

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 122**  
Minutes of Meeting of Board of Directors  
May 24, 2023

The Board of Directors ("Board") of Harris County Municipal Utility District No. 122 ("District") met in regular session at the Board's regular meeting place on May 24, 2023, in accordance with the duly posted notice of public meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Joycelyn Barnes Reese, President  
Ronald F. Bennett, Vice-President  
James H. Ragan, Jr., Secretary  
John Hoxie, Assistant Secretary  
John R. Marshall, Assistant Secretary

all of said persons were present thus constituting a quorum.

Also present were Patty Rodriguez of Bob Leared Interests, Inc. ("BLI"); Sabrina Alaquez of Inframark, LLC ("Inframark"); Rahi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Robert Dazey, Madison Barrington and Jodie Robinson of Quiddity Engineering LLC ("Quiddity"); Joyce Bennett, a member of the public; and Abraham Rubinsky, Katie Blasio and Charlotte Griffiths of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before it.

**PUBLIC COMMENTS**

The Board began by opening the meeting for public comments. There being no comments from the public, the Board continued to the next item of business.

**APPROVAL OF MINUTES**

The Board considered the review and approval of the minutes of its meeting held on April 26, 2023. After discussion, Director Marshall moved that the minutes of the Board's meeting held on April 26, 2023, be approved, as written. Director Hoxie seconded said motion, which unanimously carried.

**TAX ASSESSOR/COLLECTOR'S REPORT**

Ms. Rodriguez presented to and reviewed with the Board the Tax Assessor/Collector's Report for the period ended April 30, 2023, which is attached hereto as **Exhibit A**, including the disbursements presented for payment from the Tax Account. After discussion, Director Ragan moved that the Tax Assessor/Collector's Report be approved and the disbursements identified in said report be approved for payment from the

Tax Account. Director Marshall seconded said motion, which unanimously carried.

**ADOPTION OF RESOLUTION REQUESTING AN APPRAISAL OF PROPERTY IN THE DISTRICT (ESTIMATE OF VALUE) AS OF MAY 1, 2023**

The Board next considered the adoption of a Resolution Requesting an Appraisal of Property in the District as of May 1, 2023. After discussion on the matter, Director Ragan moved that the Board adopt the resolution, that the President be authorized to execute same on behalf of the District. Director Marshall seconded said motion, which unanimously carried. A copy of the resolution is attached hereto as **Exhibit B**.

**REPORT AND LEGAL ACTION TAKEN BY THE DISTRICT'S DELINQUENT TAX COLLECTIONS ATTORNEY**

Mr. Rubinsky presented to and reviewed with the Board a Delinquent Tax Report received from Perdue, Brandon, Fielder, Collins & Mott, LLP ("PBFCM") dated May 24, 2023, a copy of which is attached hereto as **Exhibit C**. After discussion, the Board concurred that no action was required by the Board at this time in connection with said matter.

**BOOKKEEPER'S REPORT**

Mr. Patel presented to and reviewed with the Board the Bookkeeper's Report dated May 24, 2023, a copy of which attached hereto as **Exhibit D**. Mr. Patel noted that check no. 9881 to the State Comptroller for unclaimed property will be reflected in the Bookkeeper's Report next month. After discussion, it was moved by Director Marshall that the Bookkeeper's Report be approved and the disbursements listed therein be approved for payment, including check no. 9869 to Division III Constructors for Pay Estimate No. 5 and Final contingent upon approval of the Engineer's recommendation for payment of same. Director Ragan seconded said motion, which unanimously carried.

**UNCLAIMED PROPERTY REPORT AS OF MARCH 1, 2023**

Mr. Patel presented to the Board an Unclaimed Property Report prepared by MAC as of March 1, 2023, a copy of which is included with **Exhibit D**, and requested the Board approve said report and authorize MAC to file same with the State Comptroller prior to July 1, 2023. Mr. Patel noted that the report shows the District has unclaimed property in the total amount of \$2,074.93 for the applicable reporting period. After discussion, Director Marshall moved that the report be approved and MAC be authorized and directed to file same with the State Comptroller prior to July 1, 2023 and to remit such unclaimed property to the proper authorities as required by law. Director Ragan seconded said motion, which unanimously carried. Ms. Rodriguez advised that BLI did not identify any unclaimed property to report for the current reporting period.

