

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

January 11, 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 11th day of January, 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 & Surveying, Inc. ("LJA"); Jorge Diaz of McLennan & Associates, LP ("McLennan"); Rick Marriott and Carlos Smith of Si Environmental, LLC ("Si"); Nick Steffek of Lake Management Services, L.P. ("LMS"); Vanessa Rodriguez of Beazer Homes Texas LP; Joel Raymond of GreenScape Associates; 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

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.

Ms. Connally stated Ms. Cales distributed information from Director Johnson to be discussed at today's meeting. Discussion ensued regarding the resolution recently adopted by Fort Bend County Commissioners' Court about special district transparency and the steps the District has taken to provide information to the public including a District website, information posted on the Texas Commission on Environmental Quality's and Texas Comptroller's websites as well as the website established in compliance with Senate Bill 2.

Director Johnson discussed a public notice regarding a new 911 dispatching policy. Director Grigar stated the policy change allows the nearest law enforcement agency to respond to emergency calls, instead of being specifically dispatched to the Fort Bend County Sherriff's office.

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 December 14, 2020, regular meeting. Following review and discussion, Director Johnson moved to approve the minutes as presented. 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. Director Johnson stated she will follow up directly with the Constable regarding a crash that occurred in the District.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Ms. Rodriguez updated the Board regarding development in the District. She stated the silt fencing has been removed from the outfalls and backslope swale and noted Beazer will pay directly for the removal. Ms. Rodriguez stated Beazer has 16 lots and 3 model homes remaining before development is complete.

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. He reviewed the year-to-date budget comparison and explained variances. After review and discussion, Director Johnson moved to approve the bookkeeper's report and the checks presented for payment. Director Grigar seconded the motion, which passed unanimously.

ANNUAL DISCLOSURE STATEMENTS

Ms. Connally stated that in accordance with the District's Investment Policy, the District's bookkeeper and Investment Officer are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. She added that the disclosure statement will be filed with the Texas Ethics Commission. After review and discussion, Director Robach moved to

accept the disclosure statements pursuant to the District's Investment Policy and the Public Funds Investment Act and direct that the statements be filed appropriately and retained in the District's official records. Director Telford seconded the motion, which passed unanimously.

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 reviewed a residential high usage letter report and actions undertaken by SiEnviro to address the usage issues. Copies are attached to the operator's report. He stated one customer contacted SiEnviro and requested a rate adjustment because the resident filled their pool.

Mr. Marriott then reviewed the Discharge Monitoring Report and noted that no excursions occurred at the shared water treatment plant during the month.

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.

Mr. Marriott updated the Board regarding various repairs in the District.

Mr. Marriott stated he met with Director Grigar regarding the provisions of the Rate Order and termination process. He stated he and Director Grigar determined no changes are necessary to the Rate Order at this time. Mr. Marriott discussed the possibility of the District absorbing the cost of the processing fee which would cost approximately \$1,500 annually.

Director Johnson stated she has received complaints about the odor of the water. Discussion ensued. Director Johnson stated she directed them to contact the operator directly regarding any issues. Director Marriott stated he will follow up regarding the matter and possible solutions to address the issue.

Discussion ensued regarding adjusting the bill for the resident that had high water usage due to filling their pool. The Board concurred to decline adjustments to the resident's water bill.

Following review and discussion, Director Grigar moved to: (1) approve the operator's report, as presented; and (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. The motion was seconded by Director Robach, which passed unanimously.

UPDATE ON BOND APPLICATION NO. 9

Ms. Connally stated that there was no update available regarding the status of bond application no. 9.

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. She stated the orange pipe was removed by Comcast and DR Horton is addressing debris removal near its construction sites.

Ms. Wilson updated the Board on the repairs of lake shore A, B and C ("Detention Pond Project"), noting the Board awarded the contract for repairs to Pond B to Double Oak Erosion, Inc. and the contracts are being reviewed by ABHR. Discussion ensued regarding notifying District residents of the upcoming project. The Board concurred to notify all District residents by posting on the District's website, sending an email blast and notifying the homeowners association. The Board directed Ms. Wilson to coordinate with Director Garcia regarding the notices. Discussion ensued regarding the materials being used for the ShoreSox and Ms. Wilson confirmed the material being used is a woven, mesh material.

Ms. Connally stated Director Grigar sent a request regarding a possible landscape easement. Director Grigar discussed a possible landscape easement with the owner of the Chevron gas station at the corner of Benton Road and Reading Road for the District to install and maintain landscaping in that area. The Board requested Ms. Wilson review the area, determine what easements exist on the property and directed her prepare an exhibit for the Board's review. She stated LJA will need to prepare a metes and bounds description, which will cost approximately \$2,000.

