

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

September 14, 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 14th day of September, 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 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 Carlous Smith of Si Environmental, LLC ("Si"); Joel Raymond of GreenScape Associates ("GreenScape"); Dusty DeRouen of Lake Management Services, L.P. ("LMS"); John Taylor of Bonbrook Plantation, LP ("Bonbrook"); Vanessa Rodriguez of Beazer Homes Texas LP ("Beazer"); Deputy Thomas James of the Fort Bend County Sheriff's office ("FBCSO"); Rhonda Patterson of Assessments of the Southwest, Inc. ("ASW"); Tayo Ilori of McGrath & Co., PLLC ("McGrath"); Craig Rathmann of Rathmann & Associates, L.P. ("Rathmann"); Constable Mike Beard and Chief Deputy Frank Cempa of the Fort Bend County Precinct 1 Constable's Office ("Precinct 1 Constable's Office"); and Nellie Connally and Abby Derrickson 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. Wilson stated that LJA made some pavement repairs and repairs to certain grassy areas in response to concerns from residents that Director Johnson received and relayed to LJA.

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 August 10, 2020, regular meeting. Following review and discussion, Director Robach moved to approve the minutes as presented. Director Garcia seconded the motion, which passed unanimously.

SHERIFF'S REPORT

Deputy James presented and reviewed a security report for the District, a copy of which is attached.

Ms. Connally presented and reviewed two Fort Bend County Sheriff Contract Deputy Budget Proposals for Fort Bend County MUD No. 155. One proposal was for renewing the contract for the existing Deputy and the other proposal contained the estimated costs for hiring two deputies.

PRESENTATION FROM FORT BEND COUNTY CONSTABLE'S OFFICE

Constable Beard presented a PowerPoint presentation regarding the Fort Bend County Constable contract deputy program that Chief Deputy Cempa previously distributed for the Board's review.

The Board concurred to hold a special meeting on September 24, 2020 in order to discuss which security contract would be most beneficial to the District.

Director Robach reviewed security services information she obtained from the Precinct 1 Constable's Office. Chief Deputy Cempa addressed concerns and questions raised by the Board.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Diaz presented and reviewed the bookkeeper's report and investment report, and presented checks for payment. He also reviewed the capital project funds and noted that there was an overdraft balance because of the payments being made related to the BAN sale. He noted, however, that the payments will not be released until the funds are received.

After review and discussion, Director Garcia moved to approve the bookkeeper's report, the checks presented for payment, and adoption of the amended budget. Director Robach seconded the motion, which passed unanimously.

ISSUANCE OF BOND ANTICIPATION NOTE

Mr. Rathmann presented and reviewed the bids received for the Bond Anticipation Note. A summary of the bids received for the Bonds is attached. He stated that the low bid was submitted by Texas Capital Bank with a net effective interest rate of 1.312%. Mr. Rathmann recommended that the District accept the bid of Texas Capital Bank for the BAN as submitted.

Mr. Ilori then presented and reviewed the developer reimbursement report, relating to funds due to the developers noted in the report for advancing funds for District projects.

After review and discussion, Director Johnson moved to (1) adopt the Resolution Authorizing the Issuance and Execution of Bond Anticipation Note, Series 2020; (2) authorize the Board of Directors to sign all documents related to the Bond Anticipation Note and authorize attorney and financial advisor to take all necessary action to deliver Bond Anticipation Note to the Purchaser; (3) accept and authorize execution of the Purchasers' Investment and Bid Letter and various certificates and documents related to the issuance of the BAN; (4) authorize execution of the Certificate Regarding Provision of Financial Advice and direct that it be filed appropriately and retained in the District's official records; and (5) authorize the developer reimbursement report and developer receipt and authorize disbursement of BAN proceeds. Director Grigar seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Connally stated that notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2020 total tax rate of \$1.00.

Ms. Connally opened the public hearing. There being no comments from the public, Ms. Connally closed the public hearing.

