

## MINUTES

### FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 149

January 22, 2024

The Board of Directors (“Board”) of Fort Bend County Municipal Utility District No. 149 (“District”) met in regular session, open to the public, on January 22, 2024, at the offices of The Muller Law Group, PLLC, 202 Century Square Boulevard, Sugar Land, Texas 77478.

#### **The following is a list of the District’s Board members:**

Laura Thompson	President
Susan Winters	Vice President
Rose Herbst	Secretary/Treasurer
Kristi McLeod	Assistant Vice President
Kiran Rajaya	Assistant Secretary

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

The following individuals were identified as present in-person or by videoconference for all or part of the meeting: Jorge Diaz of McLennan & Associates, LP (“M&A”); Kristy Hebert of Tax Tech, Inc.; Ryan Mapes of Si Environmental, LLC (“Si”); Chad Hablinski of Costello, Inc. (“Costello”); Brandon West of Touchstone District Services (“Touchstone”); Sgt. Michael Alexander of Fort Bend County Sheriff’s Office (“FBCSO”); Karina Andrade of Linebarger Goggan Blair & Sampson, LLP; David Beyer of Storm Water Solutions, LLC; and Shima Jalalipour and Samantha Edwards of The Muller Law Group, PLLC (“MLG”).

#### PUBLIC COMMENTS

Director Thompson opened the meeting to public comments. There being no public comments, Director Thompson closed the meeting to public comments.

#### MINUTES

The Board considered approving the minutes of the November 27, 2023, regular meeting. Following discussion, Director Herbst moved to approve the minutes. Director McLeod seconded the motion, which passed unanimously.

#### 2024 DIRECTORS ELECTION

The Board considered approving a **contract with Fort Bend County to conduct the District’s 2024 Directors Election**. Following review and discussion, Director Rajaya moved to authorize execution of a contract with Fort Bend County to conduct the election, if necessary. Director Herbst seconded the motion, which passed unanimously.

The Board considered adopting a Resolution to Adopt EVS 6020 Voting System (“Resolution”) and an Order Calling Directors Election (“Order”) for the May 4, 2024, Directors Election. Following review and discussion, Director Rajaya moved to adopt the Order and

Resolution. Director Herbst seconded the motion, which passed unanimously.

#### LAW ENFORCEMENT MATTERS

Sgt. Alexander reviewed the December 2023 law enforcement report, a copy of which is attached.

Sgt. Alexander reported that the FBCSO is waiting for the Fort Bend County **Commissioner's Court to approve the additional officer for service patrols of the District.**

No Board action was necessary.

#### ANNUAL REPORT

**Ms. Jalalipour presented and reviewed with the Board a copy of the District's draft annual report.** She stated that the District is required to file its annual report with the Municipal Securities Rulemaking Board, through the **Electronic Municipal Market Access System ("EMMA")**, pursuant to SEC Rule 15c2-12, prior to January 31, 2024. Following review and discussion, Director Herbst moved to approve the Annual Report subject to final review by MLG. Director McLeod seconded the motion, which passed unanimously.

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Hebert reviewed the November and December 2023 tax reports, copies of which are attached, including proposed payments for approval by the Board. Following review and discussion, Director McLeod moved to approve the tax report and payments listed in the report. Director Winters seconded the motion, which passed unanimously.

Ms. Andrade reviewed the delinquent tax report, a copy of which is attached. Following review and discussion, Director Winters moved to approve the report and action listed in the report. Director McLeod seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

**Mr. Mapes reviewed the operator's report for November and December 2023, a copy of which is attached.**

Following review and discussion, Director Winters **moved to approve the operator's report** and authorize payment of the operations charges. Director Herbst seconded the motion, which passed unanimously.

The Board next conducted a hearing on the termination of utility service. Mr. Mapes reported that the residents on the delinquent letter accounts listing were mailed written notice prior to this meeting in accordance with the Rate Order, notifying them of the opportunity to appear before the Board of Directors to explain, contest, or correct the utility service bill and to show reason why the utility service should not be terminated for reason of nonpayment. A copy of the **delinquent letter accounts listing is attached to the operator's report.** Director Winters moved that, because the residents on the attached list were neither present at the meeting nor had presented any

statement on the matter, utility service should be terminated in accordance with procedures set forth in the Rate Order. Director Herbst seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

**Mr. Hablinski reviewed the engineer's report, a copy of which is attached.**

**Mr. Hablinski reported on the status of the City of Missouri City's ("City") construction of the Steep Bank Flat Bank Wastewater Treatment Plant rehabilitation and expansion.**

Mr. Hablinski reported that construction plans are being prepared for adding natural gas-powered generators and associated electrical work for backup power for three District lift stations. No Board action was taken.

#### FINANCIAL AND BOOKKEEPING MATTERS

**Mr. Diaz presented and reviewed the bookkeeper's report, a copy of which is attached, including proposed payments for approval by the Board. Following review and discussion, Director Winters moved to approve the bookkeeper's report and payment of the bills listed in the report. Director Rajaya seconded the motion, which passed unanimously.**

#### CITY OF MISSOURI CITY MATTERS

There was no discussion on this agenda item.

#### STORMWATER QUALITY MANAGEMENT PLAN

Mr. Beyer reported that the Texas Commission on Environmental Quality is in the process of **renewing the Phase II MS4 General Permit ("Permit") and expects issuance of said permit by August of 2024.** He further reported that until such time as the Permit is renewed, SWS will continue to conduct reviews of the year 5 annual report, now named Year 5 Extension Annual Report.

**Mr. Beyer provided an update on the District's Stormwater Management Plan ("SWMP").** He distributed and reviewed the year 5 annual report for the SWMP and a summary of the year 5 training and goals under the SWMP, copies of which are attached. He presented a flyer for the **District's website regarding pet waste and the prevention of stormwater pollution, a copy of which is attached.** Following review and discussion, Director Herbst moved to approve the year 5 annual **report and flyer to be posted on the District's website.** Director Rajaya seconded the motion, which passed unanimously.

Mr. Beyer conducted the year 5 extension training session with the Board and consultants, discussing stormwater pollution prevention, minimum control measures, and bacteria-specific elements. He explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers to prevent adding to bacterial impairment. He then thoroughly explained the sources of bacteria and outlined the program elements of the SWMP that deal with these sources.

GARBAGE AND RECYCLING MATTERS

There was no discussion on this agenda item.

WEBSITE, SOCIAL MEDIA, AND COMMUNICATIONS MATTERS

Mr. West reported on recent articles posted on the District's website and also provided an update and recommendation to the Board regarding future articles.

Mr. West also gave an update on the number of subscribers to the District's website and text alert messaging service.

Mr. West requested approval to post select videos from the Association of Water Board Directors ("AWBD") conference to the District's website.

Following review and discussion, Director Winters moved to approve the posting of select videos from the AWBD conference to the District's website. Director McLeod seconded the motion, which passed unanimously.

REPORT ON PROPOSED DISTRICT PROJECTS, ACTION ITEMS AND RESIDENT INQUIRIES

The Board reviewed the list of MLG action items and resident inquiries.

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

*Rose Herbst*

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Secretary, Board of Directors

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Any documents referenced in these minutes and not attached herein are retained in the District's official records, in accordance with the District's Record Management Program, and are available upon request.