

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

August 9, 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 9th day of August, 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 ("LJA"); Jorge Diaz of McLennan & Associates, LP; Rick Marriott of Si Environmental, LLC; Nick Steffek of Lake Management Services, L.P. ("LMS"); Regina Morales and Sean Donnell of GreenScape Associates ("GreenScape"); Lieutenant Corey Hansen of the Fort Bend County Precinct 1 Constable's Office ("Constable"); John N. Taylor of Bonbrook Plantation, LP ("Bonbrook"); Craig Rathmann of Rathmann & Associates, LP; David Patterson of Assessments of the Southwest, Inc. ("ASWT"); Mark McGrath and Greg McGrath of McGrath & Co., PLLC; Kevin Atkinson of Texas Pride Disposal; Greg Coleman of Beazer Homes Texas LP ("Beazer"); and Nellie Connally, Jane Miller and Erika Smiley 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. There were no members of the public present.

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 July 12, 2021, regular meeting, and the July 30, 2021, special meeting. Following review and discussion, Director Telford moved to approve the minutes. Director Grigar seconded the motion, which passed unanimously.

CONSTABLE'S REPORT

Constable Beard reviewed a security report for the District, a copy of which is attached. The Board discussed the report. Discussion ensued regarding graffiti in the park on Japonica Street, damage to a guardrail on Turnbull Drive, and citations for speeding on Reading Road listed in the District patrol report.

The Board reviewed a budget proposal received from Fort Bend County for renewal of the District's patrol agreement for the contract period beginning October 1, 2021 through September 30, 2022. Following review and discussion, Director Grigar moved to approve the budget proposal and authorize ABHR to submit the budget proposal to Fort Bend County for preparation of a renewal contract for patrol beginning October 1, 2021 through September 30, 2022. Director Garcia seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

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

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

RESOLUTION VOTING FOR WATER DISTRICT NOMINEE FOR THE ELECTION OF THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT

Ms. Connally presented and reviewed an Election Ballot and Resolution Voting for Water District Nominee for the Election of the Board of Directors of the Fort Bend Central Appraisal District. After review and discussion, Director Johnson moved to (1) cast an Election Ballot designating the District's 10 votes to Mike Rozell; (2) adopt the

Resolution Voting for Water District Nominee for the Election of the Board of Directors of the Fort Bend Central Appraisal District reflecting the designation of the District's 10 votes for Mike Rozell; and (3) direct the Election Ballot and Resolution be filed appropriately and retained in the District's official records. Director Grigar seconded the motion, which passed unanimously.

AUDIT FOR FISCAL YEAR END APRIL 30, 2021

Mr. Mark McGrath presented the District's audit for the fiscal year ending April 30, 2021. After review and discussion, Director Grigar moved to approve the audit, subject to ABHR review, and direct that the audit be filed appropriately and retained in the District's official records. Director Robach seconded the motion, which passed unanimously.

DISCUSS 2021 TAX RATE

The Board considered the District's 2021 tax rate. Ms. Connally reviewed the definitions for each of the three categories for water districts, based on a district's development status and/or tax rate and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2021 tax year.

Mr. Rathmann reviewed a debt service tax rate analysis reflecting the recommendation for the District to levy a 2021 debt service tax rate of \$0.61 per \$100 of assessed valuation, based on the District's initial 2021 certified value of \$422,860,647, plus \$212,610 representing 90% of the uncertified value under protest. A copy of the debt service tax rate analysis is attached. The Board then discussed the District's operation and maintenance tax rate. Ms. Connally discussed the two-step process for setting the District's tax rate.

Following review and discussion, Director Johnson moved to (1) adopt a Resolution Regarding Development Status for 2021 Tax Year establishing the District as a Developing district for the 2021 tax year, pursuant to Section 49.23603, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District's official records; (2) set the public hearing date for September 13, 2021; and (3) authorize the tax assessor/collector to publish notice in the Fort Bend Herald of the District's meeting on September 13, 2021, to set the proposed 2021 total tax rate of \$1.00 per \$100 of assessed valuation, with \$0.61 allocated for debt service and \$0.39 allocated for operations and maintenance. Director Telford seconded the motion, which passed unanimously.

