

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119

October 4, 2023

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 4th day of October, 2023, 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 Director Shelby, thus constituting a quorum.

Also attending the meeting were: Corporal Salman Ghaffar of the Fort Bend County Constable's Office; Rene Anandel of Wheeler & Associates, Inc. ("Wheeler"); Jimm Davis of Myrtle Cruz, Inc. ("Myrtle Cruz"); Justin Klump and Sarah Valladares of Stormwater Solutions ("SWS"); Brian Chovanec of Benchmark Engineering Corporation ("Benchmark"); Missy Steadman and Randy Davila of Inframark, LLC ("Inframark"); and Teshia Judkins and Kia Fields 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 6, 2023, meeting. After discussion, Director Spinks moved to approve the minutes, as presented. Director Joseph seconded the motion, which carried by unanimous vote.

SECURITY SERVICES

Corporal Ghaffar discussed the September report on security services in the District, a copy of which is attached.

Ms. Judkins reviewed an Agreement for Additional Law Enforcement Services (the "Agreement") with Fort Bend County (the "County") providing for security services by the County Constable's office for the October 1, 2023, to September 30, 2024,

period. After discussion, Director Spinks moved to approve the Agreement. Director Garza seconded the motion, which carried by unanimous vote.

TAX REPORT

Ms. Andel reviewed the District's monthly tax report for the month of September, reflecting collections of 98.79% of the District's 2022 taxes at the end of September, 2023.

Following review and discussion, Director Richardson moved to approve the tax assessor/collector's report and authorize payment of the tax bills. Director Spinks 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 2023, a copy of which is attached, was provided to the Directors.

MOWING, MAINTENANCE, AND REPAIR OF DISTRICT DRAINAGE FACILITIES

Ms. Valladares presented 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. He also updated the Board regarding a proposed commercial business in the District.

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 stated there have been no changes since the last update regarding Fort Bend County's evaluation of a possible project to widen McKaskle Road.

OPERATOR'S REPORT

Mr. Davila presented the monthly operator's report for September, a copy of which is attached. He reviewed routine maintenance and repairs in the District, as itemized in the report. Mr. Davila stated the District's water accountability was 95.67% for the previous billing period.

Mr. Davila reported the District has received payment on an insurance claim for replacement of the fence at the water plant that was damaged due to high winds. He noted that the total payment amount received from the District's insurer will be noted in the operator's report presented at the next Board of Directors meeting.

Mr. Davila updated the Board on the status of the repair to lift pump no. 1 at lift station no. 1.

Director Garza left and rejoined the meeting.

Ms. Steadman reviewed documentation regarding the Inframark rates that are to be adjusted by 4.64%, effective October 5, 2023, in accordance with the procedure provided in the current agreement between the District and Inframark for annual rate adjustments based upon the applicable consumer price index. A copy of such documentation is included in the operator's report. She then reviewed a summary of proposed changes to certain fees in the District's rate order that were recommended by the District's operator related to the annual rate adjustments. A copy of such summary is attached to the operations report. Following review and discussion, the Board concurred to consider amending the District's Rate Order at the next Board meeting.

Ms. Steadman then discussed Inframark's survey of manholes within the District and presented and reviewed a summary of the recommended repairs resulting from such survey, grouped by priority. Discussion ensued, including discussion regarding the estimated costs and recommended timing for such repairs. Ms. Steadman recommended completing all the repairs. Following discussion, the Board requested the addition of a manhole repair item below the line of the budget to track the actual costs of such repairs, and Ms. Steadman agreed that the costs for these repairs will be separately indicated on Inframark invoices for tracking purposes.

Following discussion, Director Garza moved to: (1) approve the operator's report; and (2) authorize Inframark to complete the repairs resulting from the manhole survey, as recommended. Director Joseph seconded the motion, which carried by unanimous vote.

TERMINATION OF UTILITY SERVICE

Mr. Davila presented a list of delinquent accounts to the Board. He 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. He noted that the accounts listed have neither attended the Board meeting nor contacted his office or the District to contest or explain the charges, except for accounts paid earlier in the day. 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. 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, noting the District has met all the requirements of the Program, except for a bill insert for October and an additional high water notice for November usage, which she noted would be distributed.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Davis presented the bookkeeper's report for the month of September and submitted the bills for payment. A copy of the bookkeeper's report is attached. He 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. He then requested approval of check no. 1495 in the amount of \$11,699.41 to Inframark, which he noted is not included in the report.

After review and discussion, Director Spinks moved to approve the bookkeeper's reports, including the checks presented for payment and check no. 1495. Director Richardson seconded the motion, which carried by unanimous vote.

DISTRICT CORRESPONDENCE

Ms. Judkins reported that Acclaim Energy requested authorization to attend a Board meeting to discuss electricity pricing options for the period following the District's current electricity contract that expires April 30, 2026. After discussion, the Board concurred not to obtain an update on electricity pricing options at this time.

Ms. Judkins discussed correspondence the District received regarding Notices of Class Action Settlements against DuPont and 3M.

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

Mr. Klump updated the Board on the District’s Storm Water Management Plan (“SWMP”). He reviewed a summary of the Year 5 Goals and Training under the SWMP, a copy of which is attached. Mr. Klump then began his training session with the Board and other consultants. He stated the topic of the Year 5 Training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements. Mr. Klump explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers, to prevent adding to bacterial impairment. He then continued with the training, thoroughly explaining the sources of bacteria, and outlining the program elements of the SWMP that deal with these sources.

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

The Board did not convene in executive session.

The Board discussed the next meeting date and concurred to meet next on November 1, 2023.

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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