

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116

March 1, 2022

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 116 (the "District") met in regular session, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, on the 1<sup>st</sup> day of March, 2022, and the roll was called of the members of the Board:

Chad Millis	President
Dallas Duffy	Vice President
Angela Wood	Secretary
Kafi Dalcour	Assistant Secretary
Jesse Matthews	Assistant Vice President

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

Also attending the meeting in person or by telephone were Lynn Franklin, a resident of the District; Ryan Fortner of Revenue Management Services; Greg Lentz of Masterson Advisors LLP; Angie Hartwell of Touchstone District Services ("Touchstone"); Isabel Mata of Wheeler & Associates, Inc.; Mary Ann Mihills of Municipal Accounts & Consulting LP; Rick Marriott of Si Environmental, LLC; Asim Tufail of Blackline Engineering, LLC; Mario Ipina of Bovay Engineers; and Adisa Harrington and Anne-Marie Bradford of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

There being no comments from the public, the Board moved to the next agenda item.

CONSENT AGENDA

The minutes of the February 1, 2022, regular meeting and consultant reports were provided in advance of the meeting. After discussion, Director Duffy moved to approve the following consent items: (1) the minutes of the February 1, 2022, regular meeting, as submitted; (2) District development matters; (3) financial and bookkeeping matters; (4) tax assessment and collection matters; (5) the City of Richmond ("City") Regional Wastewater Treatment Plant ("RWWTP") operations report; and (6) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director Matthews seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the consent agenda.

## 2022 DIRECTORS ELECTION

Ms. Harrington discussed procedures related to the 2022 Directors Election. She presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the three director positions for the May 7, 2022, Directors Election.

Ms. Harrington then presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, Chad Millis, Kafi Dalcour, and Dallas Duffy, are declared elected to office to serve from the May 7, 2022, election until the May 2, 2026, Directors Election. She reviewed the posting requirements for the Order Cancelling.

Ms. Harrington then discussed that the Board had approved entering into a contract with Fort Bend County (the "County") to administer the District's 2022 Directors Election and the Board considered cancelling such contract.

Following review and discussion, Director Wood moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors; (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office and authorize the Secretary's agent to post the Order Cancelling, as required; and (3) cancel the contract with the County for election services for the May 7, 2022, Directors Election. Director Dalcour seconded the motion, which passed unanimously.

## GARBAGE COLLECTION AND RECYCLING SERVICES

There were no garbage collection and recycling service issues to report.

## ADDITIONAL FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills reported that the District's checking account with PNC Bank has been closed. She then reviewed check no. 8117 payable to Fort Bend Levee Improvement District No. 11, noting it is higher than normal.

Ms. Mihills stated that the invoice received from the Fort Bend Subsidence District for the Water Wise Program reflects different schools than the school previously approved by the Board. She stated she will investigate the matter and report back at the next meeting.

## ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Mata generally discussed the status of tax collections for the 2021 tax year. She then discussed correspondence received from a District taxpayer requesting that the Board consider offering a general homestead exemption.

The Board next considered adopting a Resolution Concerning Exemptions from Taxation. Mr. Lentz discussed the optional exemptions, including a general residential

homestead exemption and a homestead exemption for disabled person or persons over 65 years of age, and reviewed an exemption analysis, a copy of which is attached. Following review and discussion, Director Millis moved to adopt a Resolution Concerning Exemptions from Taxation providing for a \$10,000 exemption for persons who are over 65 or disabled and a 10% general residential homestead exemption. Director Dalcour seconded the motion, which passed unanimously.

#### REVENUE MANAGEMENT SERVICES

Mr. Fortner presented and reviewed a Q1 (First Quarter) Strategic Partnership Agreement Audit, a copy of which is attached. After review and discussion, Director Millis moved to accept the First Quarter Strategic Partnership Agreement Audit. Director Matthews seconded the motion, which passed unanimously.

#### OPERATOR'S REPORT; TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

Mr. Marriott reviewed the operator's report with the Board, including monthly repair and maintenance items. A copy of the operator's report is attached. He stated the water accountability for the last billing period was 98.48%.

Mr. Marriott reported on an excavation and large sewer line repair at 6110 Terrell Hills Drive in the amount of \$5,675.

