

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 151

January 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 January, 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 Kimberly Courte of Arthur J. Gallagher & Co. ("Gallagher"); Kristy Hebert of Tax Tech, Inc.; Jorge Diaz of McLennan & Associates, L.P.; Tim May and Christian Gonzalez of EHRA Engineering; ElizaBeth Reeves of Inframark Water & Infrastructure Services; John Boyd of Terry's Landscape & Design ("Terry's"); 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

There was no discussion on this matter.

CONSENT AGENDA

Ms. Higgins asked if any Board member wished to remove items from the consent agenda for individual discussion. Director McFarland requested that agenda item 2.1. be removed from the consent agenda. After discussion, Director James moved to approve all items on the consent agenda, except item 2.1., including (1) the minutes of the December 14, 2023, regular meeting; (2) the bookkeeper's report and payment of the bills; (3) accept the annual disclosure statements from the Investment Officer and bookkeeper; (4) adopt the Resolution Regarding Annual Review of Investment Policy; (5) adopt the Resolution Establishing Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions; (6) the Annual Report and authorize filing of same with appropriate information depositories in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12; (7) the annual review of

Procedures for Continuing Disclosure Compliance; (8) the annual Report Regarding Post-Issuance Compliance Policy; (9) the tax assessor's report; (10) the maintenance and mowing report; (11) lake maintenance report; and (12) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director Gier seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

#### ITEMS REMOVED FROM CONSENT AGENDA

##### FIRE PROTECTION SERVICES MATTERS

The Board discussed a proposal in the amount of \$2,430.54, submitted by The Katy Plumbing Company ("Katy Plumbing") to repair the shower pan liner at the fire station. A copy of the proposal is attached.

The Board considered increasing Director McFarland's authorization to approve emergency repairs at the fire station.

After review and discussion, the Board concurred to (1) approve the report from the City of Katy Fire Department; (2) approve the proposal in the amount of \$2,430.54, submitted by Katy Plumbing; and (3) authorize Director McFarland to approve emergency repairs at the fire station up to \$5,000.00.

##### ADDITIONAL BOOKKEEPING MATTERS

There were no additional bookkeeping matters.

##### GARBAGE COLLECTION AND RECYCLING SERVICES

There was no discussion on this matter.

##### DISCUSS RENEWAL OF INSURANCE POLICIES

Ms. Courte reviewed a proposal from Gallagher for renewal of the District's insurance policies. After discussion, Director McFarland moved to approve the proposal from Gallagher. Director Shipley 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 Wastewater Treatment Plant Improvements project. She reviewed and recommended Change Order No. 1 submitted by Sustanite Support Services to decrease the contract by the amount of \$26,000.00. The Board determined that Change Order No. 1 is beneficial to the District. Ms. Bonham reviewed and recommended approval of the Certificate of Substantial completion. She stated Quiddity is holding the final pay estimate pending the bleach pumps 30-day demonstration.

Ms. Bonham provided an update regarding the Water Plant Supervisory Control and Data Acquisition addition and generator modifications, stating that the project has been completed.

Ms. Bonham provided an update regarding Lift Station No. 1 Rehabilitation and Diesel Generator Addition, stating that Quiddity is addressing comments received from agency reviews.

Ms. Bonham provided an update regarding Water Well No. 1 Rework, stating that the pre-construction meeting is scheduled for January 25, 2024.

Ms. Bonham provided an update regarding the preparation of the Lead Service Line Inventory, stating that Quiddity submitted the District's inventory line list to the Texas Commission on Environmental Quality ("TCEQ") on January 10, 2024.

Ms. Bonham provided an update regarding the Speedy Express Plan Review, stating that Quiddity received the executed Consent to Encroachments from the Developer.

Ms. Bonham provided an update regarding the South Firethorne Business Park Plan Review, stating that Quiddity issued the fifth plan review letter on January 17, 2024.

Ms. Bonham provided an update regarding the Southcorp Hand Carwash Plan Review, stating that Quiddity issued the first plan review letter on November 29, 2023, and are awaiting revised plans.

Ms. Bonham provided an update regarding Hanover Cane Island, stating that the Developer and land owner are coordinating regarding the deposit required for the feasibility study.

Ms. Bonham reviewed a scope memo submitted by Quiddity to perform the inspection of the District's water plant, as required annually by the TCEQ, in the amount of \$4,000.00, a copy of which is attached to her report.

