

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

May 11, 2020

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 155 (the "District") met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Abbott's emergency disaster declaration dated March 13, 2020, on the 11th day of May, 2020, and the roll was called of the members of the Board:

Donna Johnson	President
Brett Telford	Vice President
Christina Garcia	Assistant Vice President
Jessica Robach	Secretary
Dwayne Grigar	Assistant Secretary

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

Also attending the teleconference were Gary Mensik, Andrew Bowman, and Kirsten Trachsel of LJA Engineering & Surveying, Inc. ("LJA"); Jorge Diaz of McLennan & Associates, LP ("McLennan"); Rick Marriott and Carlous Smith of Si Environmental, LLC ("Si"); Joel Raymond of GreenScape Associates ("GreenScape"); Dominic Cashiola of Classic Messaging LLC ("CM"); Dusty DeRouen of Lake Management Services, L.P. ("LMS"); Vanessa Rodriguez of Beazer Homes Texas LP ("Beazer"); and Susan Edwards, Nellie Connally, and Abby Derrickson of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Edwards reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at <https://www.districtdirectory.org/agendapackets/fbcmud155>.

PUBLIC COMMENTS

The Board offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

CONSIDER OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC AND RATIFICATION OF ANY EMERGENCY ACTIONS, IF NECESSARY

The Board discussed operation and service requirements relating to the COVID-19 epidemic. The Board took no action on this matter.

## APPROVE MINUTES

The Board considered approving the minutes of the April 13, 2020, regular meeting. Following review and discussion, Director Telford moved to approve the minutes as presented. Director Garcia seconded the motion, and the motion passed by unanimous vote.

## SHERIFF'S REPORT

The Board reviewed the security reports, copies of which are attached.

## ADDITIONAL SECURITY PATROL

The Board discussed security issues in the district and the desire to add a security patrol in the District. The Board requested that a representative of the Fort Bend County Sheriff's Office attend the next District meeting.

## 2020 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Donna Johnson and Christina Garcia to the Board of Directors of the District for a four-year term. After review and discussion, Director Johnson moved to approve the Certificate of Election and the distribution of same to Directors Johnson and Garcia, and direct that the Certificate be filed appropriately and retained in the District's official records. Director Telford seconded the motion, and the motion passed by unanimous vote.

Ms. Edwards reviewed the Sworn Statements and Oaths of Office for Directors Johnson and Garcia. After review and discussion, Director Johnson moved that the Board approve the Sworn Statements and Oaths of Office, and direct that the documents be filed appropriately and retained in the District's official records, and that the Oath of Office be filed with the Secretary of State as required by law. Director Telford seconded the motion, and the motion passed by unanimous vote.

## APPOINTMENT OF NEW DIRECTOR

Director Johnson made a motion to appoint Dwayne Grigar as director to fill the term expiring May, 2024. Director Garcia seconded the motion, and the motion passed by unanimous vote.

Ms. Edwards stated that Director Grigar must execute a Sworn Statement and Oath of Office as required by the Texas Constitution and Texas Water Code. After discussion, Director Johnson moved that the Board of Directors approve Director Grigar's Sworn Statement and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office be filed with the Secretary of

State of the State of Texas. The motion was seconded by Director Garcia, and the motion passed by unanimous vote.

#### REORGANIZE THE BOARD

The Board next considered reorganization of the Board and decided not to reorganize at this time.

#### 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 new terms of office of the elected directors of the Board. After discussion, Director Johnson made a motion 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 Grigar seconded the motion, and the motion passed by unanimous vote.

#### BOOKKEEPER'S REPORT

Mr. Diaz presented and reviewed the bookkeeper's report and investment report, and presented checks for payment. A copy of the bookkeeper's report is attached, which includes the investment report and year-to-date budget comparison.

After review and discussion, Director Telford moved to (1) approve the bookkeeper's report and the checks presented for payment; and (2) approve amendment of the operating budget to add a second security patrol. Director Robach seconded the motion. A roll call of the Board was taken, and the motion passed by unanimous vote.

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

Ms. Edwards presented and reviewed the District's Travel Reimbursement Guidelines.

#### OPERATOR'S REPORT

Mr. Marriott presented and reviewed the operator's report, a copy of which is attached, and reviewed repair and maintenance items for the month.

Mr. Marriott presented and reviewed a homeowner association water meter usage report and a residential high usage letter report, copies of which are attached to the operator's report.

Mr. Marriott reported two wastewater discharge permit violations at the regional wastewater treatment plant due to high ammonia. Mr. Marriott said blower malfunctions resulted in high ammonia and said the blowers have been adjusted.

Ms. Rodriguez requested that Si Environmental investigate a sink hole that has appeared next to 9131 Japonica.

#### CRITICAL LOAD SPREADSHEET

Ms. Edwards reviewed the District's Critical Load Spreadsheet ("CLS") with the Board, noting that it will be sent out to the District's bookkeeper, operator, and engineer to review for any needed changes. Ms. Edwards said the District's updated CLS will be filed with the Fort Bend County Office of Emergency Management, the Public Utility Commission, the Texas Division of Emergency Management, MP 2 Energy as the retail electric provider, and CenterPoint Energy as the transmission and distribution utility company. After review and discussion, Director Johnson moved to approve and authorize filing of the updated CLS and direct that it be filed appropriately and retained in the District's official records. Director Grigar seconded the motion, and the motion passed by unanimous vote.

