

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 165

May 12, 2022

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 165 (the "District") met in regular session, open to the public, on the 12th day of May, 2022 at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas 77027, outside the boundaries of the District, and the roll was called of the members of the Board:

William "Mac" McKinnie	President
Rick Garcia	Vice President
Matt Moake	Secretary
Avery Bidmead	Assistant Vice President
Christine Oliver	Assistant Secretary

and all of the above were present except Directors McKinnie and Moake, thus constituting a quorum.

Also attending the meeting in person or by teleconference were Deputy Chief Jimmy Evans, Lieutenant Veronica Martin, and Deputy Zachary Allard of Fort Bend County Precinct 3 ("Precinct 3"); Brenda Garcia of Municipal Accounts & Consulting, L.P.; Stephanie Lee of KGA/DeForest Design, LLC ("KGA"); Shammarie Leon of Bob Leared Interests, Inc.; Austin Muse of Municipal District Services ("MDS"); Rebecca Watkins of Quiddity Engineering, LLC ("Quiddity"); David Beyer of Storm Water Solutions, LLC ("SWS"); and Hannah Brook and Caroline Jones of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the April 14, 2022, regular meeting. Following review and discussion, Director Oliver made a motion to approve the minutes as written. Director Bidmead seconded the motion, which passed unanimously.

PUBLIC COMMENT

Director Garcia offered any members of the public attending the meeting by telephone or in person the opportunity to make public comment. Discussion ensued regarding a portion of the District that abuts a portion of Fort Bend Municipal Utility District No. 194 at Chiseled Rock Trail. Director Garcia moved to the next agenda item.

SECURITY MATTERS AND FIRE PROTECTION SERVICE

Chief Deputy Evans then presented and reviewed a security report and a traffic report from Precinct 3 for the month of April, copies of which are attached. Discussion ensued regarding staffing, operations, and training in Precinct 3.

Chief Deputy Evans presented and reviewed a Constable Contract Deputy Budget Proposal to add an additional deputy to patrol the District for the period from June 1, 2022 through September 30, 2022 in the amount of \$48,690.00.

The Board discussed the procedures for purchasing two radar signs through the Fort Bend County Engineer’s office for the District.

After review and discussion, Director Bidmead moved to (1) approve the security and traffic report; (2) approve the Constable Contract Deputy Budget Proposal; and (3) purchase two radar signs through the Fort Bend County engineer’s office and delegate authority to Director Bidmead to determine the location for the signs. Director Oliver seconded the motion, which passed unanimously.

2022 DIRECTORS ELECTION

CERTIFICATE OF ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Ms. Christine Oliver to the Board of Directors of the District for a four-year term.

DIRECTORS’ SWORN STATEMENTS, OFFICIAL BONDS AND OATHS OF OFFICE

Ms. Brook reviewed the Sworn Statement and Oath of Office for Director Oliver.

REORGANIZE THE BOARD

There was no action taken on this agenda item.

DISTRICT REGISTRATION FORM

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality (“TCEQ”), reflecting the terms of the newly elected director.

After review and discussion, Director Bidmead moved to (1) approve the Certificate of Election and the distribution of same to Director Oliver and direct that the Certificate of Election be filed appropriately and retained in the District's official records; (2) approve the Sworn Statement and Oath of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oath of Office be filed with the Secretary of State, as required by law; and (3) authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Oliver seconded the motion, which passed by unanimous vote.

TRAVEL REIMBURSEMENT GUIDELINES AND ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

There was no discussion regarding this matter as no Directors will be attending the summer conference.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia distributed and reviewed the bookkeeper's report, budget comparisons, bills presented for payment, the investment report from the reporting period, and the quarterly investment report for approval, copies of which are attached to the bookkeeper's report.

Ms. Garcia then presented and reviewed the proposed budget for the fiscal year ending June 30, 2023. She requested the Board and consultants review the proposed budget and report any changes to her prior to the next meeting. A copy of the proposed budget is attached to the bookkeeper's report.

Following review and discussion, Director Oliver made a motion to (1) approve the bookkeeper's report and investment report; and (2) pay the District's bills as submitted. Director Bidmead seconded the motion, which passed unanimously.

PARK AND RECREATIONAL MATTERS

Ms. Lee distributed and reviewed a report regarding landscaping projects in the District, a copy of which is attached.

RECREATIONAL FACILITY IMPROVEMENTS PROJECTS ("RECREATIONAL IMPROVEMENTS")

Ms. Lee stated that she anticipates presenting bids for the Recreational Improvements project to the Board at the June meeting.

Ms. Lee requested the Board's approval for a Letter Of No Objection ("LONO") from Dow Pipeline Company ("Dow") for the playground sidewalk and irrigation line that will be crossing Dow's easement. Ms. Lee stated that a Letter of No Objection from Atmos Energy was pending.

