

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116

October 1, 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 1st day of October, 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 except Directors Millis and Duffy, thus constituting a quorum.

Also attending the meeting in person or via teleconference were Andronic Harding of Canyon Gate at the Brazos Owners Association; Chantelle Mayo, general manager of Canyon Gate at the Brazos Owners Association; Lynn Franklin, a resident of the District; Sara Burson of Accurate Meter & Supply ("Accurate"); David Beyer of Storm Water Solutions, LLC ("SWS"); Ryan Fortner of Revenue Management Services; Angie Hartwell and Daenon Russell 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. Franklin inquired about water bills that are due on a weekend or holiday. Mr. Marriott noted that water bills due on a weekend or holiday are posted on the next business day.

There being no further comments from the public, Ms. Harrington closed public comments.

## CONSENT AGENDA

The minutes of the September 3, 2024, regular meeting and consultant reports were provided in advance of the meeting. The Board concurred to remove agenda item 2.f. Director Matthews moved to approve the following consent items: (1) the minutes of the September 3, 2024, regular meeting, as submitted; (2) financial and bookkeeping matters; (3) tax assessment and collection matters; and (4) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director Knight seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

## PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN ("SWMP")

Mr. Beyer updated the Board on the District's SWMP. He distributed and reviewed a summary of the Year 5 extension goals and training under the SWMP, a copy of which is attached.

Mr. Beyer began his training session with the Board and other consultants. He stated the topic of the Year 5 training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements. Mr. Beyer explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers, to prevent adding to bacterial impairment. He then continued with the training, explaining the sources of bacteria and outlining the program elements of the SWMP that deal with these sources.

Mr. Beyer then discussed the issuance of the 2024 renewal of the Texas Pollutant Discharge Elimination System General Permit No. TXR040000 (the "MS4 Permit"). He indicated that pursuant to the 2024 renewed MS4 Permit requirements, the District must prepare an SWMP and submit a Notice of Intent ("NOI") to the Texas Commission on Environmental Quality no later than February 11, 2025, to obtain MS4 Permit coverage. He then presented a Proposal for Services ("Proposal") for the preparation and implementation of the SWMP and the preparation and submittal of the NOI required by the MS4 Permit. Following review and discussion, Director Riley moved to approve the Proposal, authorize SWS to proceed with preparation of the NOI and SWMP for review by the Board, and direct that the Proposal be filed appropriately and retained in the District's official records. Director Knight seconded the motion, which was approved by unanimous vote.

## ITEMS REMOVED FROM CONSENT AGENDA

### OPERATIONS REPORT FROM THE CITY OF RICHMOND (THE "CITY")

Mr. Tufail stated that he will discuss the operations report from the City during the engineer's report.

## COORDINATION WITH HOMEOWNERS ASSOCIATIONS ("HOA")

Ms. Harrington stated that ABHR has received requests for District contributions from the Lakes of Williams Ranch Owners Association and Canyon Gate on the Brazos Owners Association ("CGBOA"). She then stated that ABHR has sent follow-up correspondence to Brazos Gardens Homeowners Association requesting they submit their request by November 4, 2024.

Director Knight discussed details regarding the request from CGBOA.

The Board concurred to defer this matter until the November meeting.

## 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.

## OPERATOR'S REPORT; PRESENTATION FROM ACCURATE METER

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 98.34%.

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.

Ms. Burson presented information regarding smart meters provided by Accurate. Discussion ensued regarding the feasibility of replacing the current District meters. Following discussion, the Board directed Ms. Burson to provide a proposal for a pilot program for installation of 25-30 smart meters in the District.

Mr. Marriott requested authorization to include a notice regarding pool inspections in the next water bill.

Mr. Marriott updated the Board on the Groundwater Reduction Plan ("GRP") Participation Agreement, noting that there will be no GRP fee increase this year. A letter from the City regarding its water and wastewater rates is attached.

