

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 163

May 23, 2024

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 163 (the "District") met in regular session, open to the public, on the 23rd day of May, 2024, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Richard Patrick	President
Jennifer Hundl	Vice President
Justin Ring	Secretary
Omar Cabello	Assistant Vice President
Andy Zepeda	Assistant Secretary

and all of the above were present, except Directors Hundl and Ring, thus constituting a quorum.

Also attending the meeting were: Rose Montalbano of Municipal Accounts & Consulting, LP; Kristy Hebert of Tax Tech, Inc.; Ralph Saldana of Pape-Dawson Engineers ("PDE"); Trevor Konopka of Robert W. Baird & Co. Incorporated; Derek Darnell of Pelican Builders, Inc. ("PBI"); Andy Hall of Kimley-Horn; and Adisa Harrington and Carnell Emanuel of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There was no public comment.

MINUTES

The Board considered approving the minutes from the April 25, 2024, meeting. Following review and discussion, Director Patrick moved to approve the minutes, as submitted. Director Zepeda seconded the motion, which passed unanimously.

AUTHORIZE AUDITOR TO CONDUCT THE AUDIT

The Board considered authorizing McCall Gibson Swedlund Barfoot PLLC ("MGSB") to conduct the audit for the fiscal year ending May 31, 2024. Ms. Harrington said the estimated cost of the audit is between \$11,750.00 and \$13,750.00. Following discussion, Director Zepeda moved to authorize MGSB to prepare the audit for the fiscal year ending May 31, 2024. Director Cabello seconded the motion, which passed unanimously.

## FINANCIAL AND BOOKKEEPING REPORT

Ms. Montalbano reviewed the bookkeeper's report and bills submitted for payment. A copy of the bookkeeper's report is attached. She also presented and reviewed the proposed budget for the fiscal year ending May 31, 2025 (the "FYE 2025 Budget"). Following review and discussion, Director Patrick moved to: (1) approve the bookkeeper's report and payment of the bills; and (2) adopt the FYE 2025 Budget. Director Zepeda seconded the motion, which passed unanimously.

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

Ms. Harrington reviewed the District's Travel Reimbursement Guidelines (the "Guidelines") in connection with the upcoming AWBD summer conference, and discussion ensued regarding expenses eligible and ineligible for the conference. Following discussion, Director Patrick moved to authorize up to four per diems, three hotel nights, and reasonable meals for each director attending the AWBD summer conference, all to be submitted in accordance with the District's Guidelines. Director Cabello seconded the motion, which passed unanimously.

## TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Hebert reviewed the monthly tax assessor/collector's report and bills submitted for payment. A copy of the tax assessor/collector's report is attached. Following review and discussion, Director Cabello moved to approve the tax report and the checks presented for payment. Director Patrick seconded the motion, which passed unanimously.

## ENGINEERING MATTERS

Mr. Saldana updated the Board on a potential request for annexation of a 4-acre tract for a proposed commercial development.

### UPDATE ON 46-ACRE ANNEXATION

There was no discussion on this matter.

### UPDATE ON 24-ACRE ANNEXATION

Mr. Saldana discussed the proposed annexation of an approximately 24-acre tract into the District. The Board then reviewed a feasibility report for the annexation. Discussion ensued regarding surplus water, sewer and drainage bond proceeds that are available to reduce the amount of bonds needed for the PBI project.

Mr. Konopka then presented an analysis of potential bonding capacity related to the tract.

Following review and discussion Director Patrick moved to approve the feasibility report for the 24-acre tract, subject to finalization. Director Cabello seconded the motion, which passed unanimously.

#### 2024 DIRECTOR'S ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Richard Patrick, Jennifer Hundl, and Andy Zepeda to the Board of Directors of the District each for a four-year term. Following review and discussion, Director Zepeda moved to approve the Certificate of Election and the distribution of same to Directors Patrick, Hundl, and Zepeda. Director Patrick seconded the motion, which passed unanimously.

The Board received the Sworn Statements and Oaths of Office for Directors Patrick, Hundl, and Zepeda. Following review and discussion, Director Zepeda moved to approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records. Director Patrick seconded the motion, which passed unanimously.

#### REORGANIZE THE BOARD

The Board then considered reorganizing the Board. No action was taken on this matter.

#### DISTRICT REGISTRATION FORM

Ms. Harrington stated an updated District Registration Form must be filed with the Texas Commission on Environmental Quality ("TCEQ") reflecting the terms of the newly elected directors. Following review and discussion, Director Zepeda moved to authorize ABHR to file an updated District Registration Form with the TCEQ. Director Patrick seconded the motion, which passed unanimously.

#### OPEN MEETINGS ACT TRAINING AND PUBLIC INFORMATION ACT TRAINING

Ms. Harrington 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. She 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 and forward their certificate of completion to ABHR for inclusion in the District's permanent records.

CONFLICT OF INTEREST DISCLOSURE

Ms. Harrington discussed a memorandum from ABHR provided to the Directors regarding conflict-of-interest disclosure required under Chapter 176 of the Texas Local Government Code. She encouraged the Directors to contact ABHR if assistance is needed in determining whether a conflict requires disclosure or in making a required disclosure.

ATTORNEY'S REPORT

There was no discussion on this matter.

WEBSITE MATTERS

There was no discussion on this matter.

REPORTS FROM DIRECTORS AND CONSULTANTS

The Board reviewed the maintenance report from Storm Water Solutions, LLC, a copy of which is attached.

Director Patrick updated the Board on the Katy Area Economic Development Council meeting.

MEETING SCHEDULE

The Board concurred to tentatively schedule the next meeting for June 27, 2024, at 9:30 a.m. at the offices of ABHR.

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

(SEAL)



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

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