#### HEARING ON TERMINATION OF WATER SERVICE

Mr. Marriott presented to the Board 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 to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Based on the determination to suspend imposition of late fees and service terminations for the upcoming billing cycle due to the COVID-19 public health emergency made at the previous meeting, the Board took no action on this matter.

#### ENGINEER'S REPORT

Ms. Trachsel presented and reviewed an engineer's report, a copy of which is attached, and updated the Board on the status of ongoing engineering projects in the District.

Ms. Trachsel noted that the final pay estimate was approved last month and LJA recommends acceptance of Bonbrook Plantation South Section 8.

Ms. Trachsel stated that LJA is working with the District financial advisor and ABHR to prepare a summary of costs for the bond application to present to the board.

Ms. Trachsel also stated that LJA is putting together options for the Board to consider for the erosion mitigation project.

After review and discussion, Director Grigar moved to (1) accept the engineer's report; and (2) accept Bonbrook Plantation South Section 8, based on the engineer's recommendation. Director Telford seconded the motion, and the motion passed by unanimous vote.

#### AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

The Board reviewed a draft updated agreement between Fort Bend County Municipal Utility District No. 155 and LJA Engineering, Inc. for professional services. The Board determined to defer action on the agreement.

#### ADOPT ORDER ADOPTING SECTION 49.2731 ELECTRONIC BIDDING RULES

The Board considered adopting an Order Adopting Section 49.2731 of the Texas Water Code to establish electronic bidding rules. Following review and discussion, Director Johnson moved to adopt an Order Adopting Section 49.2731 Electronic Bidding Rules. Director Garcia seconded the motion, and the motion passed by unanimous vote.

#### ORDER ADOPTING ELECTRONIC SIGNATURE RULES FOR CONSTRUCTION CONTRACTS

The Board considered adopting an Order Adopting Electronic Signature Rules for Construction Contracts. Following review and discussion, Director Johnson moved to adopt and Order Adopting Electronic Signature Rules for Construction Contracts and direct that the Order be filed appropriately and retained in the District's records. Director Garcia seconded the motion, and the motion passed by unanimous vote.

#### RESIDENT CONCERNS AT 1014 AQUA VISTA LANE

Ms. Trachsel reviewed a District resident's concern about the lack of landscaping of areas near 1014 Aqua Vista Lane. Ms. Trachsel said that Hurtado will perform a final grading and hydroseed of the area which will improve its appearance. Mr. Raymond noted some concerns that Greenscape can address.

#### DEVELOPER'S REPORT

Ms. Rodriguez discussed development in the District. She stated that four homes were sold in April, of which three were closed.

#### UPDATE ON DETENTION/AMENITY LAKES MAINTENANCE

Mr. DeRouen stated that the meter for the new fountain should be installed by CenterPoint.

Ms. Rodriguez also stated that sprinkler heads are being repeatedly stolen from

newly installed landscaping and requested that cameras be installed as a deterrent. After discussion, Director Johnson moved to authorize Greenscape to install cameras in the area where the sprinkler heads are being stolen with the cost to not exceed \$6,000. Director Robach seconded the motion, and the motion passed by unanimous vote.

#### UPDATE ON LANDSCAPE MAINTENANCE

Mr. Raymond reviewed a landscape maintenance and mowing report with the Board, a copy of which is attached.

#### DISTRICT PARK AND RECREATION IMPROVEMENTS

Mr. Raymond updated the Board regarding pavilion improvements. He then reviewed and recommended approval of Pay Application No. 4, a copy of which is attached, in the amount of \$132,119.55, payable to D.L. Meacham LP for the pavilion.

Mr. Raymond then reviewed with the Board an amendment of the maintenance agreement to include the maintenance of Lake G.

Mr. Raymond also presented and reviewed a proposal for addressing irrigation repairs needed for Lake B and the Lakes of Bonbrook.

Discussion ensued regarding the addition of sidewalks at Aqua Vista Lane and Rappahanook Lane and landscape and irrigation plans for Bonbrook Plantation South Section 2, Section 4, Section 6, and Section 8. The Board concurred to meet in a special meeting to discuss this project.

Following review and discussion, Director Johnson made a motion to (1) approve Pay Application No. 4, in the amount of \$132,119.55 to D.L. Meacham LP; and (2) approve the amendment of the maintenance agreement to include the maintenance of Lake G. Director Garcia seconded the motion, and the motion passed by unanimous vote.

#### CLASSIC MESSAGING EMERGENCY MESSAGING MATTERS

Mr. Cashiola presented a member database report for emergency messaging services from Classic Messaging, LLC ("CM"), a copy of which is attached. He stated that a test broadcast was sent out on May 1<sup>st</sup> to existing participants which drove more people to the website that was created for the District.

Mr. Cashiola will be meeting with Director Johnson to discuss possible additions to the website, including but not limited to a map of the district and trash service for the district. He will also be meeting with Director Robach to discuss the possibility of a district logo to be added to the website.

STORM WATER MANAGEMENT PLAN ("SWMP") AND STORM WATER PERMITTING MATTERS

There was no discussion on this item.

GARBAGE AND RECYCLING MATTERS

There was no discussion on this item.

TAX ASSESSOR/COLLECTOR'S REPORT

The Board received and reviewed a tax assessor/collector's report from Fort Bend County, a copy of which is attached.

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

/s/ Jessica Robach  
Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Fort Bend County Sheriff's Office security reports.....	2
Bookkeeper's report.....	3
Operator's report.....	3
Engineer's report.....	4
Greenscape report.....	6
District Park and Recreation Improvements report.....	6
Member Database report from Classic Messaging, LLC.....	6
Tax Assessor/Collector's report.....	7