Mr. Marriott requested authorization to submit the projections of total water demands for next year to the Ground Water Reduction Plan administrator for the City.

Following review and discussion, Director Knight moved to: (1) approve the operator's report; (2) authorize the operator to include a notice regarding pool inspections on the next water bill; (3) authorize the operator to submit the projections of total water demands for the next year to the GRP administrator for the City; (4) authorize termination of delinquent accounts, in accordance with the District's Rate Order; and (5) direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Matthews seconded the motion, which passed unanimously.

#### ENGINEER'S REPORT; ANNEXATION MATTERS

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

Mr. Tufail reported on bids for the District Facilities Fence Repairs. The Board reviewed the bids and considered awarding the contract to the lowest bidder for custom mold fencing, Republic Masonry & Fencing ("Republic") for the contract amount of \$386,739.55. Discussion ensued, and the Board made the following findings: (1) only two bids were received both times the fence project was advertised for bids; (2) Republic's bid was approximately \$37,500 lower than the second bidder; and (3) Republic's fence has a 25-year warranty as compared to the 1-year warranty for the second bidder's fence. The Board concurred that, in its judgement, Republic was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. Following review and discussion, Director Matthews moved to award the contract for custom mold concrete fencing for District facilities to Republic, in the amount of \$386,739.55. Director Knight seconded the motion, which passed unanimously.

Mr. Tufail discussed costs associated with the City of Richmond's operation report, a copy of which is attached.

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

Ms. Harrington reported on pending updates to the Regional Wastewater Treatment Plant Agreement, noting that the connection counts and pro-rata shares need to be revised in addition to other updates. Ms. Harrington noted that she is in communication with the City's attorney regarding the Agreement.

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

The Board considered authorizing conveyance of the following: (1) gift deed for 3.149 acres from 274 Brazos, Ltd. or its successor to the District; and (2) gift deed for 1.357 acres from Land Tejas Development at the Brazos South, LLC or its successor to the District.

Mr. Tufail provided an update regarding the re-evaluation of the District water supply system. He reported that Blackline is conducting a water system study to determine if each of the proposed locations for water plant no. 2 addresses annexation options. Mr. Tufail reviewed three exhibits of proposed locations for water plant no. 2, copies of which are attached to the engineer's report.

Mr. Tufail provided an update regarding the 9er's Restaurant located at 6430 Sansbury Road, stating that Blackline is awaiting final approved plans.

Mr. Tufail discussed the potential annexation of a 17.5-acre tract along Crabb River Road for multi-family development. He stated that the draft feasibility study is underway and requires further study of the sanitary sewer system impacts.

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. It was noted that the District is unable to provide water service to any potential annexed tracts unless or until a second water plant is constructed.

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

Following review and discussion, Director Matthews moved to: (1) approve the engineer's report; (2) approve the City's operation report; and (3) accept conveyance of the two deeds, as detailed above, subject to finalization. Director Knight seconded the motion, which passed unanimously.

#### DISTRICT WEBSITE AND COMMUNICATION MATTERS

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

Ms. Russell reported that Touchstone will post the pool inspections and garbage notices on the District website, to be completed today.

Ms. Russell discussed the September shred and e-waste event. Ms. Hartwell discussed scheduling another shred and e-waste event during spring 2025. She stated that Touchstone will coordinate with Best Trash and CGBOA regarding the date.

CONVENE IN EXECUTIVE SESSION

The Board did not convene in executive session.

The Board concurred to hold the next meeting on November 5, 2024, at 12:00 p.m.

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

(SEAL)



*Asst.*   
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's report .....	2
Tax assessor/collector's report and delinquent tax roll .....	2
SWMP Year 5 extension goals and training .....	2
Operator's report .....	3
Letter from City of Richmond regarding water and wastewater rates .....	3
Engineer's report.....	4
City of Richmond's operations report.....	4
Website and communications report.....	5