

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119

October 5, 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 5th day of October, 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, except Directors Shelby and Richardson, thus constituting a quorum.

Also attending the meeting were: Deputy Salman Ghaffar of the Fort Bend County Constable's Office; Rene Anadel of Wheeler & Associates, Inc. ("Wheeler"); Brittni Silva of Myrtle Cruz, Inc. ("Myrtle Cruz"); Brian Chovanec of Benchmark Engineering Corporation ("Benchmark"); Missy Steadman of Inframark, LLC ("Inframark"); Kurt Adkins of Summit Management, LLC; and Teshia Judkins, Justine M. Cherne, and Duggan Baker of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

The Board received no public comments.

MINUTES

The Board considered approving the minutes of the September 7, 2022, meeting. After discussion, Director Spinks moved to approve the minutes, as presented. Director Garza seconded the motion, which carried by unanimous vote.

SECURITY SERVICES

Lieutenant Ghaffar discussed the September report on security services in the District, a copy of which is attached, and addressed questions related to same.

TAX REPORT

Ms. Anadel reviewed the District's monthly tax report for the month of September, a copy of which is attached, reflecting collections of 98.87% of the District's

2021 taxes at the end of September, 2022. Discussion ensued regarding certain delinquent tax accounts on the delinquent tax report.

Following review and discussion, Director Garza moved to approve the tax assessor/collector's report and authorize payment of the tax bills. Director Joseph seconded the motion, which carried unanimously.

SALES TAX COLLECTIONS AND ACCOUNTS, INCLUDING REPORT FROM SALES REVENUE INC.

Ms. Judkins noted that the Sales and Use Tax Administration Report, dated September 2022, a copy of which is attached, was provided to the Directors.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Silva presented the bookkeeper's report for the month of September 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.

Ms. Silva explained the benefits and anticipated costs of adding positive pay to the District's accounts, and Ms. Silva and Ms. Judkins addressed questions regarding same.

After review and discussion, Director Garza moved to: (i) approve the bookkeeper's report, including the checks presented for payment; and (ii) approve the addition of positive pay to the District's accounts, including payment of the related bank service fees for same, and authorize Myrtle Cruz to take such actions as are reasonable or necessary to add and use positive pay on the District's accounts. Director Spinks seconded the motion, which carried by unanimous vote.

MOWING, MAINTENANCE, AND REPAIR OF DISTRICT DRAINAGE FACILITIES

The Board reviewed a report regarding maintenance of the District's drainage facilities, a copy of which is attached.

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.

FORT BEND COUNTY'S MCKASKLE ROAD PROJECT

Mr. Chovanec updated the Board regarding Fort Bend County's (the "County's") evaluation of a possible project to widen McKaskle Road, noting he reviewed correspondence and a drainage impact analysis from the County.

OPERATOR'S REPORT

Ms. Steadman presented the monthly operator's report for September, 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 86.48% for the previous billing period and discussed factors that may be influencing accountability.

Ms. Steadman updated the Board regarding the status of fire hydrants repairs and replacement.

Ms. Steadman reported Inframark sent an invoice to Fort Bend County M.U.D. No. 41 ("MUD 41") for their use of the interconnect in the approximate amount of \$217,000.00.

Following discussion, Director Spinks moved to approve the operator's report. Director Joseph 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. After review and discussion, Director Spinks 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. Director Joseph seconded the motion, which carried by unanimous vote.

AMENDMENT TO AMENDED AND RESTATED PROFESSIONAL SERVICE AGREEMENT WITH INFRAMARK, LLC

Ms. Steadman discussed a draft Third Amendment to Amended and Restated Professional Services Agreement between the District and Inframark (the "Amendment") to modify the rate schedule. She stated that she will review the District's Amended Rate Order to determine whether any amendments are needed at the November 2, 2022, regular meeting. Discussion ensued. Following discussion, Director Spinks moved to approve the Amendment. Director Joseph seconded the motion, which carried by unanimous vote.

NFBWA MATTERS

Ms. Steadman updated the Board regarding the status of the District's initiatives included in the Water Provider Conservation Program. She requested that a member of the District's Water Provider Conservation Program attend NFBWA's webinar anticipated to be scheduled for October or November 2022.

DISTRICT CORRESPONDENCE

There was no discussion on this agenda item.

PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN, INCLUDING STATUS OF COMPLIANCE, NECESSARY TRAINING, AND PUBLIC COMMENT

There was no discussion on this matter.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE; RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board then convened in executive session at 12:56 p.m. to consult with the District's attorney pursuant to Section 551.071, Texas Government Code. In addition to the Board, only Ms. Judkins, Ms. Fields, and Mr. Baker were present during the execution session.

The Board reconvened in open session at 1:01 p.m.

Director Garza moved to approve a legal services engagement letter with Feldman & Feldman, and direct that the legal services engagement letter be filed appropriately and retained in the District's official records. Director Spinks seconded the motion, which passed unanimously.

The Board discussed the next meeting date and concurred to meet next on November 2, 2022.

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

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