

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

December 11, 2023

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 155 ("District") met in regular session, open to the public, on the 11th day of December, 2023, at the Bonbrook Plantation Recreational Center, 9210 Reading Road, Rosenberg, Texas, within the boundaries of the District, 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 present for all or part of the meeting were Sergeant Garcia and Deputy Tariq of Fort Bend County Constable - Precinct 4 ("Precinct 4"); Ron Dechert of Costello, Inc.; Jorge Diaz of McLennan & Associates, LP; Rick Marriot of Si Environmental, LLC ("Si"); Justin Morales, Jefferey Lipke, and Rachel Goldsmith of GreenScape Associates ("GreenScape"); Nick Steffek and Alberto Ramirez of Lake Management Services, L.P. ("LMS"); and Nellie Connally and Holly Huston of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

The meeting convened at 11:02 a.m. Ms. Connally offered any members of the public attending the meeting the opportunity to make a public comment. There being no members of the public wishing to make a public comment, the Board concurred to close the public comment section of the agenda.

SECURITY REPORT

Deputy Garcia updated the Board regarding security matters within the District. The Board requested Precinct 4 to place a radar cart on Reading Road.

APPROVE MINUTES

The Board considered approving the regular meeting minutes from the November 13, 2023, regular meeting. Following review and discussion, Director Garcia moved to approve the minutes. Director Robach seconded the motion, which passed by unanimous vote.

## 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. Ms. Connally reviewed the District's Travel Reimbursement Guidelines with the Board in preparation for the Association of Water Board Directors winter conference. After review and discussion, Director Grigarmoved to (1) approve the bookkeeper's report and payment of the bills; and (2) authorize 2 hotel nights and 3 per diems plus reasonable expenses for Directors attending the conference. Director Garcia seconded the motion, which passed unanimously.

## OPERATOR'S REPORT

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

Mr. Marriot 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.

Ms. Marriot and Ms. Connally discussed notices received regarding the class action settlements with DuPont and 3M for damages to Public Water Systems due to the presence of Per- and Polyfluoroalkyl substances ("PFAS") in public water systems. Discussion ensued.

Following review and discussion, Director Jonhson moved to (1) approve the operator's report; and (2) authorize termination of delinquent accounts in accordance with the District's Rate Order, and direct that the operator defer turn offs until the beginning of the new year, and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Robach seconded the motion, which passed by unanimous vote.

## ENGINEER'S REPORT

Mr. Dechert 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.

Mr. Dechert updated the Board regarding the Lift Station No. 1 Backup Generator.

The Board next discussed the Benton Road Commercial Site.

Mr. Dechert updated the Board regarding the Detention Pond Erosion Project.

Discussion ensued regarding the draft Capital Improvement Plan.

UPDATE ON DETENTION/ AMENITY LAKES MAINTENANCE

Mr. Ramirez updated the Board on detention and amenity lake maintenance including well repairs, fountain repairs, and vegetation and algae treatments.

PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN, INCLUDING PUBLIC COMMENT

There was no discussion on this agenda item.

UPDATE ON LANDSCAPE MAINTENANCE AND IRRIGATION FROM GREENSCAPE ASSOCIATES

Mr. Donnell reviewed a landscape maintenance report, a copy of which is attached, and discussed the status of work previously approved by the Board. He then presented and reviewed the following proposals: (1) proposal no. 13278 in the amount of \$437.50 for Lake C Head & Valve Flagging; (2) proposal no. 13272 in the amount of \$50,688.00 for the 2024 Turf Fertilization program; and (3) proposal no. 13273 in the amount of \$7,792.20 for the 2024 Ant Bait program. Discussion ensued regarding the 2024 Tree Trimming program. Following review and discussion, Director Garcia moved to (1) approve the proposals as presented; and (2) authorize Greenscape to conduct the 2024 Tree Trimming program in an amount not to exceed the 2023 Tree Trimming program. Director Telford seconded the motion, which passed by a unanimous vote.

