

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

March 8, 2021

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 8th day of March, 2021, 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 for all or part of the meeting were Kirsten Wilson of LJA Engineering, Inc. ("LJA"); Jorge Diaz of McLennan & Associates, LP ("McLennan"); Rick Marriott and Ryan Nates of Si Environmental, LLC ("SiEnviro"); Nick Steffek of Lake Management Services, L.P. ("LMS"); Joel Raymond of GreenScape Associates; John N. Taylor of Bonbrook Plantation, LP; Vanessa Rodriguez of Beazer Homes Texas LP; Constable Beard and Sargent Nguyen of Fort Bend County Precinct 1 Constable's Office ("Constable"); and Nellie Connally and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Connally 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 meeting convened at 11:02 a.m. Ms. Connally offered any members of the public attending the meeting by telephone the opportunity to make a public comment. No members of the public wished to address the Board.

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

Ms. Connally stated that there were no emergency actions taken between Board meetings that needed to be ratified.

APPROVE MINUTES

The Board considered approving the minutes of the February 8, 2021, regular meeting. Director Grigar requested that moving forward the minutes include the meeting commencement time and meeting end time. Discussion ensued regarding items included under engineering matters. The Board requested the minutes reflect that the Board did not approve the maintenance agreement for the drainage channel because they were awaiting additional information. Following review and discussion, Director Telford moved to approve the minutes, subject to clarification of approved engineering items. Director Garcia seconded the motion, which passed unanimously.

CONSTABLE'S REPORT

The Board reviewed a security report for the District, a copy of which is attached. In response to Director Johnson, Constable Beard stated the Constable's office will work to provide coverage while a deputy is on leave. Director Johnson discussed recent patrol coverage during a televised event that caused additional traffic in the neighborhood and commended the deputy for his response.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Ms. Rodriguez updated the Board regarding development in the District, noting it is nearly complete. Mr. Taylor updated the Board regarding development in the District.

FINANCIAL AND BOOKKEEPING MATTERS

The Board concurred to defer this item and discuss the next agenda item.

SERIES 2021 UNLIMITED TAX BONDS ("SERIES 2021 BONDS")

Ms. Connally updated the Board regarding the Unlimited Tax Bonds, Series 2021, noting a special meeting will be held Monday, March 15, 2021 at 2:00 p.m.

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 stated Fort Bend County Municipal Utility District No. 152 ("FB MUD 152") recently paid fines to the Texas Commission on Environmental Quality due to violations as a result of unauthorized discharges. He stated rags are causing substantial issues and requiring regular manual maintenance and removal. Mr. Marriott presented and reviewed a proposal for improvements to FB MUD 152's Wastewater Treatment Plant ("WWTP") in the total amount of \$1,060,000 of which the District's share would be \$454,846.

Mr. Marriott stated a fire hydrant survey was conducted and five hydrants were declared 'hard to open.' He requested authorization to repair the fire hydrants as necessary.

Mr. Marriott discussed the recent freeze event, potential impacts to District customers and the possibility of costumers incurring additional expenses as a result of damages during the event. He discussed a letter from the Fort Bend County Judge requesting special districts consider waiving fees and penalties for delinquent customers during the freeze event time period. Ms. Connally reviewed a Resolution Adopting Policy and Procedures for February 2021 Freeze Event Leak Adjustment Credits for the Board's consideration that would allow the Board to adopt a leak adjustment policy specific to the freeze event. Discussion ensued regarding dissemination of the information to customers. The Board concurred to schedule a special meeting to further discuss the leak adjustment policy once additional information is received.

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.

Following review and discussion, Director Johnson moved to: (1) approve the operator's report, as presented; (2) decline termination of delinquent accounts, waive late fees and penalties and direct that the delinquent customer list be filed appropriately and retained in the District's official records; (3) authorize the District's operator to prepare water loss audit; and (4) authorize the District's operator to perform the necessary fire hydrant repairs. The motion was seconded by Director Robach, which passed unanimously.

The Board concurred to table matters related to the leak adjustment policy and improvements to the Wastewater Treatment Plant.

The Board conducted an annual review of the District's Drought Contingency Plan. Ms. Connally and Mr. Marriott stated they had no changes to recommend at this time. No action was taken by the Board.

The Board authorized the operator to prepare and submit the District's water loss audit to the Texas Water Development Board.

FINANCIAL AND BOOKKEEPING MATTERS

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

Mr. Diaz presented and reviewed a draft budget for the fiscal year end April 30, 2022, a copy of which is attached to the bookkeeper's report. Director Garcia discussed the possibility of adding a line item for potential amenity projects.

After review and discussion, Director Grigar moved to approve the bookkeeper's report and the checks presented for payment. Director Telford seconded the motion, which passed by unanimous vote.

