

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 151

July 22, 2024

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 151 (the "District") met in regular session, open to the public, on the 22nd day of July, 2024, at the offices of Inframark LLC, 2002 West Grand Parkway North, Suite 100, Katy, TX 77449, outside the boundaries of the District, and the roll was called of the members of the Board:

Keith Gier	President
Nathan H. Shipley	Vice President
Louis James	Secretary
Jared Ciarella	Assistant Secretary
Cory McFarland	Assistant Vice President

and all of the above were present except Director Ciarella, thus constituting a quorum.

Also present at the meeting were Anthea Moran of Master Advisors LLC; Cristian Gonzalez of EHRA Engineering ("EHRA"); Justin Waggoner and Daenon Russell of Touchstone District Services; Kristy Hebert of Tax Tech, Inc.; Jerry Schroeder of Storm Water Solutions, LLC; Jorge Diaz of McLennan & Associates, L.P.; ElizaBeth Reeves and Todd Burrer of Inframark Water & Infrastructure Services; John Boyd and Andrew Faubion of Terry's Landscape & Design; Lisa Bonham and Alyvia McEwen of Quiddity Engineering, LLC ("Quiddity"); and Whitney Higgins and Kathryn Blanton of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

The Board discussed correspondence from a resident regarding motorized vehicles and firework enforcement.

The Board discussed correspondence from a resident regarding license plate readers and in-District meetings.

CONSENT AGENDA

Ms. Higgins asked if any Board member wished to remove items from the consent agenda for individual discussion. Director Gier requested that agenda items 2.b. and 2.h. be removed from the consent agenda. After discussion, Director James moved to approve all items on the consent agenda, except items 2.b. and 2.h., including (1) the minutes of the May 9, 2024, special meeting, May 14, 2024, regular meeting, and June 5, special meeting; (2) the tax assessor's report; (3) authorize the delinquent tax attorney to proceed with the collection of delinquent taxes; (4) authorize attendance by all interested Directors

at the Association of Water Board Directors winter conference; (5) approve the arbitrage rebate report; (6) the maintenance and mowing report; (7) the report from the City of Katy Fire Department; and (8) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director McFarland seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

ITEMS REMOVED FROM CONSENT AGENDA

GARBAGE COLLECTION AND RECYCLING MATTERS

The Board discussed collection of storm debris throughout the District.

LAKE MAINTENANCE

The Board reviewed a proposal in the amount of \$1,305.41, submitted in advance by Lake Management Services ("LMS") to repair the fountain in the clubhouse lower pond north. A copy of the proposal is attached. Following review and discussion, Director Shipley moved to approve the proposal in the amount of \$1,305.41, submitted by LMS. Director James seconded the motion, which passed unanimously.

ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Hebert reviewed a First Amendment to Amended and Restated Contract for the Assessment and Collection of Taxes ("First Amendment"). After review and discussion, Director James moved to approve the First Amendment, and direct that it be filed appropriately and retained in the District's official records. Director McFarland seconded the motion, which passed unanimously.

ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2024 TAX YEAR

Ms. Higgins discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. She reviewed the definitions for each of the three categories 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 2024 tax year.

Following review and discussion, Director McFarland moved to adopt a Resolution Regarding Development Status for 2024 Tax Year establishing the District as

a developing district for the 2024 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. Director James seconded the motion, which passed unanimously.

BOOKKEEPING MATTERS

Mr. Diaz presented the bookkeeper's report, including the investment report and bills presented for payment, a copy of which is attached.

The Board reviewed and discussed the draft budget for fiscal year end August 31, 2025, a copy of which is attached to the bookkeeper's report.

After review and discussion, Director James moved to approve the bookkeeper's report and payment of the bills. Director McFarland seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Ms. Bonham reviewed the engineering report, a copy of which is attached.

Ms. Bonham provided an update regarding the status of the Texas Department of Transportation FM 1463 road widening project, noting that the overall project is expected to be complete by July 2025.

Ms. Bonham provided an update regarding the Lift Station No. 1 Rehabilitation and Diesel Generator Addition. She reported that the pre-construction meeting was held on May 29, 2024, and that the contractor is working on their submittals and has not mobilized.

Ms. Bonham provided an update regarding Water Well No. 1 Rework. She reported that the contractor is waiting for delivery of the well pump before remobilizing.

Ms. Bonham reported on bids received for the 2024 Sanitary Sewer Cleaning and Televising project. She recommended award of the contract to the lowest bidder, Inframark, for the contract amount of \$64,433.25. The Board concurred that, in its judgment, Inframark was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Ms. Bonham reviewed the 2024 Drainage Channel Inspection and Recommendations. She then reviewed the Engineer's Opinion of Probable Construction Costs associated with the findings, a copy of which is attached to the engineer's report.

Ms. Bonham provided an update regarding the 2024 Wastewater Treatment Plant Improvements Project.

Ms. Bonham provided an update regarding the preparation of bond application report no. 16. Ms. Moran presented and reviewed a No Growth Cash Flow Analysis, a copy of which is attached.

Ms. Bonham provided an update regarding the Water Well Performance Tests, stating that the reports indicated both wells are performing as intended.

