

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

October 18, 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 18th day of October 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 of the above were present, thus constituting a quorum.

Also present at the meeting were Dane Turner of Best Trash; Christy Wells of NJ Services, LLC ("NJ Services"); Kathy Cruthirds of Tax Tech, Inc. ("Tax Tech"); Kyle Swanson and Cole Caraway of LJA Engineering, Inc. ("LJA"); Tina Kyle 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 September 20, 2023. 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

There was no discussion on this item.

WEBSITE COMMUNICATION MATTERS

There was no further discussion on this item.

MAINTENANCE OF LAKES AND CHANNELS

Ms. Wells presented and reviewed the mowing report, a copy of which is attached. She then presented and reviewed a proposal from NJ Services to cut down the cattails in Channels A&D in the total amount of \$4,500.00 or to cut down and haul the cattails in the total amount of \$8,500.00. She next presented and reviewed a proposal to spray the weeds around the detention ponds in the total amount of \$2,174.80. Copies of the proposals are included in the mowing report. Following discussion, Director Nelson moved to approve cutting down the cattails in Channel A&D in the total amount of \$4,500.00. Director Mercer seconded the motion, which passed by unanimous vote. The Board tabled action on spraying the rip rap around the detention ponds.

BOOKKEEPING MATTERS

Ms. Kyle reviewed the bookkeeper's report, including the investment report and the bills submitted for payment. A copy of the bookkeeper's report is attached.

The Board discussed amending the budget for expenses related to the lead and copper survey.

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.

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 0.00% of the District's 2023 taxes had been collected as of September 2023.

She presented and reviewed the delinquent tax report prepared by Perdue, Brandon, Fielder, Collins & Mott L.L.P. ("Perdue") regarding the status of the District's delinquent tax collections, including the accounts recommended for water service termination. A copy of the delinquent tax report is attached to the tax report.

After review and discussion, Director Colihan moved to: (1) approve the tax assessor/collector's report and payment of the tax bills; and (2) authorize termination of water and wastewater service to the delinquent tax accounts recommended by Perdue due to the fact that said accounts had neither contacted the District nor had appeared at the Board meeting to discuss their tax accounts. Director Nelson seconded the motion, which passed by unanimous vote.

GARBAGE COLLECTION MATTERS

Mr. Turner reviewed a letter providing notice of the annual Consumer Price Index ("CPI") adjustment resulting in an increase in the monthly fee for curbside garbage and

recycling collection service per residence from \$21.53 to \$23.06. Discussion ensued, and the Board requested Best Trash address issues related to trash collection.

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 updated the Board regarding the manhole survey. Discussion ensued and following discussion the Board concurred to receive a summary related to the manhole survey monthly and the full report quarterly.

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.

After review and discussion, Director Colihan moved to: (1) approve the operator's report; and (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. Director Mercer seconded the motion, which passed unanimously.

ENGINEERING MATTERS

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

Director Ghani left the meeting.

Mr. Swanson updated the Board regarding construction of the Wastewater Treatment Plant ("WWTP") and reviewed and recommended approval of Pay Estimate No. 12 in the total amount of \$933,063.45, payable to R&B Group, Inc ("R&B Group"), split between the District and Fort Bend County Municipal Utility District No. 123 ("MUD 123"). He stated the District's portion is \$447,870.46.

Mr. Swanson stated that bids were received for construction of the Water Plant Expansion. He recommended that the Board award the contract to Tidal Construction, Inc ("Tidal Construction") in the total amount of \$862,577.00, split between the District and MUD 123. He stated the District's portion is \$414,036.96. The Board concurred that, in its judgment, Tidal Construction was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

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

Mr. Swanson updated the Board regarding the schedule for the bi-annual inspection of District facilities.

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. 12 in the amount of \$933,063.45, payable to R&B Group for construction of the WWTP; and (2) award the contract for construction of the Water Plant Expansion to Tidal Construction in the total amount of \$862,577.00, based upon the receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Nelson seconded the motion, which passed by a vote of 4 to 0, with Director Ghani being absent from the 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.

APPROVE CAPACITY RESERVATION RELATED TO MULTI-FAMILY SITE

Mr. Swanson updated the Board regarding a proposed multifamily site, noting he plans to provide a letter of availability regarding available capacity. Discussion ensued regarding plans for the multifamily site.

PARK PROJECT AND RECREATIONAL FACILITY MATTERS

There was no further discussion on this matter.

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

There was no discussion on this item.

DISTRICT'S INSURANCE POLICIES

Director Ghani rejoined the meeting.

The Board reviewed a proposal from Arthur J. Gallagher & Co. for renewal of the District's insurance policies. After review and discussion, Director Nelson moved to approve the insurance proposal and direct that the proposal be filed appropriately and retained in the District's official records. Director Mercer seconded the motion, which passed unanimously.

SECURITY MATTERS

Director Perkins updated the Board regarding security matters in the District.

REVIEW CONSULTANT CONTRACTS

There was no discussion on this item.

TEXAS PUBLIC INFORMATION ACT REQUESTS

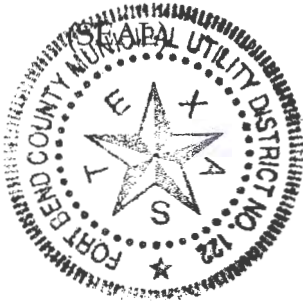
There was no discussion on this item.

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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