



**WHISTLEBLOWER POLICY**  
**Sienna Business Association**  
**Sienna Community Association**  
**Sienna Community Services Foundation**  
**Sienna Property Owners Association**  
**Sienna Residential Association**  
**Sienna Townhome Association**

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

**I. PURPOSE**

The purpose of this document is to provide all members of the Boards, committee members, managers, employees, and volunteers with guidelines for the reporting of unethical or illegal behavior by any of the Sienna Associations, located in Fort Bend County, Texas, board members, committee members, managers, employees, volunteers, vendors, professional service providers, or affiliated organizations.

**II. APPLICABILITY AND AUTHORITY**

This Policy pertains to the following entities and encumbers that property restricted by the SBA Covenant, the SCA Covenant, the SPOA Declaration, the SRA Declaration and the Townhome Declaration:

1. Sienna Plantation Business Association, Inc., sometimes doing business as Sienna Business Association (“SBA”) as referenced in the Sienna Plantation Commercial Amended and Restated Master Covenant (Sienna Plantation Business Association, Inc.), filed under Clerk’s File No. 2016024161 in the Official Public Records of Fort Bend County, Texas (“SBA Covenant”), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SBA
2. Sienna Plantation Community Association, Inc., sometimes doing business as Sienna Community Association (“SCA”) as referenced in the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), filed under Clerk’s File No. 2019035843 in the Official Public Records of Fort Bend County, Texas (“SCA Covenant”), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SCA.
3. Sienna Plantation Community Services Foundation, Inc., sometimes doing business as Sienna Community Services Foundation (“SCSF”).

4. Sienna Plantation Property Owners Association, Inc., sometimes doing business as Sienna Property Owners Association (“SPOA”), as referenced in the First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna (Sienna Property Owners Association) recorded under Clerk’s File No. 2022016010 in the Official Public Records of Fort Bend County, Texas (“SPOA Declaration”), as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SPOA.
5. Sienna Plantation Residential Association, Inc., sometimes doing business as Sienna Residential Association (“SRA”) as referenced in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna Plantation (Sienna Plantation Residential Association, Inc.) recorded under Clerk’s File No. 2012104699 in the Official Public Records of Fort Bend County, Texas (“SRA Declaration”), as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SRA.
6. Sienna Townhome Association (“STHA”), as referenced in the Supplemental Declaration of Covenants, Conditions, and Restrictions for Sienna Townhomes, recorded under Clerk’s File No. 2019060447 in the Official Public Records of Fort Bend County, Texas (“Townhome Declaration”), as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of STHA.

Any reference in this Policy to “Board”, “Boards”, “Association” or “Associations” applies to all of the above-mentioned entities. Any reference in this Policy to “Owner” has the corresponding meaning ascribed to that term in the SBA Covenant, SCA Covenant, SPOA Declaration, the SRA Declaration or the Townhome Declaration, as applicable

Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves. Although SCSF has no members, the SCSF Board has opted to allow SRA Members in Good Standing (as defined in the SRA Declaration) to access the books and records of SCSF pursuant to the provisions set forth in this Policy.

Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

### III. PROCEDURE

The Association is committed to lawful and ethical behavior in all of its activities and requires directors, volunteers, and employees to act in accordance with all applicable laws, regulations and policies and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The **objectives** of the Association’s Whistleblower Policy are to establish policies and procedures to:

- prevent or detect and correct improper activities
- encourage each officer, member of the Board of Directors, manager, employee, and volunteer of the Association (“Reporting Individual”) to report what he or she in good faith believes to be a material violation of law or policy or questionable accounting or auditing matter by the Association

- ensure the receipt, documentation, retention of records, and resolution of reports received under this policy
- protect Reporting Individuals from retaliatory action.

### ***Reporting Responsibility***

Each Reporting Individual has an obligation to report what he or she believes is a material violation of law or policy or any questionable accounting or auditing matter by the Association, its officers, directors, managers, employees, volunteers, agents or other representatives. The Reporting Individual must also notify the Association if an action needs to be taken in order for the Association to be in compliance with law or policy or with generally accepted accounting practices. The types of concerns (“Concern”) that should be reported include, for purposes of illustration and without being limited to, the following:

- providing false or misleading information on the Association’s financial documents, tax returns or other public documents;
- providing false information to or withholding material information from the Association’s auditors, accountants, lawyers, directors or other representatives responsible for ensuring Association’s compliance with fiscal and legal responsibilities;
- embezzlement, private benefit, theft, or misappropriation of funds;
- material violation of Association’s policy, including among others, confidentiality, conflict of interest, whistleblower, ethics and document retention;
- discrimination based on race, color, sex, religion, national origin, disability, age, citizenship status, veteran status, or any other protected status in accordance with the requirements of all applicable federal, state and local laws;
- improper destruction of records;
- improper use of assets;
- any other improper occurrence regarding cash, financial procedures, or reporting; and
- facilitation or concealing any of the above or similar actions.

