

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 165

December 12, 2024

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 December, 2024, at the offices of Municipal District Services, LLC, 406 W. Grand Parkway S., Suite 260, Katy, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Christine Oliver	President
Ed Escobar	Vice President
Gregory Henry	Secretary
Ryan Andrasek	Assistant Vice President
Rick Bolanos	Assistant Secretary

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

Also attending the meeting were Assistant Fire Chief Johnny Mitchell of Emergency Services Department 100 ("ESD 100"); Brenda Garcia of Municipal Accounts & Consulting, LP ("MAC"); Shammarie Leon of Bob Leared Interests, Inc.; Joseph Hopper of Storm Water Solutions, LLC; Austin Muse of Municipal District Services ("MDS"); Justin Waggoner of Touchstone District Services, LLC; Lyndsay Evans of Quiddity Engineering, LLC ("Quiddity"); Stephanie Lee of KGA/DeForest Design, LLC ("KGA"); Josh Wailes of Mike Stone Associates, Inc. ("MSA"); and Whitney Higgins and Caroline Jones of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Escobar offered any members of the public attending the meeting the opportunity to make public comment.

Chief Mitchell discussed firefighting and emergency services provided by ESD 100.

There being no other members of the public requesting to make public comment, Director Escobar moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the November 14, 2024, regular meeting. Following review and discussion, Director Andrasek made a motion to approve the minutes of the November 14, 2024, regular meeting, as written. Director Bolanos seconded the motion, which passed unanimously.

PARK AND RECREATIONAL MATTERS

Ms. Lee presented and reviewed a report regarding recreational development projects in the District, a copy of which is attached.

Ms. Lee then presented and reviewed a proposal for a shade structure at Soledad Park in the amount of \$8,650.00. Ms. Lee stated that KGA's opinion of total probable cost for two shade structures was \$80,500.00.

After review and discussion, Director Andrasek moved to (1) approve the landscaping report; and (2) approve the shade structure proposal in the amount of \$8,650.00. Director Henry 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 5.503% of the District's 2024 taxes were collected as of the meeting date. Following review and discussion, Director Bolanos 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 Andrasek seconded the motion, which passed unanimously.

SECURITY MATTERS, INCLUDING SECURITY AGREEMENTS AND FIRE PROTECTION SERVICES

The Board received a security report from Precinct 4, a copy of which is attached.

GARBAGE AND RECYCLING COLLECTION

There was no discussion regarding this agenda matter.

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

Ms. Higgins reviewed the District's Travel Reimbursement Guidelines (the "Guidelines") and the Board discussed expenses for the upcoming Association of Water Board Directors winter conference in Austin, Texas from January 24-25, 2025. Following review and discussion, Director Andrasek made a motion to authorize up to two nights of lodging at the Conference rate, up to three days of per diem, and up to six meals for any Director attending the conference, if submitted in accordance with the District's Guidelines. Director Henry seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia distributed and reviewed the bookkeeper's report, budget comparisons, bills presented for payment, and the investment report from the reporting period for approval. A copy of the bookkeeper's report and the investment report are attached to the minutes. Following review and discussion, Director Bolanos made a motion to (1) approve the bookkeeper's report and investment report; and (2) pay the District's bills as submitted. Director Andrasek seconded the motion, which passed unanimously.

DRAINAGE FACILITIES REPORT

Mr. Hopper presented and reviewed a drainage facilities report, a copy of which is attached. Mr. Hopper updated the Board regarding projects under construction at the drainage channel.

OPERATION OF DISTRICT FACILITIES

Mr. Muse presented and reviewed the operator's report and the storm water management report, a copy of which is attached, and updated the Board on repairs and maintenance in the District for the month of November.

Mr. Muse requested the Board's approval to replace a fence at the lift station with a Trex fence in the amount of \$47,950.00. Discussion ensued regarding funding for the fence. The Board concurred to approve the street-facing portion of the fence and entry gate in Trex and stained cedar sides for three sides of the fence.

Director Andrasek asked Mr. Muse to investigate a fire hydrant for possible leaks.

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 Andrasek moved to (1) approve the operator's report; (2) authorize Quiddity to draft a letter to the Texas Commission on Environmental Quality requesting approval to finance the fence with surplus bond proceeds; and (3) defer the termination of delinquent accounts due to the holidays and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Bolanos seconded the motion, which passed unanimously.