## **OPERATIONS AND MAINTENANCE REPORT**

Ms. Alaqueinez presented to and reviewed with the Board the Operations and Maintenance Report for the month of April 2023, a copy of which is attached hereto as **Exhibit E**, and discussed with the Board the various matters contained therein. Ms. Alaqueinez then presented to and reviewed with the Board the list of delinquent accounts for the prior month. After discussion, it was moved by Director Ragan that two accounts totaling \$2,041.58 be written-off and sent to collections. Director Marshall seconded said motion, which unanimously carried.

## **CONSUMER CONFIDENCE REPORT**

The Board considered review and approval of the District's 2022 Consumer Confidence Report ("CCR"), a copy of which is included with **Exhibit E**, and authorizing the distribution of same to the District's customers. In connection therewith, Mr. Rubinsky reminded the Board that, as discussed last month, pursuant to CCR requirements promulgated by the United States Environmental Protection Agency and the TCEQ, the District is required to provide a report containing various information regarding the District's water supply to all customers of the District by July 1, 2023. After discussion on the matter, Director Bennet moved that the 2022 CCR be approved, subject to SPH's final approval of same, and that Inframark be authorized to distribute same to the District's customers electronically pursuant to a link to be provided on the next water bill and prior to July 1, 2023. Director Hoxie seconded said motion, which unanimously carried.

## **ENGINEERING REPORT**

Ms. Barrington presented to and reviewed with the Board a written Engineering Report dated May 24, 2023, a copy of which is attached hereto as **Exhibit F**, relative to the status of engineering and construction projects within the District. Ms. Barrington recommended that the Board approve Pay Estimate No. 5 and Final in the amount of \$34,499.10 from Division III Constructors relative to the construction of the Wastewater Treatment Plant Access Road, approve the Engineer's Certificate of Substantial Completion and Certificate of Acceptance, and approve Change Order No. 3 to reduce the contract amount by \$1,000.00. After discussion, Director Marshall moved that the above-described Pay Estimate No. 5 and Final, and Engineers' Certificates and Change Order No. 3 be approved as recommended by the District's Engineer. Director Ragan seconded the motion, which unanimously carried.

## **DEVELOPER'S REPORT**

The Board deferred consideration of the developer's report, as no representative of any developer within the District was present at the meeting.

## **CLAIM OF CITYPARK I, LP**

Mr. Rubinsky reported that Arthur J. Gallagher ("Gallagher"), the District's insurance carrier, confirmed that upon receipt of a signed release it will pay CityPark I, LP ("CityPark") its damages in connection with its claim for reimbursement of costs it allegedly incurred as a result of a sewer backup, which the District submitted to Gallagher for its review and handling. Mr. Rubinsky advised that that no action was required by the Board at this time.

## **REQUESTS FOR UTILITY COMMITMENTS**

Ms. Rubinsky noted that there had been no request for utility commitments and no action is required of the Board at this time.

## **DISCUSSION REGARDING SECURITY ENHANCEMENTS AND ADDITIONAL LAW ENFORCEMENT SERVICES**

It was noted that there are no new updates regarding proposed security enhancements and additional law enforcement services within the District.

## **ATTORNEY'S REPORT**

The Board next considered the Attorney's Report. Mr. Rubinsky advised that he had nothing additional of a legal nature that was not covered under another agenda item.

## **CLOSED SESSION**

The Board determined it would not be necessary to enter into Closed Session at this time.

## **FUTURE AGENDA ITEMS**

The Board considered items for placement on a future agenda. Mr. Patel advised the Board that MAC is now offering direct deposit service for director per diem and expense reimbursement payments through HR&P, Inc. ("HRP"), a third party payroll provider, and queried the Board regarding their interest in participating. Following discussion on the matter, the Board indicated it is not interested in direct deposit of per diems and expense reimbursements at this time.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion made by Director Marshall, seconded by Director Reese and unanimously carried, the meeting was adjourned.



  
Secretary

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List of Attachments to  
Harris County Municipal Utility District No. 122  
Minutes of Meeting of May 24, 2023

- Exhibit A Tax Assessor-Collector's Report
- Exhibit B Adoption of Resolution Requesting an Appraisal of Property in the District as of May 1, 2023
- Exhibit C Delinquent Tax Report
- Exhibit D Bookkeeper's Report
- Exhibit E Operations and Maintenance Report
- Exhibit F Engineer's Report