

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

May 15, 2024

The Board of Directors (“Board”) of Fort Bend County Municipal Utility District No. 122 (“District”) met in regular session, open to the public, on the 15th day of May 2024, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Diane Perkins	President
Barbara Nelson	Vice President
Melissa Colihan	Secretary
Julia Mercer	Assistant Secretary
Shariq Ghani	Assistant Vice President

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

Also present at the meeting were Christy Wells of NJ Services, LLC (“NJ Services”); Esther Flores of Tax Tech, Inc. (“Tax Tech”); Mark Swanson and Cole Caraway of LJA Engineering, Inc. (“LJA”); Erin Garcia of Myrtle Cruz, Inc. (“Myrtle Cruz”); Calvin Browne of Municipal District Services, LLC (“MDS”); and Katie Sherborne and Kia Fields of Allen Boone Humphries Robinson LLP (“ABHR”).

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the regular and special meeting minutes of April 17, 2024. After review and discussion, Director Nelson moved to approve the regular and special meeting minutes, as presented. Director Mercer seconded the motion, which passed by unanimous vote.

RECEIVE REPORTS FROM DIRECTORS

Director Perkins updated the Board regarding matters related to the park opening.

WEBSITE COMMUNICATION MATTERS

The Board discussed expenses for website services.

MAINTENANCE OF LAKES AND CHANNELS

Ms. Wells reviewed the mowing report, a copy of which is attached, and updated the Board regarding NJ's efforts to remove debris in the District.

BOOKKEEPING MATTERS

Ms. Garcia reviewed the bookkeeper's report, including the investment report and the bills submitted for payment. After review and discussion, Director Perkins moved to approve the bookkeeper's report, investment report, and payment of the bills. Director Mercer seconded the motion, which carried unanimously.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

The Board discussed the AWBD summer conference and the District's Travel Reimbursement Guidelines.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Flores reviewed the District's monthly tax report, a copy of which is attached, including the delinquent tax roll. She stated that 97.62% of the District's 2023 taxes had been collected as of April 2024. She then reported to the estimated 2023 preliminary value of the District is \$374,173,117.

After review and discussion, Director Colihan moved to approve the tax assessor/collector's report and payment of the tax bills. Director Mercer seconded the motion, which passed by unanimous vote.

OPERATOR'S REPORT

Mr. Browne presented and reviewed the operator's report, a copy of which is attached, and reported on routine maintenance and repair items in the District.

Mr. Browne presented 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 of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

The Board considered approving the District's Consumer Confidence Report ("CCR") for 2023. Mr. Browne requested authorization to send the CCR via electronic correspondence.

DRAFT

Mr. Browne presented and reviewed damage to Channel A caused by recent rain and requested authorization to repair the area.

Mr. Swanson updated the Board regarding a repair to a bridge that may be needed and noted LJA plans to evaluate additional structures that may need repair. Mr. Browne further stated he plans to evaluate the District facilities to identify potential projects to include in the Maintenance and Capital Improvement Plan ("CIP").

After review and discussion, Director Colihan moved to: (1) approve the operator's report; (2) authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's records; and (3) approve the CCR and authorize MDS to send the CCR electronically to the District's customers and certify the filing with the Texas Commission on Environmental Quality ("TCEQ"); and (4) approve emergency repair of the area near Channel A, split 50/50 between the District and Fort Bend County MUD No. 123, pending final cost, subject to final review by Director Perkins. Director Nelson seconded the motion, which passed unanimously.

REVIEW MAINTENANCE AND CAPITAL IMPROVEMENT PLAN

Mr. Caraway presented and reviewed a draft CIP. Following discussion, the Board concurred to defer action to next month.

ENGINEERING MATTERS

Mr. Caraway distributed an engineer's report, a copy of which is attached.

Mr. Caraway updated the Board regarding construction of the Wastewater Treatment Plant.

Mr. Caraway updated the Board regarding construction of the Water Plant Expansion.

Mr. Caraway updated the Board regarding construction of the Lakemont Stormwater Reuse Pump Station Rehabilitation.

Following review and discussion, Director Colihan moved to approve the engineer's report. Director Mercer seconded the motion, which passed unanimously.

AUTHORIZE ACCEPTANCE AND CONVEYANCE OF EASEMENTS/DEEDS/ UTILITY DEEDS, APPROVAL OF ABANDONMENT OF EASEMENT OR FACILITIES, AND REVIEW OF PLANS

There was no discussion on this item.

PARK PROJECT AND RECREATIONAL FACILITY MATTERS

There was no further discussion on this item.

PROPOSALS FOR GENERAL LIABILITY AND DIRECTORS AND OFFICERS LIABILITY INSURANCE

Ms. Sherborne reported she is awaiting information to obtain a proposal from Arthur J. Gallagher & Co. for general liability and directors and officers liability insurance.

TCEQ PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN

There was no discussion on this item.

SECURITY MATTERS

Director Perkins updated the Board regarding security matters. The Board discussed the status of the Amended and Restated Agreement for Sharing Costs of Security Services (the "Agreement"). After review and discussion, Director Perkins moved to approve the Agreement, subject to receipt from the Lakemont Community Association, Inc. Director Nelson seconded the motion, which passed by unanimous vote.

REVIEW CONSULTANT CONTRACTS

There was no discussion on this item.

2024 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Melissa Colihan, Shariq Ghani, and Julia Mercer to the Board of Directors of the District each for a four-year term.

Ms. Sherborne reviewed the Sworn Statements and Oaths of Office for Directors Colihan, Ghani and Mercer.

After review and discussion, Director Perkins moved to: (1) approve the Certificate of Election and the distribution of same to Directors Colihan, Ghani, and Mercer, and direct that the Certificate of Election be filed appropriately and retained in the District's official records; and (2) approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State, as required by law. Director Nelson seconded the motion, which passed by unanimous vote.

REORGANIZE THE BOARD

The Board considered reorganizing. Following discussion, Director Perkins moved to maintain current Director positions. Director Nelson seconded the motion, which passed by unanimous vote.

DISTRICT REGISTRATION FORM

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors. Following review and discussion, Director Perkins moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Nelson seconded the motion, which passed by unanimous vote.

TEXAS PUBLIC INFORMATION ACT TRAINING

Ms. Sherborne 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.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

Secretary, Board of Directors

(SEAL)

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Mowing report.....	2
Tax Assessor-Collector’s report	2
Operator’s report.....	2
Engineer’s report.....	3