

**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 142****Minutes of Meeting of Board of Directors****April 11, 2024**

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 142 (the "District") met in regular session, open to the public on April 11, 2024, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Randal L. Carter, President  
John R. Morgan, Vice President  
Ross Madia, Secretary  
Philip Huseman, Assistant Secretary  
James Cokinos, Assistant Secretary

all of whom were present, thus constituting a quorum.

Also attending the meeting were: Bradley Jenkins, Nolan Lambert and Tyler Mai of Quiddity Engineering, LLC ("Quiddity"); Wendy Duncan of Inframark, LLC ("Inframark"); Yvonne Luevano of Wheeler & Associates, L.P. ("Wheeler"); Michael Willett of Touchstone District Services ("Touchstone"); Mark Burton of Municipal Accounts & Consulting, L.P. ("MA&C"); Christie Leighton of Best Trash, LLC ("Best Trash"); Jerry Schroeder of Champions Hydro-Lawn, Inc. ("CHL"); and John Eichelberger III 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 the Board.

**PUBLIC COMMENTS**

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

**APPROVAL OF MINUTES**

The Board considered approval of the minutes of the Board meeting held on March 14, 2024. Upon discussion, Director Madia moved that the minutes of the March 14, 2024, meeting be approved as written. Director Cokinos seconded said motion, which unanimously carried.

**SOLID WASTE COLLECTION**

Ms. Leighton presented to and addressed with the Board a quarterly report from Best Trash, a copy of which is attached hereto as **Exhibit A**. Upon discussion, the Board concurred that no action was required.

Ms. Leighton exited the meeting at this time.

### **BOOKKEEPER'S REPORT**

Mr. Burton reviewed with the Board the Bookkeeper's Report dated April 11, 2024, a copy of which report is attached hereto as **Exhibit B**, and the disbursements presented for payment. After discussion, Director Madia moved that the Board approve the Bookkeeper's Report, and the disbursements presented for payment, as reflected in the Bookkeeper's Report. Director Cokinos seconded said motion, which unanimously carried.

A discussion ensued regarding the scheduling of a special meeting to review the general operating budget and future capital improvements. Mr. Eichelberger stated that he will email the Board regarding the scheduling of such meeting at MA&C's office.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Luevano reviewed with the Board the Tax Assessor-Collector Report dated as of March 31, 2024, and Delinquent Collections Listings, copies of which are attached hereto as **Exhibit C**. After discussion on the report, Director Madia moved that the report be approved and that the disbursements identified in the report be approved for payment. Director Cokinos seconded said motion, which carried unanimously.

### **DELINQUENT TAX COLLECTIONS REPORT**

Mr. Eichelberger presented to and reviewed with the Board the Delinquent Tax Report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue"), a copy of which is attached hereto as **Exhibit D**. Upon review, the Board deferred action concerning an Order of Sale for a delinquent account listed on the report. Mr. Eichelberger stated that he will obtain additional information regarding the account and report back to the Board.

### **RESOLUTION AUTHORIZING AN ADDITIONAL PENALTY ON DELINQUENT REAL PROPERTY TAXES**

The Board considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes. Mr. Eichelberger advised that the Board is authorized pursuant to Section 33.07 of the Texas Tax Code, as amended, to impose, under certain conditions on July 1, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due the District on taxes that remain delinquent as of July 1 of the year in which they became delinquent. He noted that the additional penalty to be imposed by this Resolution will not apply to delinquent personal property taxes which have incurred an additional penalty pursuant to that certain Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes, which was passed and approved by the District on January 11, 2024. After further discussion, it was moved by Director Madia, seconded by Director Cokinos, and unanimously carried, that the Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes, a copy of which is attached hereto as **Exhibit E**, be adopted by the District, and that Perdue be authorized to proceed with the collection of the District's 2023 delinquent real property tax accounts on July 1,

2024, including the filing of lawsuits as necessary, subject to proper notice having been given as provided in said Resolution.

### **ENGINEERING REPORT**

Mr. Jenkins presented to and reviewed with the Board a written Engineering Report dated April 9, 2024, a copy of which report is attached hereto as **Exhibit F**. Upon review and discussion of the Engineering Report, Director Madia then moved that (i) all action items in the Engineering Report be approved, and (ii) the Special Warranty Deed for the wastewater treatment plant site being conveyed to Fort Bend County Municipal Utility District No. 229 (No. 229") and a Quitclaim Conveyance of Utility Facilities to No. 229 of all facilities located on such site, be approved. Director Cokinos seconded said motion, which unanimously carried.

### **UTILITY COMMITMENTS, OUT-OF-DISTRICT SERVICE, AND ANNEXATION; DEVELOPMENT, FINANCING AND ANNEXATION AGREEMENT WITH KB HOME LONE STAR, INC. ("KB")**

Mr. Jenkins noted that the status of the annexation feasibility study for the tract proposed for annexation by KB was addressed in the Engineering Report.

### **RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2024 TAX YEAR**

The Board deferred consideration of a Resolution Concerning Developed District Status for 2024 Tax Year until its next meeting.

### **DETENTION AND DRAINAGE FACILITIES REPORT**

Mr. Schroeder presented to and reviewed with the Board a report from CHL, a copy of which is attached hereto as **Exhibit G**. Upon review, the Board concurred that no action was required.