ENGINEER'S REPORT

Ms. Wilson 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. Wilson discussed Big Creek, LTD's request for the District to maintain the drainage channel serving the District south of Sections 9 and 10. She stated the property owner granted the District an easement to construct the drainage channel which was required for the development and necessary drainage of District property. Ms. Wilson confirmed the drainage channel was inspected upon initial completion and there were no issues at that time. Discussion ensued. Ms. Wilson stated last month GreenScapes provided a proposal to clean out the drainage channel in the amount of \$46,000. She stated LJA solicited two additional bids for the channel cleanout and received a proposal from Razer, LLC in the amount of \$11,000 and a proposal from Double Oak Erosion in the amount of \$25,800. Ms. Wilson recommended the Board consider awarding the contract to Razer, LLC. Discussion ensued. Ms. Wilson stated the drainage channel will remain in place to provide drainage for the District until the 200 acres south of the District is developed. She stated there is no time frame for development of the property. The Board requested Ms. Wilson discuss the possibility of sharing the costs of the initial cleanout of the drainage channel with the property owner as well as provide a line item breakout for the items included when soliciting the bids.

Ms. Wilson discussed the proposed improvements to the FB MUD No. 152 WWTP. Discussion ensued regarding the cost share agreement, the District's percentage of the costs, upfront costs for engineering and construction and the monthly lease expenses for the WWTP over a 60-month period. Following review and discussion, Director Grigar moved to concur with the proposed WWTP improvements and approve the District share of the total cost in the approximate amount of \$454,846, subject to review of the current agreement in place to confirm the District's responsibility. Director Johnson seconded the motion, which passed unanimously.

Ms. Wilson updated the Board regarding the landscape easement with the owner of the Chevron gas station at the corner of Benton Road and Reading Road, noting the information has been sent to ABHR for easement preparation.

Ms. Wilson updated the Board regarding the detention pond erosion project in Lake B and requested authorization to turn off the water well in Lake B until construction commences. The Board requested a notice be placed on the District's website, sent to the HOA for distribution and sent to Ms. Johnson to post on the neighborhood NextDoor site. After review and discussion, Director Garcia moved to authorize LMS and the contractor to turn off the pumps to lower Lake B as necessary to complete the erosion project, subject to continuous monitoring of the lake levels by LMS and the contractor to ensure appropriate levels are maintained. Director Telford seconded the motion, which passed unanimously.

Mr. Taylor discussed the history of the drainage channel and stated he believes the District is responsible for maintenance of the area. Discussion ensued. The Board concurred to further discuss this matter at a special meeting.

UPDATE ON DETENTION/AMENITY LAKES MAINTENANCE INCLUDING LAKE MANAGEMENT SERVICES, LP PROPOSAL INCLUDING BUDGET FOR MAY 1, 2021 TO APRIL 30, 2022

Mr. Steffek reviewed a detention/amenity lakes maintenance report with the Board, a copy of which is attached. Mr. Steffek presented and reviewed a proposal to replace the Lake A power unit in the amount of \$3,911.65 ("Proposal"). Following review and discussion, Director Garcia moved to approve the Proposal. Director Telford seconded the motion, which passed unanimously. The Board concurred to defer approving the budget for May 1, 2021 to April 30, 2022.

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

There was no discussion regarding this item.

UPDATE ON LANDSCAPE MAINTENANCE

Mr. Raymond reviewed a landscape maintenance and mowing report with the Board, a copy of which is attached. He reviewed a proposal for landscape reuse on Reading Road, invoice number 10309, in the amount of \$6,080.82. The Board concurred to defer a decision regarding this item.

Mr. Raymond then reviewed invoice number 10238 for the spring and summer fertilization in the amount of \$35,595.00. After review and discussion, Director Telford moved to approve invoice number 10238. Director Garcia seconded the motion, which passed unanimously.

The Board concurred to defer approval of invoice 10250 in the amount of \$8,625 for the gaps slough cleanup of section 10 and invoice 10222 in the amount of \$46,650 for the drainage channel cleanup pending additional information.

CLASSIC MESSAGING EMERGENCY MESSAGING MATTERS

Director Johnson stated a notice was posted on the District’s website informing residents that the District was not under a boil water notice during the freeze event.

GARBAGE AND RECYCLING MATTERS

Director Johnson stated she received complaints regarding the delay in service for garbage and recycling due to a COVID exposure at Texas Pride and unsafe conditions resulting from the freeze event. She stated all garbage and recycling has since been picked up.

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. Following review and discussion, Director Johnson moved to approve the tax assessor/collector’s report as presented. Director Garcia seconded the motion, which passed unanimously.

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)



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