Mr. Marriott 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.

Mr. Marriott reviewed and recommended approval of a proposal to replace the controller at Lift Station No. 3 in the amount of \$22,107.

Mr. Marriott discussed the proposed schedule for performing a manhole and valve survey in the District, noting that he will present Si's findings and recommendations once the survey is complete.

After review and discussion, Director Duffy moved to (1) approve the operator's report; (2) 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; (3) approve the Lift Station No. 3 controller replacement proposal in an amount not to exceed \$22,107; and (4) authorize Si to proceed with the manhole and valve survey. Director Matthews seconded the motion, and the motion passed unanimously.

## DROUGHT CONTINGENCY PLAN

Ms. Harrington reported that the District is required to review the District's Drought Contingency Plan annually. Mr. Marriott confirmed that no changes need to be made at this time.

## CRITICAL LOAD SPREADSHEET

The Board reviewed the District's critical load spreadsheet and considered authorizing ABHR to file it with the appropriate agencies. Following review and discussion, Director Millis moved to approve and authorize the annual filing of the District's Critical Load Spreadsheet with the appropriate agencies. Director Duffy seconded the motion, which passed unanimously.

## EMERGENCY PREPAREDNESS PLAN

Mr. Marriott discussed the District's Emergency Preparedness Plan and stated no updates are necessary.

## ENGINEER'S REPORT

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

Mr. Tufail provided an update regarding previously approved projects, developer projects, the Fort Bend County Levee Improvement District No. 11 levee raising, and certain annexation matters.

Mr. Tufail provided an update regarding the status of the Alternative Capacity Request application pending with the Texas Commission on Environmental Quality ("TCEQ") for approval of 142 additional connections. He stated the TCEQ is requiring the District's water usage for the previous 36 months, which is higher than normal due to the freeze events, so the District may not be approved for the total amount of additional connections requested.

Mr. Tufail and Ms. Harrington provided an update regarding the construction of a future water plant and the acquisition of land for same.

Mr. Tufail reviewed an annexation request for a proposed development located near the I-59 and Williams Way Boulevard intersection. He stated the District would need to extend utility lines to the tract to provide service. Mr. Ipina stated his client has requested temporary water service until the District's new water plant is completed, in order to begin construction of the development. He further stated his client has offered to fund construction of a water well to serve the site. Discussion ensued regarding the proposed development, and the Board noted that the District may currently have enough available capacity to serve a convenience store and strip center, but that the proposed multi-family development cannot be served until the future water plant is constructed. Discussion then

ensued regarding the timeline for construction of the proposed development, and Mr. Ipina stated his client is interested in proceeding as soon as possible. The Board authorized Directors Millis and Duffy to form a committee and work with Mr. Tufail to investigate further. The Board further noted the District's strategic partnership agreement will need to be amended to include the proposed development.

Ms. Harrington and Mr. Tufail provided an update regarding the Gardezi land sale.

After review and discussion, and based upon the engineer's recommendation, Director Dalcour moved to approve the engineer's report and authorize the committee to coordinate with the District's engineer regarding the discussed annexation matters. The motion was seconded by Director Matthews and passed unanimously.

PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN

There was no discussion on this matter.

REPORT ON CONSTRUCTION SITE MONITORING AND RELATED SERVICES FROM STORM WATER SOLUTIONS

The Board reviewed a report provided in advance by Storm Water Solutions, and Ms. Harrington provided an update from Mr. David Beyer regarding the status of construction site monitoring. A copy of the report is attached.

APPROVE OUT-OF-DISTRICT SERVICE AGREEMENT WITH FORT BEND COUNTY ROAD AND BRIDGE

The Board deferred action on this agenda item.

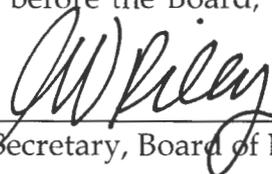
PARK AND RECREATIONAL FACILITIES

Ms. Harrington provided an update regarding land conveyance matters relating to the proposed trail system. Following discussion, the Board concurred to hold a parks committee meeting this month.

DISTRICT WEBSITE AND COMMUNICATION MATTERS

Ms. Hartwell reviewed Touchstone's monthly communications report, a copy of which is attached.

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

  
Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

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