

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

June 19, 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 19<sup>th</sup> day of June 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 and Dylan 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 Nellie Connally 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 May 15, 2024. After review and discussion, Director Colihan 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 Ghani updated the Board regarding efforts to prepare for hurricane season and proposed meeting with the Fort Bend County office of Homeland Security and Emergency Management to address same. Following discussion, the Board concurred to have Director Ghani coordinate a tour of the facility in July.

WEBSITE COMMUNICATION MATTERS

There was no discussion on this item.

## MAINTENANCE OF LAKES AND CHANNELS

Ms. Wells reviewed the mowing report, a copy of which is attached, and updated the Board regarding debris behind a home in the District, which such area was believed to be the responsibility of the HOA.

## BOOKKEEPING MATTERS

Ms. Garcia reviewed the bookkeeper's report, including the investment report and the bills submitted for payment. A copy of the bookkeeper's report is attached. She then requested approval of check nos. 1851 and 1852 payable to Director Mercer and Director Perkins in the respective amounts of \$1,235.60 and \$780.97, both for Director fees of office, which she noted are not included in the report. After review and discussion, Director Colihan moved to approve the bookkeeper's report, investment report, and payment of the bills, including check nos. 1851 and 1852. Director Nelson Mercer seconded the motion, which carried unanimously.

## 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 98.06% of the District's 2023 taxes had been collected as of May 2024.

The Board considered authorizing the delinquent tax attorney to proceed with the collection of 2023 real property taxes that are delinquent on July 1, 2024.

Ms. Flores reviewed a Second Amendment to Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech.

After review and discussion, Director Colihan moved to: (1) approve the tax assessor/collector's report and payment of the tax bills; (2) authorize the delinquent tax attorney to proceed with the collection of delinquent 2023 real property taxes; and (3) approve the Second Amendment to Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech. 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.

Mr. Browne requested Board authorization to write off two delinquent accounts totaling \$149.04 and send them to a collection agency.

Mr. Browne updated the Board regarding restoring an area near the recreation center, noting MDS worked with the homeowner association to identify the final area to restore and plans to gather costs to present to the Board.

After review and discussion, Director Perkins 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) authorize MDS to write off two delinquent accounts totaling \$149.04 and send them to a collection agency. Director Mercer seconded the motion, which passed unanimously.

#### REVIEW MAINTENANCE AND CAPITAL IMPROVEMENT PLAN AND DISCUSS BIENNIAL INSPECTION OF DISTRICT FACILITIES

Mr. Caraway presented and reviewed a revised draft CIP and updated the Board regarding the timeline for the projects and plans to revise the CIP.

#### 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 and reviewed and recommended approval of Pay Estimate No. 17 in the total amount of \$338,151.25, payable to R&B Group, Inc. ("R&B Group"), split between the District and Fort Bend County Municipal Utility District No. 123. He stated the District's portion is \$168,312.60.

Mr. Caraway updated the Board regarding construction of the Water Plant Expansion and reviewed and recommended approval of Pay Estimate Nos. 2 and 3 in the respective amounts of \$20,096.19 and \$44,165.88. He stated the District's portions are \$9,646.17 and \$21,199.62, respectively.

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

Following review and discussion, Director Colihan moved, based on the engineer's recommendation to: (1) approve the engineer's report; (2) approve Pay Estimate No. 17 in the amount of \$338,151.25, payable to R&B Group for construction of the Wastewater Treatment Plant; and (3) approve Pay Estimate Nos. 2 and 3 in respective amounts of \$20,096.19 and \$44,165.88 for construction of the Water Plant Expansion. Director Nelson 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

There was no discussion on this item.

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.

REVIEW CONSULTANT CONTRACTS

There was no discussion on this item.

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

  
Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

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