Ms. Bonham reported that Quiddity received a request from the Texas Commission on Environment Quality ("TCEQ") to perform a Focused Comprehensive Compliance Investigation ("CCI") on the District's 2019 Storm Water Management Plan. She then reviewed a scope memo submitted by Quiddity to perform additional services for the CCI, in the amount of \$3,000.00, a copy of which is attached to the engineer's report.

After review and discussion and based on the engineer's recommendation, Director James moved to (1) approve the engineer's report; (2) award the contract for 2024 Sanitary Sewer Cleaning and Televising project to Inframark, in the amount of \$64,433.25, subject to receipt of the payment and performance bonds, and the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (3) approve the scope memo submitted by Quiddity to perform additional services for the CCI, in the amount of \$3,000.00. Director Gier seconded the motion, which passed unanimously.

TCEQ PHASE II SMALL MS4 GENERAL PERMIT

There was no additional discussion on this matter.

PARK AND LANDSCAPE MATTERS

Mr. Boyd reviewed the park and landscape maintenance report, a copy of which is attached, and updated the Board on the status of previously approved projects, as well as current tasks in progress.

Mr. Boyd presented two proposals in the amounts of \$731.27 and \$4,908.29, submitted by Terry's for Alley Lynn Way drainage grading and ditch area drainage maintenance, respectively, copies of which are attached to his report.

The Board discussed correspondence regarding vegetation between a residential fence and Farm-to-Market 1463 soundwall. Mr. Boyd presented a proposal in the amount of \$1,386.40, submitted by Terry's for clean-up along Farm-to-Market 1463 ("FM 1463"), a copy of which is attached to his report.

After review and discussion, Director Shipley moved to (1) approve the proposal in the amount of \$731.27, submitted by Terry's for Alley Lynn Way drainage grading; and (2) approve the proposal in the amount of \$1,386.40, submitted by Terry's for clean-up along FM 1463. Director McFarland seconded the motion, which passed unanimously.

The Board considered approving a temporary construction easement for the Firethorne Community Association, Inc. ("HOA"). After review and discussion, Director James moved to approve the temporary construction easement for the HOA. Director McFarland seconded the motion, which passed unanimously.

PARK AND LANDSCAPE DEVELOPMENT MATTERS

Mr. Gonzalez presented a proposal in the amount of \$8,500.00, submitted by EHRA for fees associated with preparation of the park bond application, a copy of which is attached. After review and discussion, Director Shipley moved to approve the proposal in the amount of \$8,500.00, to be paid from general operating funds, submitted by EHRA for fees associated with preparation of the park bond application. Director Gier seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Ms. Reeves reviewed the operations report, a copy of which is attached and provided an update regarding previously approved projects.

Ms. Reeves reviewed the North Fort Bend Water Authority ("NFBWA") 2024 Water Conservation Provider Program initiatives.

Ms. Reeves presented a proposal in the amount of \$15,000.00, submitted by CL2 Tech Lead ("CL2") to replace lines in the chemical room at the south and north plants, a copy of which is attached to the report.

Ms. Reeves presented a proposal in the amount \$6,500.00, submitted by SkiBo's General Services to replace the wooden fence at the offsite well, a copy of which is attached to the report.

Ms. Reeves presented a proposal in the amount of \$55,396.00, submitted by Pump Solutions and Inframark to replace lift pump no. 2, a copy of which is attached to the report.

Ms. Reeves presented a proposal in the amount of \$20,475.00, submitted by Ultimate Water Solutions LLC ("Ultimate Water") to repair blower no. 3 at the waste water treatment plant, a copy of which is attached to the report.

Ms. Reeves requested authorization to send two uncollectible accounts totaling \$107.39 to a collection agency and write off one account.

Ms. Reeves reviewed the list of delinquent accounts and reported that the persons on the termination list provided to the Directors were mailed written notice prior to this meeting in accordance with the District's Rate Order, notifying them of the opportunity to appear before the Board to explain, contest, or correct the utility service bill and show

reason why utility service should not be terminated for reason of nonpayment. The Board conducted a hearing on the termination of utility service to delinquent accounts.

After review and discussion, Director Gier moved to (1) approve the operator's report; (2) approve the proposal in the amount of \$15,000.00, submitted by CL2; (3) approve the proposal in the amount of \$55,396.00, submitted by Pump Solutions and Inframark; (4) approve the proposal in the amount of \$20,475.00, submitted by Ultimate Water; (5) authorize the operator to send two uncollectible accounts in the amount of \$107.39 to a collection agency and write off one account; and (6) 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. Director McFarland seconded the motion, which passed unanimously. The Board did not take action on the proposal in the amount of \$6,500.00.

DISTRICT WEBSITE AND COMMUNICATION MATTERS

Mr. Waggoner reviewed the June and July reports from Touchstone and discussed updates to the District's website. Copies of the communications reports are attached.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

There was no discussion on this matter.

ATTORNEY'S REPORT

There was no discussion on this matter.

The Board concurred to hold the next special meeting on August 8, 2024, and regular meeting on August 26, 2024.

There being no further business to come before the Board, the meeting was adjourned.



(SEAL)

Secretary, Board of Directors

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