After review and discussion and based on the engineer's recommendation, Director Gier moved to (1) approve the engineer's report; (2) approve Change Order No. 1 in the amount of \$26,000.00, based upon the Board's finding that it is beneficial to the

District; (3) approve the Certificate of Substantial Completion; and (4) approve the scope memo submitted by Quiddity to perform the annual water plant inspection in the amount of \$4,000.00. Director James seconded the motion, which passed unanimously.

#### TCEQ PHASE II SMALL MS4 GENERAL PERMIT

Ms. Bonham stated that Quiddity performed services in accordance with Permit Year 5 of the District's Phase II MS4 Storm Water Management Program, stating that a notification has been received regarding the delay in the new General Permit which will become effective August 2024.

#### 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 a proposal in the amount of \$361.10, submitted by Terry's for the removal and disposal of signage located on FM 1463, a copy of which is attached.

After review and discussion, Director Gier moved to (1) approve the parks and landscaping report; and (2) approve the proposal in the amount of \$361.10, submitted by Terry's for the removal and disposal of signage located on FM 1463. Director Shipley seconded the motion, which passed unanimously.

#### PARK AND LANDSCAPE DEVELOPMENT MATTERS

Mr. May presented and reviewed a report prepared by EHRA, a copy of which is attached.

#### 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 presented a proposal in the amount of \$33,154.00, submitted by C-C Water Services LLC ("C-C"), for the repair of off-site well no. 2 motor, a copy of which is attached.

After review and discussion, Director Gier moved to (1) approve the operator's report; and (2) approve the proposal in the amount of \$33,154.00, submitted by C-C for the repair of off-site well no. 2 motor. Director James seconded the motion, which passed unanimously.

ADOPT RESOLUTION NOMINATING A CANDIDATE TO SERVER AS A DIRECTOR ON THE BOARD OF DIRECTORS OF THE NORTH FORT BEND WATER AUTHORITY (“NFBWA”)

The Board considered adopting a Resolution Nominating a Candidate to Serve as Director on the Board of Directors of the NFBWA Director Precinct No. 3 (the “Resolution”). After discussion, Director James moved to adopt the Resolution nominating Don Abrahamson. Director McFarland seconded the motion, which passed unanimously.

APPROVE COMPLETION AND SUBMITTAL OF WATER USAGE REPORTING FROM TO THE NFBWA

Ms. Reeves requested the Board approve completion and submittal of Water Usage Reporting Form to the NFBWA. After discussion, Director Gier moved to approve completion and submittal of Water Usage Reporting Form to the NFBWA. Director James seconded the motion, which passed unanimously.

HEARING ON TERMINATION OF SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

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 authorize termination of service to the delinquent accounts presented if payment is not received prior to scheduled termination since none of the residents on the termination list were either present at the meeting or presented any statement on the matter, in accordance with procedures set forth in the District’s Rate Order. Director James seconded the motion, which passed unanimously.

DISTRICT WEBSITE AND COMMUNICATION MATTERS

There was no discussion on this matter.

ATTORNEY’S REPORT

There was no discussion on this matter.

2024 DIRECTORS ELECTION

Ms. Higgins discussed procedures related to the 2024 Directors Election. She reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors

During the 2024 Directors Election Period. After review and discussion, Director James moved to adopt a Resolution Designating an Agent of the Secretary of the Board during the 2024 Directors Election Period appointing Kathryn Blanton as the Agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election and to authorize the agent to post the related notice as required. Director McFarland seconded the motion, which passed unanimously.

Ms. Higgins reported on requirements to file a Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election. After discussion, Director James moved to authorize the Secretary's agent to post the notice as required. Director McFarland seconded the motion, which passed unanimously.

Ms. Higgins stated that the District may contract with Fort Bend County to conduct the District's 2024 Directors Election. After discussion, Director James moved to contract with the Fort Bend County to administer the District's elections, if necessary. Director McFarland seconded the motion, which passed unanimously.

Ms. Higgins reviewed an Order Calling Directors Election. After review and discussion, Director James moved to adopt the Order Calling Directors Election. Director McFarland seconded the motion, which passed unanimously.

Ms. Higgins stated that a Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Fort Bend County. After review and discussion, Director James moved to authorize the Secretary's agent to post or publish and provide to the County Clerk and Voter Registrar a Notice of Election, if required. Director McFarland seconded the motion, which passed unanimously.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

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

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

*[Handwritten Signature]*  
Asst. Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's report.....	1
Tax assessor's report.....	2
Maintenance and mowing report .....	2
Call breakdown report .....	2
The Katy Plumbing Company proposal.....	2
Engineering report.....	2
Park and landscape maintenance report .....	4
EHRA report .....	4
Operator's report.....	4