Ms. Connally presented an Order Levying Taxes reflecting the proposed 2020 tax rate. After review and discussion, Director Johnson moved to: (1) adopt the Order Levying Taxes reflecting a total 2020 tax rate of \$1.00 per \$100 of assessed valuation, comprised of \$0.61 to pay debt service on water, sewer, and drainage bonds, and \$0.39 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately

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

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

After review and discussion, Director Telford moved to approve the operator's report, as presented. Director Johnson seconded the motion, which passed unanimously.

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 stated that the District had 10 payment plan agreements, of which nine are still outstanding. Of the nine that are still outstanding, the four that had due dates in the last 30 days have all paid as agreed. The other five have just recently been set up and so have not had a payment due.

Following review and discussion, Director Telford moved to 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 Johnson, which passed unanimously.

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 presented the same preliminary cost estimates for the erosion repair options in the regional detention facilities, a copy of which is contained in the engineer's report. Discussion ensued regarding the Pecan Grove subdivision that the Directors

intended to visit in order to review an installation of the ShoreSox option that has been previously discussed. The Board concurred to revisit this topic next month after the other Directors have had a chance to visit the ShoreSox installation in the Pecan Grove subdivision.

Ms. Wilson reminded the Board that the culvert guardrail issue was still on hold and LJA was continuing to await further direction on this issue. The Board agreed that this issue should continue to be on hold for the time being.

UPDATE ON DETENTION/AMENITY LAKES MAINTENANCE

Mr. DeRouen reviewed a detention/amenity lakes maintenance report with the Board, a copy of which is attached. There was no action to be taken on this matter.

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 the splashpad pavilion improvements. He stated that DL Meacham had replaced the cast stone which had issues from the original installation. He recommended payment of the Application for payment #6 final in the amount of \$32,726.90 for the pavilion to DL Meacham.

Mr. Raymond updated the Board on electrical irrigation repairs that are needed in Lake B. He recommended the installation of a 2-wire decoder system and approval of invoice number 9854 in the amount of \$16,989.58, payable to Greenscape Associates.

Mr. Raymond updated the Board on the sidewalk project on Turnbull at Aqua Vista Lane stating that the previously dug sidewalk has been filled in and the area has been graded and hydroseeded.

Mr. Raymond reviewed a price quote for the replacement of a dead tree on Lake F.

Mr. Raymond updated the Board on the replacement of the broken sidewalk near Lake G. Discussion ensued regarding the sub-contractor responsible for the damage done to the sidewalk. Mr. Taylor stated that he would contact the construction superintendent for DR Horton to discuss.

After review and discussion, Director Garcia moved to (1) approve the report from GreenScape; (2) approve the payment of Application for payment #6 Final in the amount of \$32,726.90 to DL Meacham for the splashpad improvement plans, based on Mr. Raymond's recommendation; (3) approve the payment of Invoice number 9854 in

the amount of \$16,989.58 to GreenScape Associates for the installation of the new two wire irrigation run; (4) approve the payment of Invoice number 9836 in the amount of \$1,687.50 to GreenScape Associates for the Sidewalk Renovations Phase 2; and (5) direct Mr. Taylor to contact the construction superintendent related to the damage done to sidewalk on Lake G. Director Grigar seconded the motion, which passed unanimously.

CLASSIC MESSAGING EMERGENCY MESSAGING MATTERS

Director Johnson stated that she had been in communication with Dominic Cashiola who stated that he was on standby to send out a blast email before the hurricane that was expected to possibly affect the District. No blast email was needed in the end.

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

There was no discussion on this item.

GARBAGE AND RECYCLING MATTERS

Director Johnson updated the Board on resident concerns regarding garbage and recycling matters.

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 Robach seconded the motion, which passed unanimously.

DEVELOPER'S REPORT

Mr. Taylor and Ms. Rodriguez discussed development in the District.

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

(SEAL)



/s/ Jessica Robach
Secretary, Board of Directors

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