

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 122

Minutes of Special Meeting of Board of Directors

December 20, 2023

The Board of Directors ("Board") of Harris County Municipal Utility District No. 122 ("District") met in special session at 1300 Post Oak Boulevard, Suite 2400, Houston, Harris County, Texas on December 20, 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 except Director Hoxie, thus constituting a quorum.

Also present were Patty Rodriquez of Bob Leared Interests, Inc. ("BLI"); Sabrina Alaquinez of Inframark, LLC ("Inframark"); Rahi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Robert Dazey and Rebecca Watkins of Quiddity Engineering LLC ("Quiddity"); Brian Krueger of Forvis, LLP ("Forvis"); Joyce Bennett, a member of the public; and Abraham Rubinsky, Katie Blasio and Charlotte Griffiths 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 November 29, 2023. After discussion, Director Marshall moved that the minutes of the Board's meeting held on November 29, 2023, be approved, as written. Director Reese seconded said motion, which carried unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Rodriguez presented to and reviewed with the Board the Tax Assessor/Collector's Report for the period ended November 30, 2023, which is attached hereto as **Exhibit A**, including the disbursements presented for payment from the Tax Account. After discussion, Director Marshall 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 Reese seconded said motion, which unanimously carried.

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 dated December 20, 2023, a copy of which is attached hereto as **Exhibit B**. After discussion, the Board concurred that no action was required.

BOOKKEEPER'S REPORT

Mr. Patel presented to and reviewed with the Board the Bookkeeper's Report dated December 20, 2023, a copy of which attached hereto as **Exhibit C**. Directors Marshall and Ragan questioned Mr. Patel regarding certain invoices, investments and budgetary items in the Bookkeeper's Report and expressed concern with the lack of sufficient information in response to such questions. After discussion, Director Marshall moved that the Bookkeeper's Report be approved and the disbursements listed therein be approved for payment, with the exception of check no. 9986, which was voided. Director Reese seconded said motion, which unanimously carried.

REVIEW AND APPROVAL OF AUDIT FOR FISCAL YEAR ENDED AUGUST 31, 2023

The Board next considered the review and approval of the District's audit report for the fiscal year ended August 31, 2023, which had been prepared by Forvis. In connection therewith, Mr. Krueger presented a draft of the audit report, a copy of which is attached hereto as **Exhibit D**, and reviewed it in detail with the Board. Mr. Krueger advised the Board that Forvis would be issuing an unmodified audit opinion in connection with the subject audit. After discussion concerning the audit presented, Director Bennett moved that (i) the audit report for the fiscal year ending August 31, 2023, be approved, subject to final review of same by SPH, (ii) that the President be authorized to execute the Annual Filing Affidavit on behalf of the Board and District, and (iii) that such audit report and Annual Filing Affidavit be filed with the appropriate governmental authorities, including the Texas Commission on Environmental Quality ("TCEQ"). Director Marshall seconded said motion, which unanimously carried.

STATUS OF CONTINUING DISCLOSURE REPORT

Mr. Rubinsky reminded the Board that the District's annual continuing disclosure report is due February 29, 2024. Following discussion, Director Bennett moved that Coats Rose, P.C., the District's continuing disclosure counsel, be authorized to prepare and file the report with the appropriate entities on behalf of the District by the February 29, 2024 deadline. Director Marshall seconded the motion, which unanimously carried.

OPERATIONS AND MAINTENANCE REPORT

Ms. Alaquez presented to and reviewed with the Board the Operations and Maintenance Report for the month of November 2023, a copy of which is attached hereto as **Exhibit E**, and discussed with the Board the various matters contained therein including an update regarding repairs in progress at 12642 Grove Park in connection with a hole and sunken sidewalk panels. Ms. Alaquez next reviewed with the Board the delinquent accounts for the prior month. After

discussion, Director Ragan moved that Inframark be authorized to (i) lock the meters for certain delinquent accounts listed for cut off if they were not paid by January 9, 2024, and to (ii) refer two (2) accounts totaling \$419.69 to collections. Director Bennett seconded said motion, which unanimously carried.

ENGINEERING REPORT

Mr. Dazey presented to and reviewed with the Board a written Engineering Report dated December 20, 2023, a copy of which is attached hereto as **Exhibit F**, relative to the status of engineering and construction projects within the District. After discussion, Director Ragan moved that Quiddity be (i) authorized to prepare and submit a Notice of Intent ("NOI") to the Texas Commission on Environmental Quality regarding compliance with the City of Missouri City's Storm Water Management Plan and (ii) approve a proposal from Quiddity to prepare and submit the NOI on behalf of the District for the proposed cost of \$5,500. Director Marshall 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.

REQUESTS FOR UTILITY COMMITMENTS

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

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Rubinsky advised of the status of communications with the District's insurance carrier, Arthur J. Gallagher & Co. ("AJG") regarding a proposed settlement addressed directly to the District from CityPark's legal counsel. Mr. Rubinsky noted that AJG advised that the District neither sign the agreement nor respond to any such communications in connection with same. Furthermore, AJG will have the District removed from the settlement agreement and directly negotiate the settlement agreement on behalf of the District.

CLOSED SESSION

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

FUTURE AGENDA ITEMS

Mr. Rubinsky advised the Board of the February 16, 2024 deadline to call the May 4, 2024 Directors Election. Following discussion, the Board concurred to place an item calling the same on the next meeting agenda.

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

(SEAL)

703904



List of Attachments to
Harris County Municipal Utility District No. 122
Minutes of Meeting of December 20, 2023

- Exhibit A Tax Assessor-Collector's Report
- Exhibit B Delinquent Tax Collections Attorney's Report
- Exhibit C Bookkeeper's Report
- Exhibit D Draft Annual Audit
- Exhibit E Operator's Report
- Exhibit F Engineer's Report and NOI Proposal