

## **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144**

Minutes of Meeting of Board of Directors

December 6, 2022

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 December 6, 2022, 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  
Ron G. Thomas, Vice President  
Jimmy T. Juhl, Secretary  
James McConn, III, Assistant Secretary  
Scott Maham, Director

and all of said persons were present, except Directors McConn and Thomas, thus constituting a quorum.

Also present were: Autumn Clark of Wheeler & Associates, Inc. ("Wheeler"); Rahi Patel of Municipal Accounts & Consulting, L.P. ("MA&C"); Victor Saenz 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 October 4, 2022. After review and discussion of the draft minutes presented, Director Juhl moved that the aforesaid minutes be approved, as written. Director Maham seconded said motion, which carried unanimously.

### **QUALIFICATION STATEMENT, OFFICIAL BOND, OATH OF OFFICE, AFFIDAVIT OF CURRENT DIRECTOR, AND ELECTION NOT TO DISCLOSE CERTAIN INFORMATION**

The Board deferred consideration of the Oath of Office, Affidavit of Current Director, Statement of Elected Officer and Election Not to Disclose Certain Information for Director Thomas.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Clark next presented to and reviewed with the Board the Tax Assessor-Collector Monthly Reports for October 2022 and November 2022, copies of which are attached hereto as **Exhibit A**, including the checks listed therein for payment. After discussion, Director Juhl moved that the Tax Assessor-Collector Report be approved and that the checks and other disbursements identified therein be approved for payment. Director Maham seconded said motion, which carried unanimously.

## **DELINQUENT TAX COLLECTIONS ATTORNEY REPORT**

Mr. Eichelberger presented to and reviewed with the Board a Delinquent Tax Report, a copy of which is attached hereto as **Exhibit B**, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., delinquent tax attorneys for the District. The Board noted there were no action items in the report.

## **BOOKKEEPER'S REPORT**

Mr. Patel presented to and reviewed with the Board the Bookkeeper's Report dated December 6, 2022, 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 Maham moved that the Bookkeeper's Report be approved, as presented, and the checks and other disbursements presented be approved for payment, with the exception of check nos. 4105 and 4107, which were voided. Director Juhl seconded said motion, which carried unanimously.

The Board deferred consideration of direct deposit services.

## **ENGINEERING REPORT**

Mr. Saenz presented to and reviewed with the Board a Monthly Engineering Report from EHRA, a copy of which is attached hereto as **Exhibit D**. The Board noted that no action was required on its part in connection with the Engineering Report at this time.

## **ENGINEERING CONTRACT RATE ADJUSTMENT**

Mr. Saenz next presented to and reviewed with the Board an updated Hourly Rate and Reimbursement Schedule from EHRA, a copy of which is attached to the Engineering Report. After discussion, Director Maham moved that the Board authorize payment for engineering services by the District according to the updated Hourly Rate and Reimbursement Schedule submitted by EHRA to be effective as of January 31, 2023. The motion was seconded by Director Teinert and carried unanimously.

## **STATUS OF FIRST AMENDMENT TO OPERATION, MAINTENANCE, AND USE AGREEMENT WITH SUMMER LAKES HOMEOWNERS ASSOCIATION, INC.**

With regard to the status of the First Amendment to Operation, Maintenance, and Use Agreement with Summer Lakes Homeowners Association, Inc. (the "HOA") relative to recreational sites and facilities (the "First Amendment"), Mr. Eichelberger summarized the status of the First Amendment and his recent communications with the HOA regarding certain detention sites and facilities. It was noted that no action was required by the Board in connection with the matter at this time.

## **LEGISLATIVE ENGAGEMENT LETTER**

Mr. Eichelberger presented to and reviewed with the Board an engagement letter for legislative services between SPH and the District pertaining to the proposed exclusion of a 35.46 acre tract from the boundaries of the District. After discussion on the matter, Director Maham moved that (i) the Board approve said engagement letter and that the President be authorized to execute same on behalf of the Board and the District, and (ii) that SPH be authorized to acknowledge the Texas Ethics Commission Form 1295 from SPH on behalf of the Board and the District. Director Juhl seconded the motion, which carried unanimously.

## **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.

### **EMINENT DOMAIN REPORT**

Mr. Eichelberger reported that, pursuant to §2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an Annual Eminent Domain Report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He explained that the report will contain the District's contact information as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Maham, seconded by Director Juhl and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District.

### **ATTORNEY'S REPORT**

The Board next considered the Attorney's Report. In connection therewith, Mr. Eichelberger advised the Board that the District's Financial Advisor, Masterson Advisors, LLC ("Masterson"), had provided SPH, on behalf of the District, with Masterson's MSRB Rule G-10 Annual Disclosure, a copy of which is attached hereto as **Exhibit E**.

Mr. Eichelberger next reviewed with the Board an Arbitrage Rebate Calculations Report prepared by Arbitrage Compliance Specialists, Inc., a copy of which is attached hereto as **Exhibit F**, for the fifth year rebate installment computation period in connection with the District's Series 2017 Bonds. Mr. Eichelberger advised the Board that the Report indicates that there is no rebate installment payment due to the Internal Revenue Service for such computation period for the District's Series 2017 Bonds.

### **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 January 3, 2023. It was noted, therefore, that the next meeting of the Board of Directors will be held on February 7, 2023, as scheduled.

### **ADJOURN**

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

SEAL

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Secretary

**LIST OF ATTACHMENTS TO MINUTES**

December 6, 2022

Exhibit A: Tax Assessor-Collector Report

Exhibit B: Delinquent Tax Report

Exhibit C: Bookkeeper's Report

Exhibit D: Engineering Report

Exhibit E: Annual Disclosure relative to MSRB Rule G-10

Exhibit F: Arbitrage Rebate Calculations Report for the District's Series 2017 Unlimited Tax Bonds

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