

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

April 17, 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 17th day of April 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”); 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 March 20, 2024. After review and discussion, Director Nelson moved to approve the regular and special meeting minutes, as presented. Director Colihan seconded the motion, which passed by unanimous vote.

RECEIVE REPORTS FROM DIRECTORS

The Board discussed the special meeting with Fort Bend County (the “County”) officials, including requests to the County related to safety and security issues and a follow up meeting planned with the County. Further discussion ensued regarding matters related to the District’s cost sharing agreement for security services with Fort Bend County MUD No. 123 (“MUD 123”) and the homeowner association.

APPROVE AMENDED AND RESTATED AGREEMENT FOR SHARING COSTS OF SECURITY SERVICES

The Board discussed matters related to the District’s cost sharing agreement for security services. Ms. Sherborne presented and reviewed an Amended and Restated Agreement for Sharing Costs of Security Services (the “Agreement”). After review and discussion, Director Nelson moved to approve the Agreement. Director Mercer seconded the motion, which passed by unanimous vote.

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. She reported debris near a homeowner’s fence and reviewed a proposal to remove the debris in the total amount of \$225.00 (the “Proposal”), a copy of which is included in the mowing report. Following review and discussion, Director Perkins moved to approve the Proposal in the amount of \$225.00. Director Nelson seconded the motion, which passed by unanimous vote.

REVIEW ARBITRAGE REBATE REPORT FOR THE SERIES 2019 BONDS

Ms. Sherborne presented an Interim Excess Earnings Report prepared by OmniCap Group LLC indicating that the District does not owe any arbitrage rebate or yield reduction payments to the Internal Revenue Service on its Series 2019 Unlimited Tax Bonds.

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 requested approval of additional check nos. 1797-1800 to Directors Ghani, Perkins, Mercer, and Nelson all in the amount of \$204.09 for Director expenses, noting that the checks were not reflected in the bookkeeper’s report.

After review and discussion, Director Perkins moved to approve the bookkeeper’s report, investment report, and payment of the bills, including check nos. 1797-1800. Director Nelson 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 97.04% of the District’s 2023 taxes had been collected as of March 2024. After review and discussion, Director Perkins moved to

approve the tax assessor/collector's report and payment of the tax bills. Director Colihan 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 \$322.64 and send them to a collection agency.

Mr. Browne stated that the District's Identity Theft Prevention Program (the "Program") requires MDS to provide an annual written report evaluating the effectiveness of the Program, significant instances of identity theft detection, and any recommendations regarding changes to the Program. Mr. Browne stated that there were no recommended changes to the District's Identity Theft Prevention Plan, that no instances of identity theft were reported in the last year, and that a copy of the annual report is attached to the operator's report.

Mr. Browne presented and reviewed the Water Conservation Plan annual report and 5-year implementation report on the Water Conservation Plan with the Board.

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) authorize MDS to write off two delinquent accounts totaling \$322.64 and send them to a collection agency. Director Nelson seconded the motion, which passed unanimously.

REVIEW MAINTENANCE AND CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Caraway presented and reviewed a draft CIP, noting he is gathering information on the projects and plans to present a revised plan to the Board.

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 and reviewed and recommended approval of Pay Estimate No. 1 in the total amount of \$16,191.00, payable to Tidal Construction, Inc. ("Tidal Construction"), split between the District and MUD 123. He stated the District's portion is \$7,771.68.

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

Following review and discussion, Director Perkins moved, based on the engineer's recommendation, to: (1) approve the engineer's report; and (2) approve Pay Estimate No. 1 in the amount of \$16,191.00, payable to Tidal Construction for the Water Plant Expansion. 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.

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

There was no discussion on this item.

SECURITY MATTERS

There was no further discussion regarding this item.

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

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