

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119

June 1, 2022

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 119 (the "District") met in regular session, open to the public, on the 1st day of June, 2022, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, outside the boundaries of the District, and the roll was called of the members of the Board:

Alan Shelby	President
Carol Richardson	Vice President
Jeanette Spinks	Secretary
Brian Keith Joseph	Assistant Vice President
Michael J. Garza	Assistant Secretary

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

Also attending the meeting were: Brittini Silva of Myrtle Cruz, Inc. ("Myrtle Cruz"); Travis Benes of Stormwater Solutions ("SWS"); Rene Anandel of Wheeler & Associates, Inc. ("Wheeler"); Brian Chovanec of Benchmark Engineering Corporation ("Benchmark"); Missy Steadman of Inframark, LLC ("Inframark"); Lieutenant Martin Garret and Deputy Salman Ghaffar of the Fort Bend County Constable's Office; and Katie Sherborne and Kia Fields of Allen Boone Humphries Robinson LLP ("ABHR").

SECURITY SERVICES

Lieutenant Garret introduced himself to the Board and discussed the option for the Constable's Office to conduct house watches for residents in the District upon request. Discussion ensued regarding conducting house watches. Following discussion, the Board concurred to have the District operator work with Touchstone District Services, LLC to distribute a text message alert regarding same. Lieutenant Garret and Deputy Ghaffar then discussed the May report on security services in the District, a copy of which is attached.

PUBLIC COMMENTS

The Board received no public comments.

MINUTES

The Board considered approving the minutes of the May 4, 2022, meeting. After discussion, Director Shelby moved to approve the minutes, as presented. Director Joseph seconded the motion, which carried by unanimous vote.

## 2022 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Carol Richardson, Jeanette Spinks, and Michael Garza to the Board of Directors of the District each for a four-year term. After review and discussion, Director Joseph moved to approve the Certificate of Election and the distribution of same to Directors Richardson, Spinks, and Garza. Director Richardson seconded the motion, which carried by unanimous vote.

The Board reviewed the Sworn Statements and Oaths of Office for Directors Richardson, Spinks, and Garza. After review and discussion, Director Joseph moved that the Board 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 Richardson seconded the motion, which carried by unanimous vote.

## REORGANIZE THE BOARD AND ELECT OFFICERS

The Board considered reorganizing the Board of Directors and concurred to maintain current Director positions.

## 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 Shelby moved to authorize filing of the updated District Registration Form with the TCEQ. Director Richardson seconded the motion, which carried by unanimous vote.

## OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

There was no discussion on this agenda item.

## CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE, INCLUDING REVIEW OF DISCLOSURE FORMS ADOPTED BY THE TEXAS ETHICS COMMISSION AND LIST OF LOCAL GOVERNMENT OFFICERS

There was no discussion on this agenda item.

## TAX REPORT

Ms. Andel reviewed the District's monthly tax report for the month of May, a copy of which is attached, reflecting collections of 97.61% of the District's 2021 taxes at the end of May, 2022. Following review and discussion, Director Shelby moved to



approve the tax assessor/collector's report and authorize payment of the tax bills. Director Richardson seconded the motion, which carried unanimously.

#### COLLECTION OF DELINQUENT TAXES

The Board considered authorizing the District's delinquent tax attorney to proceed with the collection of delinquent 2021 taxes after July 1, 2022. After discussion, Director Shelby moved to authorize the District's delinquent tax attorney to proceed with collection of delinquent taxes. Director Joseph seconded the motion, which carried by unanimous vote.

#### SALES TAX COLLECTIONS AND ACCOUNTS, INCLUDING MONTHLY REPORT FROM SALES REVENUE INC ("SALES REVENUE")

The Board reviewed a Sales and Use Tax Administration Report, dated May, 2022, a copy of which is attached.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Silva presented the bookkeeper's report for the month of May and submitted the bills for payment. A copy of which is attached. She reviewed the District's investments, including the monthly investment report, a year-to-date budget comparison, certificates of deposit matured and renewed, and a reconciliation of North Fort Bend Water Authority ("NFBWA") revenues and expenses. She then requested approval of check no. 1163 payable to Fort Bend Subsidence District in the amount of \$4,028.00, and blank check no. 1164 payable to Texas Comptroller in an amount to be determined for unclaimed funds, which she noted are not included in the report. Ms. Silva stated she plans to void check no. 1156 and reissue as check no. 1165 payable to Texas Pride Utilities ("Texas Pride") in the amount of \$47,880.00. She noted the payment to Touchstone District Services, LLC ("Touchstone") was moved to the District Communication expense line item in the year-to-date budget comparison. After review and discussion, Director Garza moved to: (1) approve the bookkeeper's report, including the checks presented for payment, and check nos. 1163 and 1164; and (2) void check no. 1156 and issue check no. 1165. Director Shelby seconded the motion, which carried by unanimous vote.

#### MOWING, MAINTENANCE, AND REPAIR OF DISTRICT DRAINAGE FACILITIES

Mr. Benes presented a report regarding maintenance of the District's drainage facilities, a copy of which is attached. He reported SWS completed adding sealant to the seams of the concrete slope paving.

