

# DRAFT

## MINUTES FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119

November 2, 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 2nd day of November, 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: Deputy Salman Ghaffar of the Fort Bend County Constable’s Office; Rene Anandel of Wheeler & Associates, Inc. (“Wheeler”); Brittni Silva of Myrtle Cruz, Inc. (“Myrtle Cruz”); Travis Benes and Sarah Valladares of Stormwater Solutions (“SWS”); Brian Chovanec of Benchmark Engineering Corporation (“Benchmark”); Missy Steadman 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 October 5, 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

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

### TAX REPORT

Ms. Anandel reviewed the District’s monthly tax report for the month of October, a copy of which is attached, reflecting collections of 3.37% of the District’s 2022 taxes at the end of October, 2022.

# DRAFT

Following review and discussion, Director Spinks 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 October 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 October 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 further addressed questions related to the bookkeeper's report. Discussion ensued regarding the NFBWA revenues and expenses.

After review and discussion, Director Shelby moved to approve the bookkeeper's report, including the checks presented for payment. Director Richardson seconded the motion, which carried by unanimous vote.

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

Mr. Benes introduced Ms. Valladares to the Board and explained she will be taking his place as the District's SWS representative for drainage facilities maintenance. Mr. Benes then 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.

## 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 would review the revised plans, once received from the County.

## OPERATOR'S REPORT

Ms. Steadman presented the monthly operator's report for October, 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 80.47% for the previous billing period and discussed factors that may be influencing accountability as well as Inframark's efforts to investigate same.

Ms. Steadman reported a repair needed to lift pump no. 3 due to damage from a recent storm, noting Inframark is gathering more information and that a rental pump is in currently in place.

Ms. Steadman updated the Board regarding a tap line break repaired at 15115 Snow Hill Court and the District's 2022 lead and copper sampling report. She noted Inframark replaced the bleach pump at the water plant.

Following discussion, Director Garza 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 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.

## REVIEW RATE ORDER AND AMEND, IF APPROPRIATE

Ms. Steadman confirmed that she reviewed the District's rate order in light of the changes to Inframark's rates that were approved at the last meeting and does not recommend any changes to the District's rate order at this time. Discussion ensued, and no action was taken on this matter.

## 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 the NFBWA's next webinar anticipated to be scheduled for this month.

## ADOPT RESOLUTION AND APPROVE THE EXECUTION OF AGREEMENTS RELATED TO ELECTRONIC LOCKBOX PAYMENT SERVICES WITH CENTRAL BANK, INCLUDING ADDENDUM TO SERVICE AGREEMENT WITH DISTRICT OPERATOR

Ms. Steadman discussed Inframark's migration of electronic lockbox payment services to Central Bank and reviewed a related resolution and agreements, including an addendum to the service agreement with the District's operator. Following review and discussion, Director Garza moved to adopt the Resolution Approving Central Bank's Electronic Lockbox Payment Services and approve the related agreements, including the Processing Agreement with Central Bank and Addendum to Operator Service Agreement. Director Joseph seconded the motion, which carried by unanimous vote.

## DISTRICT CORRESPONDENCE

Ms. Judkins noted that copies of a letter from the TCEQ regarding a municipal setting designation and correspondence from a representative of the County regarding a possible event hosted by Commissioner Meyers was provided to the Directors.

## 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 did not convene in executive session.

The Board discussed the next meeting date and concurred to meet next on December 7, 2022.

# DRAFT

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

---

Secretary, Board of Directors

(SEAL)

## LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Security services report .....	1
Tax report .....	1
Sales and Use Tax Administration Report, dated October 2022 .....	2
Bookkeeper's report.....	2
Drainage facilities maintenance report.....	2
Engineer's report.....	2
Operator's report.....	3