After review and discussion, Director Garcia moved to approve the engineer's report and authorize LJA to prepare the exhibit detailing the easements on the property and the necessary metes and bounds for the property to be included in the District's landscape easement in an amount not to exceed \$2,000. Director Johnson seconded the motion, which passed unanimously.

UPDATE ON DETENTION/AMENITY LAKES MAINTENANCE

Mr. Steffek reviewed a detention/amenity lakes maintenance report with the Board, a copy of which is attached. He stated the Lake E fountain was pulled for repair, which will be covered under warranty.

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

There was no discussion on this item.

UPDATE ON LANDSCAPE MAINTENANCE

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

Mr. Raymond reviewed invoice number 10106, a proposal for conceptual designs to address the erosion of the lake edges in the amount of \$8,500. Discussion ensued. Ms. Wilson stated landscaping can be utilized in certain areas to address erosion, but she believes the significant erosion in Lakes A and C need to be addressed prior to installation of any plantings. She stated she and Mr. Raymond can coordinate regarding determination of the necessary erosion control measures.

After review and discussion, Director Johnson moved to approve invoice number 10106, a proposal for conceptual designs to address the erosion of the lake edges in the amount of \$8,500 and appoint Directors Garcia and Grigar to coordinate with Mr. Raymond regarding the design plans. Director Robach seconded the motion, which passed unanimously.

Director Garcia inquired about the design for the area where Fort Bend County will be removing landscaping. She then discussed a program sponsored by Association of Water Board Directors, noting the District is eligible to receive up to 300 free trees of a variety of species, either 5-gallon and or 15-gallon, to be planted throughout the District, as long as the District agrees to provide irrigation to the trees for two years. Discussion ensued regarding the installation costs. Mr. Raymond stated he could provide a proposal for the costs associated with installation of the trees. Director Grigar discussed the possible availability of trees, likely live oaks, through Fort Bend County but noted the trees would not be available until February. After review and discussion, Director Johnson moved to authorize Director Garcia to coordinate with Mr. Raymond regarding the necessary information, including submittal of the form(s) to the appropriate parties on behalf of the Board. Director Robach seconded the motion, which passed unanimously.

CLASSIC MESSAGING EMERGENCY MESSAGING MATTERS

There was no discussion on this item.

GARBAGE AND RECYCLING MATTERS

Ms. Connally stated ABHR is coordinating with Texas Pride regarding finalizing the amendment to the District's garbage contract. Ms. Cales confirmed the Board approved a contract amendment for a five-year adjusted rate of \$13.70, effective March 31, 2021.

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 Grigar seconded the motion, which passed unanimously.

ANNUAL CYBERSECURITY TRAINING

Ms. Connally reviewed a memorandum regarding legislation enacted by the Texas Legislature regarding annual cybersecurity training requirements for certain local government employees and elected officials. A copy of the memorandum is attached. She stated that directors must select and complete a training program that is certified by the Texas Department of Information Resources.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Connally reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

LIST OF LOCAL GOVERNMENT OFFICERS

The Board reviewed a list of the District's Local Government Officers ("List"). After review and discussion, Director Johnson moved to approve the List and direct that it be filed pursuant to Chapter 176 of the Texas Local Government Code and retained in the District's official records. Director Garcia seconded the motion, which was approved by unanimous vote.

ADOPT AMENDED ORDER ESTABLISHING A RECORDS RETENTION PROGRAM AND DESIGNATING A RECORDS MANAGEMENT OFFICER

Ms. Connally stated that the Texas Local Government Records Act provides that all local governments must establish an active and continuing records management program that contains policies and procedures that promote cost-effective and efficient recordkeeping. Ms. Connally stated that the District's current records management program requires that all District records be retained permanently. Ms. Connally reviewed with the Board an Amended Order Establishing a Records Management Program and Designating a Records Management Officer that amends the District's records management program to adopt the recommended retention schedules published by the Texas State Library and Archive Commission ("TSLAC"), which will allow the District to periodically dispose of records once the applicable retention period for that specific information has expired. After review and discussion, Director Johnson moved to adopt an Amended Order Establishing a Records Management Program and Designating a Records Management Officer, authorize submission of the Amended Order to TSLAC, and direct that the Amended Order be filed appropriately and

retained in the District's official records. Director Grigar seconded the motion, which passed by unanimous vote.

OPERATOR'S REPORT (CONT'D)

Mr. Marriott stated during the meeting, he received an email from a customer on Shenandoah Lane, which neighbors the home where the driveway was repaired last month. He stated the customer has requested SiEnviro survey their driveway to determine if District facilities caused damage to their driveway. Ms. Wilson stated based on the television of the lines, LJA could not determine whether the District facilities caused the damage to the initial driveway. She stated she believes that the secondary home also falls into this category based on the home's proximity to the District facilities. After review and discussion, Director Johnson moved to authorize the District's operator to repair the driveway as necessary. Director Robach 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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