Ms. Goldsmith presented and reviewed a park improvements report. A copy of the report is attached.

Ms. Goldsmith updated the Board regarding the status of construction for the Bonbrook Plantation Recreation Center. She reviewed and recommended approval of Change Order No. 1 to the contract as an increase to the contract with Advanced Construction and Development, LLC ("ACD") in the amount of \$7,997.50. The Board determined that Change Order No. 1 is beneficial to the District. Ms. Goldsmith then reviewed and recommended approval of Pay Application No. 2 in the amount of \$18,000.

Ms. Goldsmith updated the Board regarding the status of construction for Bonbrook Motion Park Enhancements. She reviewed and recommended approval of Change Order No. 1 to the contract as an increase to the contract with D.L. Mecham L.P. ("DLM") in the amount of \$2,683.70. Ms. Goldsmith noted that DLM added additional drainage along the back of the play area to prevent potential standing water and GreenScape is not requesting approval of this portion of the change order. The Board determined that Change Order No. 1 is beneficial to the District.

Ms. Goldsmith updated the Board regarding the status of construction for Bonbrook Lake B Trails. She reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$38,771.11 payable to DLM.

Following review and discussion, Director Garcia moved to: (1) approve the park improvement report; (2) approve Change Order No. 1 to the contract with ACD for the construction of Bonbrook Plantation Recreation Center that will increase the contract in the amount of \$7,997.50 based upon the Board's finding that the Change Order is beneficial to the District and the landscape architects' recommendation; (3) approve Pay Application No. 2 in the amount of \$18,000 payable to ACD for the construction of Bonbrook Plantation Recreation Center; (4) approve Change Order No. 1 to the contract with DLM for the construction of Bonbrook Motion Park Enhancements that will increase the contract in the amount of \$2,683.70 based upon the Board's finding that the Change Order is beneficial to the District and the landscape architects' recommendation; and (5) approve Pay Application No. 3 in the amount of \$38,771.1188 payable to DLM for the construction of Bonbrook Lake B Trails. Director Johnson seconded the motion, which passed by a unanimous vote.

Ms. Goldsmith updated the Board regarding the status of construction for Bonbrook Lake C Trails. She reviewed and recommended the following change orders to the contract with DLM: (1) Change Order No. 1 as an increase to the contract in the amount of \$7,349.53; and (2) Change Order No. 2 as an increase to the contract in the amount of \$4,276.50. The Board determined that the Change Orders are beneficial to the District. Following review and discussion and per the landscape architects' recommendation, Director Garcia moved to approve Change Order No. 1 and defer approval of Change Order No. 2. Director Robach seconded the motion, which passed by a 4-1 vote with Director Grigar opposed.

#### DISTRICT COMMUNICATIONS, INCLUDING WEBSITE, MASS MESSAGING, AND SOCIAL MEDIA POLICIES

Discussion ensued regarding updates to the District website.

#### GARBAGE AND RECYCLING MATTERS

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

#### EMINENT DOMAIN REPORT TO TEXAS COMPTROLLER

Ms. Connally reported ABHR will file the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas pursuant to Senate Bill 1812.

CONVENE IN EXECUTIVE SESSION

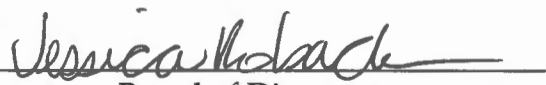
At 12:36 p.m., Ms. Connally announced that the Board would meet in executive session pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with attorney to discuss pending or contemplated litigation, or a settlement offer. All attendees left the meeting except the Board members and Ms. Connally and Ms. Huston.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 12:39 p.m. Upon reconvening in open session Director Grigar moved to opt-in in the class action settlements with DuPont and 3M for damages to Public Water Systems due to the presence of PFAS in public water systems. Director Garcia seconded the motion, which passed by a unanimous vote,

There being no further business to come before the Board, the Board concurred to adjourn the meeting at 12:40 p.m.



  
Secretary, Board of Directors

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