### ***Reporting Violations***

The Association has an open door policy and suggests that employees or volunteers share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, SPRAI General Manager is in the best position to address an area of Concern. The SPRAI General Manager must notify the President of the Association about any reported Concern. However, if you are not comfortable speaking with the SPRAI General Manager or you are not satisfied with SPRAI General Manager’s response, you are encouraged to speak with the President of the Association. If supervisors and managers have a Concern, they are required to report Concerns or suspected ethics violations directly to the President of the Association. Directors may submit Concerns directly to the President of the Association.

If you do not believe that normal channels of communication can/should be used to express a Concern or knowledge of improprieties (e.g., contacting your supervisor or the President of the Association directly, etc.), you should immediately report your Concern to the following outside legal counsel:

- Marc D. Markel at (713) 840-1666 or [mmarkel@robertsmarkel.com](mailto:mmarkel@robertsmarkel.com)

Outside counsel will involve the appropriate personnel and otherwise coordinate the investigation.

Reports may be submitted in writing or verbally, but the reports should contain enough information to substantiate the Concern and allow an appropriate investigation to begin. Reports may be submitted anonymously. Appropriate action will be taken in response to reports.

### ***Handling of Reported Violations***

The SPRAI General Manager will notify the Reporting Individual and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

### ***No Retaliation***

This Policy is intended to encourage and enable officers, members of the Board of Directors, managers, volunteers, and employees to raise serious concerns within the organization for investigation and appropriate action. With this goal in mind, retaliation against any Reporting Individual that files a Report or voices a concern under this policy is strictly prohibited. No officer, member of the Board of Directors, manager, volunteer, or employee who, in good faith, reports a Concern shall be threatened, discriminated against or otherwise subject to retaliation or, in the case of an employee, adverse employment consequences as a result of such report. Moreover, a volunteer or employee who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

### ***Acting in Good Faith***

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the matter raised is a serious violation of law or policy or a material accounting or auditing matter. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, with gross negligence, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

### ***Confidentiality***

Reports of Concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible. However, consistent with the need to conduct an adequate investigation, the Association cannot guarantee complete confidentiality. Disclosure of information relating to an investigation under this policy by Association employees, directors, or others involved with the investigation of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and, with respect to Association employees or volunteers, may result in discipline, up to and including termination of employment or dismissal from the volunteer position. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

<b>Policy Name</b>	<b>Approved/Finalized</b>	<b>Revised</b>
Whistleblower Policy		February 7 & 8, 2023
Whistleblower Policy		October 21, 2013
Whistleblower Policy	May 27, 2009	

**[SIGNATURE PAGES FOLLOW]**

CERTIFICATION

SIENNA BUSINESS ASSOCIATION/TOLL-GTIS PROPERTY OWNER, LLC

I hereby certify that, as President of the Sienna Plantation Business Association, Inc., the foregoing Policy was approved on the 8<sup>th</sup> day of February, 2023, at a meeting of the Board of Directors at which a quorum was present.

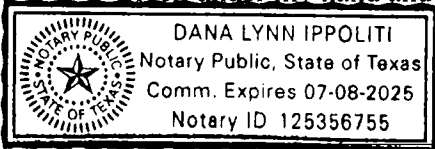
DATED, this the 8<sup>th</sup> day of February, 2023

By: [Signature]  
Print Name: Jimmie F. Jenkins  
Title: President

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Jimmie F. Jenkins, the President of Sienna Plantation Business Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 8<sup>th</sup> day of February, 2023.



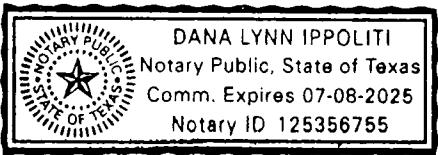
Notary Public – State of Texas  
[Signature]

APPROVED, this the 8<sup>th</sup> day of February, 2023

TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company  
By: [Signature]  
Printed Name: Jimmie F. Jenkins  
Title: Authorized Representative

THE STATE OF TEXAS §  
  §  
COUNTY OF Fort Bend §

This instrument was acknowledged before me this 8<sup>th</sup> day of February, 2023 by Jimmie F. Jenkins, Authorized Rep. of Toll-GTIS Property Owner, LLC, a Texas limited liability company, on behalf of said company.



[Signature]  
Notary Public – State of Texas

CERTIFICATION

SIENNA COMMUNITY ASSOCIATION/TOLL-GTIS PROPERTY OWNER, LLC

I hereby certify that, as president of the Sienna Plantation Community Association, Inc., the foregoing Policy was approved on the 8<sup>th</sup> day of February, 2023 at a meeting of the Board of Directors at which a quorum was present.

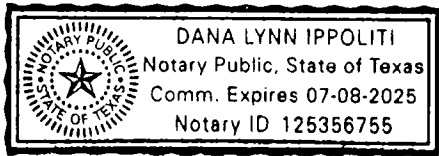
DATED, this the 8<sup>th</sup> day of February, 2023.

