

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144

Minutes of Meeting of Board of Directors

April 2, 2024

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 144 (the "District") met in regular session, open to the public, on April 2, 2024, in accordance with the duly posted notice of public meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Ted Teinert, President
Scott Maham, Vice President
Jimmy T. Juhl, Secretary
James McConn, III, Assistant Secretary
Doug Gleditsch, Assistant Secretary

and all of said persons were present, except Director Maham, thus constituting a quorum. Director McConn entered after the meeting was called to order, as noted herein.

Also present were: Ashlie Whittemore of Wheeler & Associates, Inc. ("Wheeler"); Rahi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); David Beyer of Storm Water Solutions, LLC ("SWS"); Chau Bao and Robert Atkinson of Edminster, Hinshaw, Russ and Associates, Inc. ("EHRA"); and John Eichelberger of Schwartz, Page & Harding, L.L.P. ("SPH").

COMMENTS FROM THE PUBLIC

The Board opened the meeting for public comments. There being no members of the public present, the Board continued to the next item of business.

APPROVAL OF MINUTES

The Board considered the draft minutes of the meeting held on February 6, 2024. After review and discussion of the draft minutes presented, Director Juhl moved that the aforesaid minutes be approved, as written. Director Gleditsch seconded said motion, which carried unanimously.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Whittemore next presented to and reviewed with the Board the Tax Assessor-Collector Monthly Reports for February 2024 and March 2024, copies of which are attached hereto as **Exhibit A**, including the checks and other disbursements listed therein for payment. After discussion, Director Juhl moved that the Tax Assessor-Collector Reports be approved and that the checks and other disbursements identified therein be approved for payment. Director Gleditsch seconded said motion, which carried unanimously.

Director McConn entered the meeting during the above discussion.

DELINQUENT TAX COLLECTIONS ATTORNEY REPORT

The Board deferred consideration of a Delinquent Tax Report as it was noted that such

report was not due at this time from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue"), delinquent tax attorneys for the District. Mr. Eichelberger advised the Board that the next Delinquent Tax Report will be provided in June of this year.

RESOLUTION AUTHORIZING AN ADDITIONAL PENALTY ON DELINQUENT REAL PROPERTY TAXES

The Board considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes. Mr. Eichelberger advised that the Board is authorized pursuant to Section 33.07 of the Texas Tax Code, as amended, to impose, under certain conditions on July 1, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due the District on taxes that remain delinquent as of July 1 of the year in which they became delinquent. He noted that the additional penalty to be imposed by this Resolution will not apply to delinquent personal property taxes, which have incurred an additional penalty pursuant to that certain Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes, which was passed and approved by the District on February 23, 2024. After further discussion, it was moved by Director Juhl, seconded by Director Gleditsch, and unanimously carried, that the Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes, a copy of which is attached hereto as **Exhibit B**, be adopted by the District, and that Perdue be authorized to proceed with the collection of the District's 2023 delinquent real property tax accounts on July 1, 2024, subject to proper notice having been given as provided in said Resolution, including the filing of lawsuits as necessary.

BOOKKEEPER'S REPORT

Mr. Patel presented to and reviewed with the Board the Bookkeeper's Report dated April 2, 2024, a copy of which report is attached hereto as **Exhibit C**, as well as the checks presented therein for payment from the District's various accounts. After discussion, Director Juhl moved that the Bookkeeper's Report be approved, as presented, and the checks and other disbursements presented be approved for payment, including additional check no. 4203 payable to Brown & Brown Lone Star Insurance Service ("Brown & Brown") in the amount of \$3,810.13 to replace check no. 4198 payable to Brown & Brown in the same amount, which was voided. Director McConn seconded said motion, which carried unanimously.

