

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116

April 2, 2024

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 2600, Houston, Texas, outside the boundaries of the District, on the 2<sup>nd</sup> day of April, 2024, and the roll was called of the members of the Board:

Chad Millis	President
Dallas Duffy	Vice President
Angela W. Riley	Secretary
Dr. John Knight	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 via teleconference were Chantelle Mayo, manager of the Canyon Gate at the Brazos Owners Association; Lynn Franklin, a resident of the District; Stephanie Hulbert of Infrastructure Construction Services; Ken Farrar of Best Trash, LLC ("Best Trash"); Josh Rambo of McCall Gibson Swedlund Barfoot PLLC ("McCall"); Ryan Fortner of Revenue Management Services; 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 ("Si"); Asim Tufail of Blackline Engineering, LLC ("Blackline"); and Adisa Harrington and Kathryn Blanton of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Harrington noted that while this is an in-person meeting of the Board, certain consultants and/or members of the public are attending by teleconference.

PUBLIC COMMENT

Ms. Harrington opened the meeting for public comments.

Ms. Hulbert introduced herself to the Board.

CONSENT AGENDA

The minutes of the March 5, 2024, regular meeting and consultant reports were provided in advance of the meeting. Following discussion, Director Duffy moved to approve the following consent items: (1) the minutes of the March 5, 2024, regular meeting, as submitted; (2) financial and bookkeeping matters; (3) tax assessment and collection matters; (4) the City of Richmond (the "City") operations report; and (5) 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.

GARBAGE COLLECTION AND RECYCLING SERVICES

Mr. Farrar distributed and reviewed a notice from Best Trash regarding the annual consumer price index ("CPI") rate increase. A copy of the notice is attached.

AUDIT FOR FISCAL YEAR END DECEMBER 31, 2023

Mr. Rambo reviewed the District's draft audit and management letter for fiscal year end December 31, 2023. Following review and discussion, Director Duffy moved to: (1) approve the audit and management letter for fiscal year end December 31, 2023, subject to final review and approval by ABHR; (2) authorize McCall to file the District's audit with the Texas Commission on Environmental Quality ("TCEQ"); and (3) direct that the final audit and management letter be filed appropriately and retained in the District's official records. Director Millis seconded the motion, which passed unanimously.

ADDITIONAL FINANCIAL AND BOOKKEEPING MATTERS

There were no additional financial and bookkeeping matters.

ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Mata updated the Board on the current tax collections.

Mr. Fortner provided an update regarding the collection of sales taxes from businesses not showing on the Strategic Partnership Agreement with the City. He reported that the City is working to recover four accounts, and that it will take approximately two months to obtain the missing revenue.

ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN

There was no discussion on this matter.

CRITICAL LOAD ANNUAL FILING

There was no discussion on this matter.

## EMERGENCY PREPAREDNESS PLAN

There was no discussion on this matter.

## ENGINEER'S REPORT

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

Mr. Tufail requested authorization to advertise for bids for the District Facilities Fence Repairs.

Mr. Tufail provided an update regarding the City's recent re-rating of the Wastewater Treatment Plant permit. He reported that the previous permit rate was 0.95 million gallons per day ("MGD"), and the new permit rate is 1.22 MGD.

Ms. Harrington updated the Board regarding the evaluation and revision of the current Wastewater Treatment Plant joint agreement to reflect revised connection counts and pro-rata shares. She then discussed entering into a separate agreement with the City for annexation related matters. Discussion ensued.

Mr. Tufail and Ms. Harrington provided an update regarding the pending land conveyances for the trail system.

Mr. Tufail provided an update regarding the re-evaluation of the District water supply system. He stated that Blackline obtained well pumpage data from Si and has commenced evaluation of capacity and connection availability.

Mr. Tufail stated that construction is nearing completion at the Territory at Williams Way.

Mr. Tufail provided an update regarding the 9er's Restaurant located at 6430 Sansbury Road, stating that Blackline is reviewing the final revised plan set.

Mr. Tufail provided an update regarding potential annexations, stating that Blackline is awaiting a response from the City for annexation permission and allowing for other tracts to be considered.

Mr. Tufail discussed the potential annexation of a 17.5-acre tract along Crabb River Road for multi-family development. He requested Board approval to conduct a feasibility study, subject to receipt of the required \$7,500.00 deposit.

Mr. Tufail then discussed the potential annexation of an 8.7-acre tract along Farm-to-Market Road 762 and Williams Way for multi-family development, stating that the required \$7,500.00 deposit has been received.

Discussion ensued regarding potential annexation of additional land into the District.

Mr. Tufail reported on the GIS System, stating that the latest work orders have been submitted.

Following review and discussion, Director Millis moved to: (1) approve the engineer's report; (2) authorize Blackline to advertise and receive bids for the District Facilities Fence Repairs; and (3) authorize Blackline to conduct a feasibility study for the 17.5-acre tract, subject to receipt of the required deposit. Director Knight seconded the motion, which passed unanimously.

### OPERATOR'S REPORT

Mr. Marriott reviewed the operator's report with the Board, including monthly repair and maintenance items, as outlined in the report. A copy of the operator's report is attached. He stated the water accountability for the last billing period was 97.39%.

Mr. Marriott provided an update regarding the Accurate Meter leak detection survey throughout the District. A copy of the survey is attached to his report.

Mr. Marriott then reviewed the Consumer Confidence Report ("CCR") with the Board, a copy of which is attached to the operator's report. He reported that the District's drinking water is regulated by the Texas Commission on Environmental Quality ("TCEQ") to ensure the water is meeting all of the requirements as stated in the Federal Drinking Water Standards, which also requires the District to provide a CCR to residents in the District regarding the status of the drinking water. Mr. Marriott reported that the CCR will be provided with this month's utility bill. Ms. Hartwell stated that Touchstone will post the CCR on the District's website.

Mr. Marriott reviewed the District's Identity Theft Prevention Program annual report, a copy of which is attached to his report. He stated there were no red flag incidents and Si has no recommended changes to the District's Identity Theft Prevention Program at this time.

Mr. Marriott requested Board authorization to include pool inspection and garbage notices with the April water bill. The Board directed Touchstone to post the notice on the District's website.

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.

Discussion ensued regarding leak detection matters. Mr. Marriott reported that three leaks were discovered during recent leak detection testing and the repairs are pending.

Following review and discussion, Director Duffy moved to: (1) approve the operator's report; (2) approve the CCR and authorize the operator to mail a copy of the CCR with the District's water bills; (3) authorize the operator to send notice to customers on pool inspections and garbage with the District's water bills; (4) authorize termination of delinquent accounts, in accordance with the District's Rate Order; and (5) direct that the CCR and delinquent customer list be filed appropriately and retained in the District's official records. Director Matthews seconded the motion, which passed unanimously.

DISTRICT WEBSITE AND COMMUNICATION MATTERS

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

The Board concurred to hold the next meeting on May 7, 2024, at 12:00 p.m.

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

  
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Secretary, Board of Directors

(SEAL)



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