## ENGINEER'S REPORT

Mr. Chovanec distributed and reviewed a report from Benchmark regarding the status of engineering projects in the District, including items specifically addressed as follows in these minutes. A copy of the report is attached.

## UTILITY COMMITMENT LETTERS AND ANNEXATION REQUESTS

There were no utility commitment letters or annexation requests for the Board's review.

## DEEDS, EASEMENTS, AND CONSENTS TO ENCROACHMENT

There were no deeds, easements, and/or consents to encroachment for the Board's approval and/or acceptance.

## EVALUATION OF DISTRICT'S SANITARY SEWER FORCE MAIN

Mr. Chovanec updated the Board on the status of televising the force main to inspect for potential repairs and presented and recommended approval of Pay Estimate No. 1 in the amount of \$47,880.00 payable to Texas Pride. After review and discussion, Director Spinks moved, based on the engineer's recommendation, to approve Pay Estimate No. 1 to Texas Pride. Director Richardson seconded the motion, which carried by unanimous vote.

## OPERATOR'S REPORT

Ms. Steadman presented the monthly operator's report for May, a copy of which is attached. She reviewed routine maintenance and repairs in the District, as itemized in the report. Ms. Steadman stated the District's water accountability was 96.69% for the previous billing period.

Ms. Steadman updated the Board regarding the status of the lift pump no. 3 replacement at lift station no. 1.

Ms. Steadman stated the installation of two sets of stairs at the water plant has been completed.

Ms. Steadman updated the Board on the status of televising the force main to inspect for potential repairs and reported Inframark is working on a way to safely pump out water discovered along the portion of the force main near Burney Road to complete televising. Discussion ensued, including discussion regarding alternative options for televising the portion of the force main near Burney Road. Mr. Chovanec stated most of the force main has been inspected and recommended making a final attempt to televise the portion of the force main near Burney Road and to terminate televising the portion of the force main near Burney Road if Inframark determines such



television cannot be done safely. Ms. Steadman concurred with Mr. Chovanec's recommendation.

Ms. Steadman updated the Board regarding the status of the District's initiatives included in the Water Provider Conservation Program.

Ms. Steadman updated the Board regarding a repair needed to lift pump no. 1 at lift station no. 1. She presented and reviewed a proposal to repair lift pump no. 1, a copy of which is attached to the operator's report. She stated the estimated replacement cost is \$11,883.00. Mr. Chovanec concurred with Ms. Steadman's recommendation.

Ms. Steadman reported the District is still providing water to Fort Bend County MUD No. 41 ("MUD 41") through the interconnect agreement with MUD 41 and discussed Inframark's procedures regarding billing MUD 41 for water provided. Mr. Chovanec stated he believed the District was no longer providing water to MUD 41 through the interconnect, noting he would verify same.

Ms. Steadman recommended the Board authorize turning over two delinquent water and sewer services accounts with a balance of \$134.53 to Collections Unlimited for collection.

Following discussion, Director Garza moved to: (i) approve the operator's report; (ii) authorize turning over two delinquent accounts to Collections Unlimited for collection, as recommended; and (iii) approve repairing lift pump no. 1 at lift station no. 1 in an amount not to exceed \$11,883.00. Director Spinks seconded the motion, which carried by unanimous vote.

#### TERMINATION OF UTILITY SERVICE

Ms. Steadman presented a list of delinquent accounts to the Board. She stated that the accounts in question have been given written notification of the opportunity to appear, either in person or in writing, at the Board meeting to contest, explain, or correct the charges, services, or disconnection. She noted that the accounts listed have neither attended the Board meeting nor contacted her office or the District to contest or explain the charges, except for accounts paid earlier in the day.

The Board discussed a certain high delinquent water and sewer services account. Ms. Steadman reported such high delinquency was due to the customer defaulting on their payment plan. Discussion ensued regarding the high delinquent water and sewer services account.

After review and discussion, Director Garza moved to authorize the District's operator to proceed with termination of the utility service pursuant to the provisions of the District's Rate Order to accounts remaining unpaid except for those accounts where payments are being made in accordance with a payment plan authorized by the

District's operator and account no. 119-00444-09. Director Spinks seconded the motion, which carried by unanimous vote.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

There was no further discussion on this agenda item.

DISTRICT CORRESPONDENCE

There was no discussion on this agenda item.

DISCUSS CYBERSECURITY MATTERS

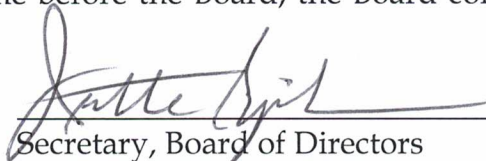
Ms. Sherborne updated the Board regarding recent cybersecurity threats. Ms. Silva and Ms. Steadman discussed security measures in place within each of their organizations to protect against potential cybersecurity attacks.

PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN

There was no discussion on this matter.

The Board discussed the next meeting date and concurred to meet next on July 6, 2022.

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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