### **OPERATOR'S REPORT**

Ms. Duncan presented to and reviewed with the Board the Operator's Report dated April 11, 2024, a copy of which report is attached hereto as **Exhibit H**. Upon discussion, Director Madia moved that the action items in the Operator's Report be approved. Director Cokinos seconded said motion, which unanimously carried.

### **CONSUMER CONFIDENCE REPORT**

The Board considered authorizing preparation of the District's 2023 Consumer Confidence Report ("CCR"). Mr. Eichelberger reminded the Board that pursuant to CCR requirements promulgated by the United States Environmental Protection Agency and the Texas Commission on Environmental Quality, 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, 2024.

After discussion on the matter, Director Madia moved that Inframark be authorized to prepare the District's 2023 CCR. Director Cokinos seconded said motion, which unanimously carried.

### **APPROVAL OF OPERATOR'S ANNUAL REPORT REGARDING THE IDENTITY THEFT PREVENTION PROGRAM**

Ms. Duncan presented to and reviewed with the Board the District's Identity Theft Prevention Program (the "Program"), a copy of which is attached to the Operator's Report. Ms. Duncan stated that Inframark is not recommending any changes to the District's Program. Upon discussion, Director Madia moved that the District's Program be approved, as presented. Director Cokinos seconded said motion, which unanimously carried.

### **FIVE-YEAR REVIEW OF WATER CONSERVATION PLAN AND DROUGHT CONTINGENCY PLAN**

The Board deferred consideration of five-year review of its Water Conservation Plan ("WCP") and Drought Contingency Plan ("DCP") until its next meeting. Ms. Duncan stated that Inframark will review the District's WCP and DCP for required updates, and report back to the Board.

### **COMMUNICATIONS REPORT**

Mr. Willett presented and reviewed with the Board a Communications Report prepared by Touchstone, a copy of which is attached hereto as **Exhibit I**.

Mr. Willett next presented and reviewed with the Board a proposal for District branded shirts, a copy of which is attached hereto as **Exhibit J**. Upon discussion, Director Madia moved that the proposal for branded shirts be approved. Director Cokinos seconded said motion, which unanimously carried.

### **HOMEOWNERS ASSOCIATION STREET LIGHT SERVICE REQUEST**

The Board briefly discussed the costs associated with the District's assumption of the Westheimer Lakes, Briscoe Falls, and Creekside Ranch property owners associations electricity and maintenance costs for street lighting and concurred to discuss in more detail at future meetings.

### **PARKS MASTER PLANNING REPORT**

The Board deferred discussion regarding parks master planning.

### **INFORMATION TECHNOLOGY COMMITTEE REPORT**

Director Cokinos provided an update to the Board concerning information on technology matters. Upon discussion, the Board concurred that no action was required.

## **WATER CONSERVATION COMMITTEE REPORT**

Mr. Eichelberger stated that the Water Conservation Committee will meet to determine if the District should participate in the North Fort Bend Water Authority ("NFBWA") Water Provider Conservation Program.

## **OPERATIONS COMMITTEE REPORT**

Ms. Duncan reported to the Board that 3S3, LLC ("3S3") is requesting a lengthened payment plan for delinquent irrigation water charges allegedly caused by construction of the Farm to Market Road 1463 expansion project. Upon discussion, Director Madia moved that Inframark be authorized to offer a thirty-six (36) month payment plan, which requires 3S3 to keep both its domestic and irrigation accounts current and allows the District to terminate service to its domestic account if payments are not made timely. Director Cokinos seconded said motion, which unanimously carried.

## **NFBWA REPORT**

Director Carter reported to the Board regarding the activities of the NFBWA.

## **REQUEST FOR PARTICIPATION IN SHARED SECURITY PATROL SERVICES WITH NO. 229**

Mr. Eichelberger stated that there is no update at this time regarding the formulation of a desired security patrol plan with No. 229.

## **CYBERSECURITY TRAINING AS REQUIRED BY CHAPTER 2054, TEXAS GOVERNMENT CODE**

Mr. Eichelberger discussed the Board's compliance with House Bill 3834, as amended Chapter 2054, Texas Government Code, also known as Information Resources Management Act (the "Act"), enacting cybersecurity training requirements for certain state and local government employees (and elected officials) and state contractors. He stated that the Board's annual training required by the Act should be completed prior to August 31, 2024, although there is no penalty for non-compliance. Mr. Eichelberger reported that SPH will provide the Board with the link and associated information to complete the cybersecurity training after the meeting.

## **ATTORNEY'S REPORT**

The Board considered the Attorney's Report. Mr. Eichelberger stated that he did not have anything to report to the Board of a legal nature that was not already addressed under an agenda item.

**FUTURE AGENDA ITEMS**

Other than as discussed earlier in the meeting and reflected above, there were no additional agenda items requested other than routine, ongoing matters.

**ADJOURNMENT OF MEETING**

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



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Ross Madia  
Secretary, Board of Directors

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FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 142  
LIST OF EXHIBITS TO MINUTES

April 11, 2024

- Exhibit A      Best Trash Report**
- Exhibit B      Bookkeeper's Report**
- Exhibit C      Tax Assessor-Collector's Report**
- Exhibit D      Delinquent Tax Report**
- Exhibit E      Resolution Authorizing an Additional Penalty on Delinquent Real  
Property Taxes**
- Exhibit F      Engineering Report**
- Exhibit G      Detention and Drainage Facilities Report; Proposal**
- Exhibit H      Operator's Report**
- Exhibit I      Communications Report**
- Exhibit J      Proposal for District Branded Shirts**