TRANSPARENCY REQUIREMENTS PURSUANT TO SECTION 2051.202, TEXAS GOVERNMENT CODE

Ms. Connally discussed recent legislation enacting Section 2051.202, Texas Government Code, which requires certain special purpose districts to post or cause to be posted additional information on a website maintained by or accessible to the District. She said the new requirements apply to districts that levy a property tax, are required to prepare an annual audit, and have a population of 500 or more as of the beginning of the most recent fiscal year. Ms. Connally reviewed a summary of the new requirements, a copy of which is attached.

The Board discussed the applicability of the new posting requirements to the District and the possibility of expanding the website used by the District for compliance with previously enacted transparency requirements. Mr. Patterson discussed the services currently provided by ASWT to implement existing transparency requirements, including ensuring that information posted on the website is accurate and current. He presented a proposed amendment to the District's contract with ASWT to incorporate the new posting requirements on the existing website.

After review and discussion, Director Johnson moved to approve the amendment to the contract between the District and ASWT as presented and direct that the amendment be filed appropriately and retained in the District's official records. Director Robach 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. Marriot discussed (1) customer water quality issues and ongoing meetings with the Brazos Water Authority to discuss testing and other efforts to resolve water quality issues; and (2) issues with clean-up at the lift station, including distribution of information to customers of the cost associated with clean-up of disposable wipes in the sanitary sewer system.

Mr. Marriott reviewed proposed sanitary sewer and storm repairs and discussion ensued regarding prioritization of same.

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 Grigar moved to: (1) approve the operator's report, as presented; (2) authorize the sanitary sewer and storm sewer repairs recommended; and (3) 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 Garcia, which passed unanimously.

ENGINEER'S REPORT AND DEVELOPMENT IN THE DISTRICT

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

Ms. Wilson updated the Board regarding repair of detention pond erosion and reviewed and recommended approval of Change Order No. 1 to the contract with Double Oak Erosion, Inc. ("Double Oak") to increase the contract in the amount of \$2,666. The Board determined that Change Order No. 1 is beneficial to the District. She also recommended approval of Pay Estimate No. 2 in the amount of \$31,760.10, payable to Double Oak.

Following review and discussion, Director Grigar moved to (1) approve the engineering report; (2) based on the engineer's recommendation, approve Pay Estimate No. 2 in the amount of \$31,760.10, payable to Double Oak; and (3) approve Change Order No. 1 in the amount of \$2,666 as an increase to the contract with Double Oak, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation. Director Robach seconded the motion, which passed by unanimous vote.

REPORT REGARDING DEVELOPMENT

Director Grigar asked for an update regarding removal of builder marketing signage. Ms. Wilson said Beazer will remove signage when their final home sells and then work with DR Horton to remove additional signage shared with DR Horton.

UPDATE ON DETENTION/AMENITY LAKES MAINTENANCE

Mr. Steffek updated the Board on detention and amenity lake maintenance including fountain repairs, and vegetation and algae treatments. He then updated the Board on the Lake G fountain motor maintenance and said he is going to install a new ground fault circuit interrupter ("GFCI") in the fountain controller this week to minimize tripping. He also discussed the schedule for maintenance of Lake F.

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

There was no discussion for this agenda item.

LANDSCAPE MAINTENANCE AND IRRIGATION FROM GREENSCAPE ASSOCIATES

Mr. Donnell reviewed a landscape maintenance report, a copy of which is attached, discussed the status of work previously approved by the Board, and recommended that the Board approve payment of invoice no. 10805 in the amount of \$1,836.65 to GreenScape for irrigation repairs. Following review and discussion, Director Johnson moved to approve payment of invoice no. 10805 in the amount of \$1,836.65, payable to GreenScape. The motion was seconded by Director Telford and passed unanimously.

Ms. Morales updated the Board regarding development of the Park Master Plan.

DISTRICT COMMUNICATIONS

There was no discussion for this agenda item.

GARBAGE AND RECYCLING MATTERS

Mr. Atkinson updated the Board regarding a one-day delay in trash collection on Saturday due to staffing issues. The Board asked for notice of any collection delays and Mr. Atkins said he would follow up with his route supervisor and dispatch regarding same.

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 Telford moved to approve the tax assessor/collector's report as presented. Director Robach seconded the motion, which passed unanimously.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board determined that it was not necessary to convene in executive session.

There being no further business to come before the Board, the Board concurred to adjourn the meeting at 12:49 p.m.

/s/ Jessica Robach
Secretary, Board of Directors



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