WEBSITE MATTERS

Mr. Waggoner presented and reviewed the Communications Report, a copy of which is attached. Mr. Waggoner stated that he would continue to coordinate residents' requests for sidewalk repairs received through social media.

Director Bolanos asked Mr. Waggoner to upload a high-resolution image of the sidewalk map on the District's website.

Following discussion, Director Andrasek moved to approve the Communications Report. Director Bolanos seconded the motion, which passed unanimously.

NORTH FORT BEND REGIONAL WATER AUTHORITY ("NFBWA") MATTERS

There was no discussion regarding this agenda matter.

ENGINEERING MATTERS

Ms. Evans distributed and reviewed the District's engineering report and discussed engineering matters in the District as more fully described in the report, a copy of which is attached.

Ms. Evans stated that Quiddity was scheduling an inspection of the lift station with MDS.

DEEDS, EASEMENTS, AND PLATS

There was no discussion regarding this agenda matter.

MS4 STORM WATER MANAGEMENT PLAN

Ms. Evans stated that Quiddity performed MS4 services during November in accordance with Permit Year 5 of the Storm Water Management Plan ("SWMP"). Ms. Evans stated that Quiddity is preparing the District's SWMP and Notice of Intent ("NOI") for submittal before the February 2025 deadline. Ms. Evans requested that the Board appoint a Board member to coordinate with Quiddity and e-sign the NOI pursuant to the federal National Pollutant Discharge Elimination System Electronic Reporting Rule for the 2024 general permit renewal.

Following review and discussion, Director Andrasek moved to (1) approve the engineer's report; (2) appoint Director Escobar to e-sign the NOI; and (3) authorize Quiddity to select District-appropriate Best Management Practices for the SWMP. Director Bolanos seconded the motion, which passed unanimously.

PARK AND LANDSCAPE MATTERS, INCLUDING PROPOSALS FOR ADDITIONAL WORK AND COST SHARING AGREEMENTS REGARDING LANDSCAPE MAINTENANCE

Mr. Wailes presented and reviewed the MSA report, a copy of which is attached. He reviewed general maintenance, common area landscaping, splash pad maintenance, and routine inspections and maintenance, and as more fully described in the report.

Mr. Wailes reported that he continues to coordinate with CenterPoint Energy ("CenterPoint") regarding streetlight outages and repairs. Director Escobar asked Mr. Wailes for his CenterPoint contact information to report the outages and repairs.

Mr. Wailes stated that the splash pad permit application was pending review by Fort Bend County (the "County"). Mr. Wailes requested the Board's approval of a proposal in the amount of \$1,067.00 to replace a splash pad feature that had been vandalized.

Mr. Wailes stated that he is coordinating the repair of a trash receptacle in a pocket park.

Mr. Wailes stated that he is preparing a proposal to repair the tunnels under Mason Road for the January meeting.

The Board discussed payment of the District's share of the Cost Sharing Agreement Regarding Landscape Maintenance By and Between the District and the Fieldstone Community Association, Inc. (the "HOA").

After review and discussion, Director Andrasek moved to approve (1) the splash pad proposal in the amount of \$1,067.00; (2) authorize payment to the HOA in the amount of \$150,000.00; and (3) approve handwritten check no. 5834 to the HOA. Director Henry seconded the motion, which passed unanimously.

ATTORNEY'S REPORT

Ms. Higgins reported ABHR has filed the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas pursuant to Senate Bill 1812.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS REGARDING CORRESPONDENCE AND/OR REPORTS RECEIVED AND EVENTS AND/OR ACTIVITIES ATTENDED DURING THE MONTH

There was no discussion regarding this agenda matter.

MEETING SCHEDULE

The Board concurred to hold the next regular meeting on Thursday, January 9, 2025, at 9:00 a.m. at the offices of MDS.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES, OR A SECURITY AUDIT

The Board entered into Executive Session at 10:26 a.m. pursuant to Section 551.076, Texas Government Code, to deliberate the deployment, or specific occasions for implementation, of security personnel or devices, or a security audit. In attendance were Directors Escobar, Henry, Andrasek, and Bolanos, Ms. Higgins, and Ms. Jones.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTIONS REGARDING DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES, OR A SECURITY AUDIT

The Board reconvened in Open Session at 10:49 a.m. After review and discussion, Director Andrasek moved to approve payment for Flock Security ("Flock") devices and services, contingent upon receiving a form of agreement between the County and Flock in a form acceptable to the District.

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




Secretary, Board of Directors

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