AUTHORIZE CONSULTANTS TO RESEARCH UNCLAIMED PROPERTY AND CONSIDER AUTHORIZING BOOKKEEPER TO PREPARE UNCLAIMED PROPERTY REPORT AS OF MARCH 1, 2024

As the next order of business, the Board considered authorizing the District's consultants to research unclaimed property and MAC and/or Wheeler to prepare Unclaimed Property Report(s) as of March 1, 2024. Mr. Eichelberger advised the Board that the District's Bookkeeper and/or Tax Assessor-Collector will file the report(s) with the Comptroller of Public Accounts of the State of Texas (the "Comptroller") and discharge any unclaimed funds to the Comptroller by July 1, 2024. After discussion, Director Juhl moved that the District's Operator, Tax Assessor-Collector and Bookkeeper be authorized to research their records to determine whether or not there is any unclaimed property for the stated period and that the Bookkeeper and Tax Assessor-Collector be authorized to prepare Unclaimed Property Report(s), if necessary, for the Board's consideration, approval and filing with the Comptroller prior to July 1, 2024. Director Gleditsch seconded said motion, which unanimously carried.

STORMWATER MANAGEMENT PROGRAM

The Board considered the status of the District's Storm Water Management Program ("SWMP"). In that regard, Mr. Beyer presented to and reviewed with the Board the Year 5 Phase II MS4 Annual Report for the City of Rosenberg (the "City") MS4 Coalition (the "SWMP Annual Report"), a copy of which is attached hereto as **Exhibit D**. He advised the Board that, in order to timely submit the SWMP Annual Report to the Texas Commission on Environmental Quality, same was circulated to the Board President for review and approval prior to today's meeting. After discussion, Director Juhl moved that prior approval and execution of the SWMP Annual Report be ratified in all respects. Director McConnell seconded the motion, which carried unanimously.

ENGINEERING REPORT

Mr. Bao presented to and reviewed with the Board a Monthly Engineering Report from EHRA, a copy of which is attached hereto as **Exhibit E**. In connection with the proposed Detention and Drainage Facilities Rehabilitation Project Phases I and II (the "D&D Rehab Project"), Mr. Bao advised the Board that Summer Lakes Homeowners Association (the "HOA") appears to have failed to properly maintain the irrigation systems and vegetative cover surrounding the detention ponds within the community which has contributed, in part, to the noted bank erosion in certain areas. He then recommended that the Board consider utilizing SWS to assist with the proposed D&D Rehab project. After discussion, the Board directed EHRA to proceed with the D&D Rehab Project as previously approved by the Board and with input from SWS. Mr. Bao then reported that advertisement for bids for construction of the D&D Rehab Project has been delayed. The Board noted that no action was required on its part in connection with the Engineering Report at this time.

MATTERS PERTAINING TO THE CITY OF ROSENBERG ("ROSENBERG")

The Board next considered matters pertaining to Rosenberg. In connection therewith, Mr. Eichelberger advised he had nothing further to report to the Board regarding matters pertaining to Rosenberg other than the items previously discussed.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Eichelberger advised that he had nothing further to report to the Board other than the items previously discussed.

SUPPLEMENTAL AGENDA

The Board considered cancellation of the Directors Election called for May 4, 2024. Mr. Eichelberger advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2024. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Eichelberger then presented to and reviewed with the Board the Order Declaring Candidates Elected, attached hereto as **Exhibit F**. After discussion, it was moved by Director Juhl, seconded by Director Gleditsch and unanimously carried, that the

Order be adopted by the Board declaring Ted Teinert, Scott Maham and James McConn, III elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President be authorized to execute and the Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 4, 2024, be cancelled.

FUTURE AGENDA ITEMS AND SCHEDULE FOR UPCOMING MEETINGS

The Board next considered matters for possible placement on future agendas and scheduling of future meetings. Except as may be reflected above, there were no additional agenda items requested other than routine, and ongoing matters. The Board concurred to cancel its meeting scheduled for May 7, 2024.

ADJOURN

There being no further business to come before the Board, it was moved by Director Juhl, seconded by Director McConn and unanimously carried, that the meeting be adjourned.

SEAL

Secretary

LIST OF ATTACHMENTS TO MINUTES

April 2, 2024

Exhibit A: Tax Assessor-Collector Reports

Exhibit B: Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes

Exhibit C: Bookkeeper's Report

Exhibit D: SWMP Annual Report (Year 5)

Exhibit E: Engineering Report

Exhibit F: Order Declaring Candidates Elected

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