

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 151

May 14, 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 14th day of May, 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 Directors Shipley and James, thus constituting a quorum.

Also present at the meeting were Justin Waggoner of Touchstone District Services; Kristy Hebert of Tax Tech, Inc.; Karen Sears of Storm Water Solutions, LLC; Jorge Diaz of McLennan & Associates, L.P.; Tim May of EHRA Engineering ("EHRA"); ElizaBeth Reeves of Inframark Water & Infrastructure Services; John Boyd of Terry's Landscape & Design; Kaci Schlachter 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 were no comments from the public.

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 item 2.c. be removed from the consent agenda. After discussion, Director Gier moved to approve all items on the consent agenda, except item 2.c., including (1) the minutes of the April 11, 2024, special meeting, and April 22, 2024, regular meeting; (2) authorize payment of up to four per diems, reimbursement of hotel expenses for a maximum of three nights, and reimbursement for reasonable and necessary meals for Board members attending the Association of Water Board Directors summer conference, all to be submitted in accordance with the District's Travel Reimbursement Guidelines; (3) the tax assessor's report; (4) the maintenance and mowing report; (5) the Consumer Confidence Report ("CCR") and authorize distribution of the CCR to District customers and filing of the

certificate of delivery with the Texas Commission on Environmental Quality (“TCEQ”); (6) the report from the City of Katy Fire Department; and (7) 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

Ms. Hebert reported that the 2024 preliminary value is \$1,780,000,000. Following discussion, Director Gier moved to approve the tax assessor/collector report. Director Ciarella 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. After review and discussion, Director Gier moved to approve the bookkeeper’s report and payment of the bills. Director McFarland seconded the motion, which passed unanimously.

GARBAGE COLLECTION AND RECYCLING SERVICES

There was no discussion on this matter.

ENGINEERING MATTERS

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

Ms. Schlachter 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. Schlachter provided an update regarding the Lift Station No. 1 Rehabilitation and Diesel Generator Addition, as detailed in her report. She recommended award of the contract to Pioneer Construction Services (“Pioneer”) for the contract amount of \$488,600.00. The Board concurred that, in its judgement, Pioneer 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. Schlachter provided an update regarding Water Well No. 1 Rework. She reported that the contractor completed the installation of the interior liner and performed the third camera survey on May 13, 2024.

Ms. Schlachter provided an update regarding the 2024 Sanitary Sewer Cleaning and Televising and requested Board authorization to advertise and receive bids.

Ms. Schlachter provided an update regarding the 2024 Drainage Channel Inspection. She reported that Quiddity will perform the aerial and second-in person inspection soon.

Ms. Schlachter provided an update regarding the 2024 Wastewater Treatment Plant Improvements Project, as detailed in her report.

Ms. Schlachter reviewed a preliminary Summary of Costs, a copy of which is attached to the report. She requested authorization for Quiddity to prepare bond application report no. 16.

Ms. Schlachter provided an update regarding the South Firethorne Business Park Plan Review, stating that Quiddity is reviewing revised utility plans received on May 7, 2024.

Ms. Schlachter provided an update regarding the Southcorp Hand Carwash Plan Review, stating that Quiddity issued the second plan review letter on February 12, 2024, and is awaiting revised plans.

After review and discussion and based on the engineer's recommendation, Director Ciarella moved to (1) approve the engineer's report; (2) award the contract for Lift Station No. 1 Rehabilitation and Diesel Generator Addition, to Pioneer, in the amount of \$488,600.00, subject to receipt of the payment and performance bonds, and the certificate(s) of insurance and endorsements, if any, provided by the contractor; (3) authorize Quiddity to advertise and receive bids for the 2024 Sanitary Sewer Cleaning and Televising project; and (4) authorize Quiddity to prepare bond application report no. 16. Director Gier seconded the motion, which passed unanimously.

TCEQ PHASE II SMALL MS4 GENERAL PERMIT

There was no 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.

PARK AND LANDSCAPE DEVELOPMENT MATTERS

Mr. May reviewed an Opinion of Probable Construction Costs related to bond application report no. 16, a copy of which is attached. He requested Board authorization to prepare the paperwork for fees associated with bond application report no. 16.

Following discussion, Director Gier moved to (1) approve the Opinion of Probable

Construction Costs; and (2) authorize EHRA to draft the paperwork for fees associated with bond application report no. 16. Director McFarland 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.

The Board considered amending the District’s Rate Order to revise certain administrative provisions, as recommended by the District’s operator.

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 Amended Rate Order, as discussed; 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. Director Ciarella seconded the motion, which passed unanimously.

DISTRICT WEBSITE AND COMMUNICATION MATTERS

Mr. Waggoner reviewed a report from Touchstone, a copy of which is attached, and discussed updates to the District’s website.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

There was no discussion on this matter.

ATTORNEY’S REPORT

There was no discussion on this matter.

2024 DIRECTORS ELECTION

CERTIFICATES OF ELECTION

The Board considered approving a Certificate of Election reflecting the re-election of Keith Gier, Nathan H. Shipley, and Cory McFarland to the Board of Directors of the District for four-year terms.

DIRECTORS' SWORN STATEMENTS AND OATHS OF OFFICE

The Board considered accepting the Sworn Statements and Oaths of Office for Directors Gier, Shipley, and McFarland.

Following review and discussion, Director Ciarella moved to (1) approve the Certificates of Election; (2) approve the Sworn Statements and Oaths of Office; (3) authorize filing of the Oaths of Office with the Secretary of State, as required by law; and (4) direct that the Certificate, Statements, and Oaths be retained in the District's official records. Director McFarland seconded the motion, which passed unanimously.

REORGANIZE THE BOARD

The Board concurred to take no action on this agenda item.

DISTRICT REGISTRATION FORM

The Board considered authorizing filing an updated District Registration Form with the TCEQ reflecting the terms of the newly elected Directors. Following review and discussion, Director Ciarella moved to authorize filing of the updated District Registration Form with the TCEQ. Director McFarland seconded the motion, which passed unanimously.

OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

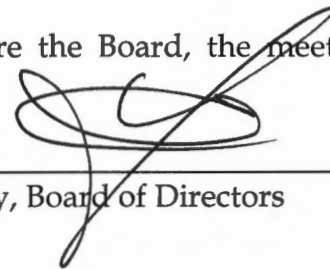
Ms. Higgins discussed the Texas Public Information Act ("TPIA") and noted that the Texas Legislature has made it explicit that officers and employees of governmental entities are temporary custodians of public information. Ms. Higgins distributed a memorandum regarding Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board of Directors to receive TPIA training as soon as possible as forward their certificate of completion to ABHR to be retain in the District's official records.

CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE INCLUDING REVIEW OF DISCLOSURE FORMS ADOPTED BY THE TEXAS ETHICS COMMISSION AND LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Higgins reviewed a Memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission, a copy of which is attached. She stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers. Ms. Higgins reviewed the List of Local Government Officers. After review and discussion, Director Ciarella moved to approve and authorize execution of the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. Director McFarland seconded the motion, which passed unanimously.

The Board concurred to hold the next special meeting on June 5, 2024, and the next regular meeting on June 24, 2024.

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



Secretary, Board of Directors

(SEAL)



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