

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

May 17, 2023

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 May 2023, 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 the above were present, except Director Ghani, thus constituting a quorum.

Also present at the meeting were Christy Wells and Kenny Wells of NJ Services, LLC ("NJ Services"); Kathy Cruthirds of Tax Tech, Inc. ("Tax Tech"); Mark Swanson and Kyle Kraus of LJA Engineering, Inc. ("LJA"); Tina Kelsey 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 19, 2023. After review and discussion, Director Nelson moved to approve the regular and special meeting minutes of April 19, 2023, as presented. Director Mercer seconded the motion, which passed by unanimous vote.

RECEIVE REPORTS FROM DIRECTORS

There was no discussion on this item.

WEBSITE COMMUNICATION MATTERS

There was no discussion regarding this matter.

MAINTENANCE OF LAKES AND CHANNELS

Ms. Wells presented and reviewed a mowing report from NJ Services, a copy of which is attached. Ms. Wells then presented and reviewed a proposal to trim and remove

limbs from the fences at Lift Station Nos. 2 and 3 in the total amount of \$300.00. After review and discussion, Director Nelson moved to: (1) approve the mowing report; and (2) approve the proposal to trim and remove limbs from the fences at Lift Station Nos. 2 and 3 in the total amount of \$300.00. Director Perkins seconded the motion, which passed unanimously.

### BOOKKEEPING MATTERS

Ms. Kelsey reviewed the bookkeeper's report, including the investment report and the bills submitted for payment, and addressed questions related to same. A copy of the bookkeeper's report is attached. After review and discussion, Director Colihan moved to approve the bookkeeper's report, investment report, and payment of the bills. Director Perkins 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. Cruthirds reviewed the District's monthly tax report, a copy of which is attached, including the delinquent tax roll. She stated that 97.60% of the District's 2022 taxes had been collected as of April 2023. She then updated the Board regarding the 2023 preliminary value of the District, noting it is subject to change. 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, reviewed routine maintenance and repair items in the District, and addressed questions related to same.

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 one delinquent account in the amount of \$118.06 and send them to a collection agency.

The Board considered approving the District's Consumer Confidence Report ("CCR") for 2022. Mr. Browne requested authorization to send the CCR via electronic correspondence.

Ms. Sherborne updated the Board regarding matters related to the elder care facility in the District, noting she has not heard from the owner. Discussion ensued regarding proposed penalties.

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; (3) authorize MDS to write off one delinquent account in the amount of \$118.06 and send them to a collection agency; (4) 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 (5) authorize ABHR to notify the elder care facility of the District's intention to impose a \$5,000 per day penalty starting next month. Director Nelson seconded the motion, which passed by unanimous vote.

#### RENEWAL OF TODAY'S INTEGRATION CONTRACT FOR SECURITY CAMERA SERVICES AT DISTRICT FACILITIES

Mr. Browne reported the Today's Integration contract for security cameras will renew automatically, unless notified otherwise, and the Board concurred to allow the contract to auto renew.

#### ENGINEERING MATTERS

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

Mr. Swanson updated the Board regarding construction of the Wastewater Treatment Plant ("WWTP") and reviewed and recommended approval of Pay Estimate No. 6 in the total amount of \$256,500.00, payable to R&B Group, Inc ("R&B Group"), split between the District and Fort Bend County MUD No. 123 ("MUD 123"). He stated the District's portion is \$123,120.00. He then updated the Board regarding a request from R&B Group for prepayment related to the project. Following discussion, the Board concurred to deny prepayment to R&B Group.

Mr. Swanson updated the Board regarding design of the Water Plant Expansion.

Mr. Swanson updated the Board regarding design of the Lakemont Stormwater Reuse Pump Station Rehabilitation.

Mr. Swanson updated the Board on the biannual inspection, noting he plans to present at the next Board meeting.



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. 5 in the amount of \$123,120.00, payable to R&B Group for construction of the WWTP. Director Nelson seconded the motion, which passed by unanimous vote.

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.

OPERATOR'S REPORT (CONTINUED)

Mr. Browne presented and reviewed a manhole survey and updated the Board regarding manholes repaired and plans to prioritize repair of the remaining manholes. Discussion ensued regarding the manhole survey. Following discussion, the Board concurred with MUD 123's direction to have Mr. Browne report the number of manholes repaired per priority level and the sidewalks that are repaired.

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

There was no discussion on this item.

ANNUAL CYBERSECURITY TRAINING

Ms. Sherborne presented a memorandum regarding legislation enacted by the Texas Legislature regarding annual cybersecurity training requirements for certain local government employees and elected officials and recommended the Directors complete cybersecurity training for the year.

SECURITY MATTERS

Director Perkins reported on security matters in the District.

REVIEW CONSULTANT CONTRACTS

There was no discussion on this item.

TEXAS PUBLIC INFORMATION ACT REQUESTS

There was no discussion on this item.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS  
GOVERNMENT CODE

The Board did not convene in executive session.

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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