By: [Signature]  
Print Name: Jimmie F. Jenkins  
Title: President

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Jimmie F. Jenkins the President of Sienna Plantation Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 8<sup>th</sup> day of February, 2023



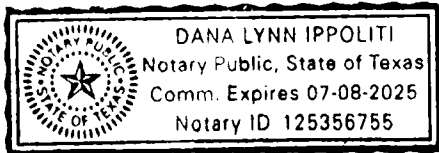
[Signature]  
Notary Public – State of Texas

APPROVED, this the 8<sup>th</sup> day of February, 2023

TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company  
By: [Signature]  
Printed Name: Jimmie F. Jenkins  
Title: Authorized Representative

THE STATE OF TEXAS §  
COUNTY OF Fort Bend §

This instrument was acknowledged before me this 8<sup>th</sup> day of February, 2023 by Jimmie F. Jenkins, Authorized Rep. of Toll-GTIS Property Owner, LLC, a Texas limited liability company, on behalf of said company.



[Signature]  
Notary Public – State of Texas

CERTIFICATION  
SIENNA COMMUNITY SERVICES FOUNDATION

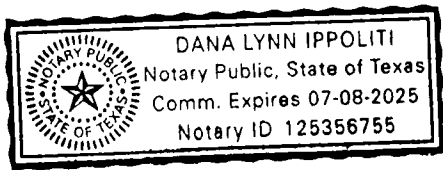
I hereby certify that, as secretary of the Sienna Plantation Community Services Foundation, Inc., the foregoing Policy was approved on the 19<sup>th</sup> day of January, 2023, at a meeting of the Board of Directors at which a quorum was present.

By: Teri Clayton  
Print Name: Teri Clayton  
Title: secretary/treasurer

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Teri clayton the secretary of the Sienna Plantation Community Services Foundation, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 19<sup>th</sup> day of January, 2023.



Dana Ippoliti  
Notary Public - State of Texas



CERTIFICATION  
SIENNA PROPERTY OWNERS ASSOCIATION

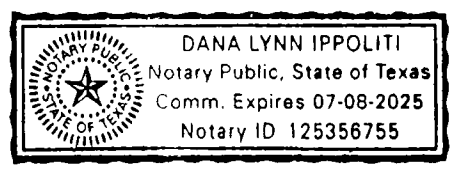
I hereby certify, as Secretary of Sienna Plantation Property Owners Association, Inc., the foregoing Policy was approved on the 7<sup>th</sup> day of February, 2023 at a meeting of the Board of Directors at which a quorum was present.

By: *Derek Goff*  
Print Name: Derek Goff  
Title: Secretary/Treasurer

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Derek Goff, the Secretary of the Sienna Plantation Property Owners Association, Inc. known by me to be the person whose name is subscribed to this instrument and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed, and in the capacity therein expressed.

Given under my hand and seal of office, this the 7<sup>th</sup> day of February 2023



*Dana Ippoliti*  
Notary Public – State of Texas

CERTIFICATION  
SIENNA RESIDENTIAL ASSOCIATION

I hereby certify that, as Secretary of the Sienna Plantation Residential Association, Inc., the foregoing Policy was approved on the 7<sup>th</sup> day of February, 2023 at a meeting of the Board of Directors at which a quorum was present.

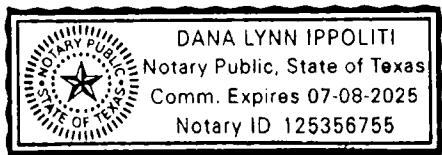


\_\_\_\_\_  
Derek Goff, Secretary

STATE OF TEXAS       §  
                                  §  
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Derek Goff, Secretary of the Sienna Plantation Residential Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 7<sup>th</sup> day of February, 2023



Dana Ippoliti  
Notary Public – State of Texas

CERTIFICATION  
SIENNA TOWNHOME ASSOCIATION

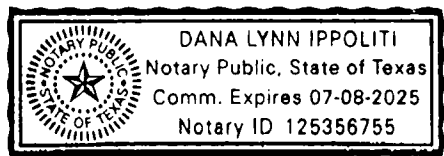
I hereby certify that, as secretary of the Sienna Townhome Association, the foregoing Policy was approved on the 14<sup>th</sup> day of March, 2023, ~~at a meeting of~~ the Board of Directors at which a quorum was present. electronically by

By: J. Barreda  
Print Name: John Barreda  
Title: secretary/treasurer

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared John Barreda the Secretary of the Sienna Townhome Association, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 14<sup>th</sup> day of March, 2023.



Dana Ippoliti  
Notary Public – State of Texas

After Recording, Return To:  
Dana Ippoliti  
Sienna Plantation Residential Association, Inc.  
9600 Scanlan Trace  
Missouri City, TX 77459