MATTERS

Mr. Campbell presented and reviewed the different maintenance items included in Time and Season's bi-monthly Inspection Report for park and recreational facilities, a copy of which is attached. He requested authorization to power wash certain areas in the District. Following discussion, Director Hughes moved to authorize Time and Season to power wash the columns and Massey area playground, as discussed, subject to final approval by Director Gilmore. Director Robinson seconded the motion, which passed unanimously.

Mr. Campbell requested that the Cambridge Falls walking trail be added to Time and Season's service agreement. Following discussion, the Board concurred to have Mr. Campbell provide a proposal for adding the Cambridge Falls walking trail to Time and Season's service agreement.

The Board discussed the survey for development of the 10-acre tract. The Board also discussed the March 2, 2019, in-District special meeting/workshop where the Board will present a summary of the 10-acre tract survey to District residents and receive additional resident input.

## 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.

Mr. Edwards presented a layout with the proposed locations of the 16 patrol signs for posting in the District, a copy of which is attached. Ms. Scott informed the Board that an invoice for that patrol signs was received for an incorrect amount and needs to be clarified and corrected.

Following review and discussion, Director Hughes moved to (1) approve the bookkeeper's report, investment report and payment of the bills; and (2) authorize the purchase of 16 patrol signs, subject to clarification on the amount for each patrol sign, as discussed. Director Gilmore seconded the motion, which passed unanimously. A copy of the bookkeeper's report is attached.

#### ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adopting a Resolution Concerning Exemptions from Taxation. After review and discussion, Director Hughes moved to adopt a Resolution Concerning Exemptions from Taxation, granting a \$10,000 exemption for persons 65 years of age or older or disabled and rejecting a general homestead exemption, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Robinson seconded the motion, which carried by unanimous vote.

#### BUILD AMERICA MUTUAL INSURANCE PROXY

Ms. Harrington presented and reviewed a proxy from Build America Mutual ("BAM") for casting a vote for BAM directors in BAM's upcoming annual meeting. Following discussion, the Board concurred to abstain from voting in BAM's annual meeting.

#### ENGINEERING MATTERS

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

Mr. Edwards gave an update on replacement of the bar screen at the wastewater treatment plant. He recommended the Board approve Pay Estimate No. 4 in the amount of \$3,794.80.

Mr. Edwards gave an update on the proposed annexation of approximately 520 acres into Fort Bend County Municipal Utility District No. 24 ("MUD 24") and the proposed expansion of the regional water system. He reported that because Missouri City could not accommodate the annexation tracts in Missouri City's Groundwater Reduction Plan ("GRP"), MUD 24 will be entering into a contract with the North Fort Bend Water Authority ("NFBWA") for the annexation tracts to be included in the NFBWA GRP.

Mr. Edwards gave an update on potential drainage improvements and maintenance of Long Point Creek adjacent to the District. He requested the Board approve a letter agreement between the District, Fort Bend County Drainage District, Fort Bend Independent School District, and the City of Missouri City for maintenance of a portion of Long Point Creek.

The Board considered adopting an Order Adopting Section 49.2731 Electronic Bidding Rules to permit the receipt of bids under Section 49.273 of the Texas Water Code through electronic transmission.

Following review and discussion, and based on the engineer's recommendation, Director Hughes moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 4 in the amount of \$3,794.80, for replacement of the bar screen at the wastewater treatment plant, payable to T&C Construction, Ltd.; (3) approve the letter agreement regarding maintenance of Long Point Creek, subject to finalization; and (4) adopt an Order Adopting Section 49.2731 Electronic Bidding Rules. Director Robinson seconded the motion, which passed unanimously.

#### ROAD POWER MATTERS

There was no discussion on this agenda item.

#### STREET LIGHTS IN THE DISTRICT

Mr. Edwards gave an update on the installation of street lights in the District and MUD 24 along Chimney Rock Road near the elementary school. He reported that two of the District's homeowners associations and MUD 24's homeowners association will be signing agreements for payment of the ongoing monthly electricity costs. Ms. Harrington added that the District first needs to obtain clarification from CenterPoint Energy on whether the streetlight electricity accounts can be put directly in the names of the homeowners associations. Discussion ensued.

#### ADDITIONAL OPERATING MATTERS

Mr. Browne requested authorization to write off eight uncollectable accounts totaling \$792.80 and send them to a collection agency.

Mr. Browne gave an update on the rehabilitation of Water Well No. 1 and Water Well No. 3. He reported that the rehabilitation of Water Well No. 3 is still underway and the well should be back in service around March 18, 2019.

Mr. Brown presented and reviewed a proposal from Elite Pumps & Mechanical Services, LLC ("Elite Pumps") to replace the pulleys, hubs, and belts on rotor 5 at the Wastewater Treatment Plant in the amount of \$2,595.

Following review and discussion, and based on the operator's recommendation, Director Hughes moved to (1) authorize MDS to write off eight uncollectable accounts totaling \$792.80 and send them to a collection agency; and (2) authorize Elite Pumps to replace the pulleys, hubs, and belts on rotor 5 at the Wastewater Treatment Plant at a cost of \$2,595. Director Robinson seconded the motion, which passed unanimously.

## UPDATE ON INSTALLATION OF SMART METERS IN THE DISTRICT

There was no discussion on this agenda item.

## HEARING ON TERMINATION OF WATER AND SEWER SERVICE

Mr. Browne presented a list of delinquent customers to the Directors 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.

## RE-APPROVE RESOLUTION APPROVING SUBMITTAL OF THE WATER SMART APPLICATION

Mr. Browne reviewed the District's Water Smart Application with the Board. He presented and reviewed a Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners, which was approved at last month's regular meeting, but was not specifically listed on the agenda.

Following discussion, Director Hughes moved to re-approve the Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners and authorize MDS to submit the Resolution. Director Robinson seconded the motion, which passed unanimously.

## DISTRICT SECURITY MATTERS

The Board discussed graffiti in Andover Farms.

Ms. Harrington distributed a letter that was received from the Fort Bend County Sheriff's Office regarding procedures for dispatching calls for service and responding to an email from Fort Bend County Constable Precinct 3's office, a copy of which is attached. Discussion ensued.

## DISTRICT WEBSITE MATTERS

The Board discussed the District's website and concurred to consider updates to the website at the next regular Board meeting.

2019 WATER CONSERVATION PROGRAM

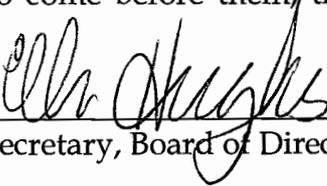
The Board discussing scheduling of the 2019 Water Conservation Program. Following discussion, the Board concurred to schedule a community event regarding water matters and tax rates in the Fall of 2019.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS ON DISTRICT OPERATIONS

Ms. Harrington informed the Board of a letter received from a subcontractor of IKLO Construction for a labor or materials claim. She added that ABHR has sent a letter to the subcontractor advising that the District is not responsible for this claim.

Ms. Harrington informed the Board of an open records request that was received for the District.

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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