After review and discussion, Director Garcia moved to (1) approve the landscape architect's report; and (2) accept the LONO from Dow. Director Bidmead seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Leon distributed and reviewed the tax report, including a list of delinquent accounts, a copy of which is attached. She stated 98.7% of the District's 2021 taxes were collected as of the meeting date. Ms. Leon stated that the District's 2022 preliminary value according to the Fort Bend Central Appraisal District is \$458,081,089.00, an increase of 16% from 2021. Following review and discussion, Director Oliver made a motion to (1) approve the tax assessor/collector's report; and (2) pay the bills presented for payment from the tax account. Director Bidmead seconded the motion, which carried unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Muse presented and reviewed the operator's report and the storm water management report and updated the Board on repairs and maintenance in the District for the month of April.

Mr. Muse presented and reviewed an estimate for the Phase III sidewalk repairs in the amount of \$39,308.00.

Mr. Muse presented and reviewed Badger Meter's Electronic Smart Meter Program estimate for 1,493 Beacon AMA Bronze E-Series Meters ("Smart Meters") in the total amount of \$785,560.00 and a total monthly subscription charge in the amount of \$1,328.77 for Beacon's software, access to the EyeOnWater portal, cellular charges, software updates, and web hosting.

CONDUCT ANNUAL REVIEW AND RECEIVE REPORT FROM OPERATOR ON IDENTITY THEFT PREVENTION PROGRAM AND ADOPT IDENTITY THEFT PREVENTION PROGRAM AMENDMENT

Mr. Muse presented and reviewed the annual report on the District's Identity Theft Prevention Program, a copy of which is included in the operator's report. Mr. Muse stated that the annual report indicates no significant incidents of identity theft detection and recommended no changes to the program at this time.

CONSUMER CONFIDENCE REPORT

Mr. Muse presented and reviewed the annual Consumer Confidence Report ("CCR"), a copy of which is attached to the operator's report and stated the CCR will be mailed to the District's customers.

HEARING ON TERMINATION OF WATER SERVICE

Mr. Muse 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.

After review and discussion, Director Oliver moved to (1) approve the operator's report; (2) approve the Phase III sidewalk repairs; (3) approve the estimate for Smart Meters; (4) approve the CCR and to authorize the operator to mail the CCR to the District's customers; and (5) 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 Bidmead seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Ms. Watkins distributed and reviewed the District's engineering report, a copy of which is attached.

Ms. Watkins stated that Grand Mission Municipal Utility District No. 1 ("GMM1") approved CDC Unlimited, LLC's ("CDC") invoice nos. 22889 and 22891 in the total amount of \$24,400.00, of which the District's share is \$4,673.57.

Discussion ensued regarding drainage in a District-owned reserve along Stoneroses Trail. Ms. Watkins stated that she reviewed the original plans for the park, and there was no drainage system planned for the park as water was intended to drain to the street. She stated that installing grate inlets is an effective method to drain water from the reserve. Ms. Watkins stated that she will bring a proposal for the proposed work to the next Board meeting. Mr. Muse stated that MDS will hydro-jet the existing drains in the reserve to clear the drains of any debris.

The Board considered accepting conveyances from Fieldstone (Houston) ASLI VI, LLLP as the grantor for All of Restricted Reserve "C" of Fieldstone Section 12 and All of Restricted Reserve "A" of Fieldstone Section 14.

Following review and discussion, Director Bidmead moved to (1) approve the engineer's report; and (2) upon the engineer's recommendation, approve CDC's invoice nos. 22889 and 22891, of which the District's share is \$4,673.57; and (3) accept and authorize execution of conveyance documents for certain reserves in Fieldstone. Director Oliver seconded the motion, which carried unanimously.

DRAINAGE FACILITIES REPORT

Mr. Beyer discussed the District's drainage facilities.

Mr. Beyer presented and reviewed a drainage facilities report and a proposal to clean out two culverts in the District's drainage channel in the amount of \$500.00.

Mr. Beyer then presented and reviewed a Master Service Agreement.

After review and discussion, Director Oliver moved to (1) approve the drainage facilities report; (2) approve the proposal to clean two culverts in the amount of \$500.00; and (3) approve the Master Service Agreement. Director Bidmead seconded the motion, which passed by unanimous vote.

GARBAGE AND RECYCLING COLLECTION

The Board deferred further action on this matter.

DISTRICT WEBSITE

There was no discussion regarding this agenda matter.

NORTH FORT BEND WATER AUTHORITY'S (THE "AUTHORITY") MATTERS

There was no further discussion regarding this agenda matter.

ATTORNEY'S REPORT

There was no discussion regarding this agenda matter.

MEETING SCHEDULE

The Board concurred to hold its next meeting on June 9, 2022, at 9:00 a.m. at the offices of ABHR.

REPORTS FROM DIRECTORS AND CONSULTANTS REGARDING PENDING DISTRICT BUSINESS AND OUTSTANDING ITEMS

There was no discussion regarding this agenda matter.

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





Secretary, Board of Directors

LIST OF ATTACHMENTS

Security Report.....	2
Traffic Report.....	2
Bookkeeper’s Report.....	3
Landscaping Report.....	3
Tax Report.....	4
Operator’s Report and the Storm Water Management Report	4
Consumer Confidence Report.....	5
Engineering Report.....	5