

**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 34,**  
**OF FORT BEND COUNTY, TEXAS**

Minutes of Meeting of Board of Directors

April 22, 2025

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 34, of Fort Bend County, Texas ("District") met in regular session at 1300 Post Oak Boulevard, Suite 2500, Houston, Texas 77056, on April 22, 2025, 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:

Billy E. Haehnel	President
James Marken	Vice President
Jose Torres	Secretary
Craig A. Hajovsky	Assistant Secretary
Sean Piper	Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also present were: Taylor Watson of Municipal Accounts & Consulting, L.P. ("MAC"); Kristen Scott of Bob Leared Interests ("BLI"); Kim Cosco of Champions Hydro-Lawn, Inc. ("Champions"); Justin Waggoner of Touchstone District Services, LLC ("Touchstone"); Keith Arrant of Municipal Operations & Consulting, Inc. ("MOC"); Jeff Safe of BGE, Inc. ("BGE"); and Kate Henderson and Kate Gribble 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.

**COMMENTS FROM THE PUBLIC**

The Board began by opening the meeting for public comments. No comments from the public were presented.

**APPROVE MINUTES**

The Board considered approval of the minutes of its meeting held on March 25, 2025. After discussion, Director Piper moved that the minutes for said meetings be approved, as written. Director Torres seconded said motion, which unanimously carried.

**BOOKKEEPER'S REPORT**

The Board next considered the Bookkeeper's Report. In connection therewith, Mr. Watson presented to and reviewed with the Board the Bookkeeper's Report dated April 22, 2025, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Hajovsky moved that the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment. Director Marken seconded said motion, which carried unanimously.

## **TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. Scott next presented to and reviewed with the Board the Tax Assessor-Collector's Report prepared by BLI dated March 31, 2025, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Torres moved that the Tax Assessor-Collector Reports be approved and the disbursements identified therein be approved for payment. Director Piper seconded said motion, which unanimously carried.

## **DELINQUENT TAX REPORT**

Ms. Henderson presented to and reviewed with the Board a Delinquent Tax Report dated April 22, 2025, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys, a copy of which is attached hereto as **Exhibit C**. The Board noted that there were no action items contained in the report.

## **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. Ms. Henderson advised the Board that it 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. She 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 28, 2025. After further discussion, it was moved by Director Piper, seconded by Director Hajovsky, and unanimously carried, that the Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes, a copy of which is attached hereto as **Exhibit D**, be adopted by the District, and that Perdue, Brandon, Fielder, Collins & Mott, L.L.P., be authorized to proceed with the collection of the District's 2024 delinquent real property tax accounts on July 1, 2025, subject to proper notice having been given as provided in said Resolution, including the filing of lawsuits as necessary.

## **OPERATIONS AND MAINTENANCE REPORT**

Mr. Arrant presented to and reviewed with the Board the Monthly Operations Report ("O&M Report"), a copy of which is attached hereto as **Exhibit E**, for March 2025 prepared by MOC. He reported that the District had 95% water accountability for the reporting period. He further reported that (i) the repair of the weir located in the northern part of the Long Meadow Park drainage channel is complete, (ii) the permit for the Splash Pad located at the Family Park is under review by Fort Bend County (the "County"), (iii) the installation of additional lighting at the eastern corner of the District's family park is complete, and (iv) MOC is obtaining pricing for repairs in connection with the Phase 3 sanitary sewer televising and will present the quotes at next month's meeting. He then presented two (2) delinquent accounts in the total amount of \$292.69 to be moved to the uncollectable roll.

The Board next considered the status of the District's Identity Theft Prevention Program (the "Program"). In connection therewith, Mr. Arrant presented to and reviewed with the Board

the Annual Red Flag Policy Report relative to identity theft prevention and protection (the "Report"), a copy of which is attached to the O&M Report. He advised that said Report (i) indicates that no incidents of identity theft have occurred, and (ii) recommends that no changes be made to the District's Identity Theft Prevention Program at this time. The Board concurred that no changes were necessary to the Program at this time.

After discussion, Director Hajovsky moved that MOC be authorized to move two (2) accounts in the amount of \$292.69 to the uncollectable roll, as reflected in the O&M Report. Director Piper seconded the motion, which carried unanimously.

### **NORTH FORT BEND WATER AUTHORITY ("NFBWA") WATER CONSERVATION PLAN ("WCP") ANNUAL IMPLEMENTATION REPORT**

Mr. Arrant advised the Board that MOC has prepared the Annual Implementation Report regarding the District's WCP and will file with the Texas Water Development Board and NFBWA prior to the May 1, 2025 deadline.

### **ANNUAL FILING OF DISTRICT FACILITIES TO QUALIFY FOR CRITICAL LOAD LIST**

Ms. Henderson advised the Board that, at last month's meeting, the Board authorized MOC to make such filings on behalf of the District and that no additional action is required at this time.

### **DETENTION AND DRAINAGE FACILITIES REPORT ("D&D REPORT")**

Mr. Cosco next presented to and reviewed with the Board a D&D Report dated April 22, 2025, prepared by Champions, for Little Prong Creek ("LPC") and corresponding photographs, a copy of which is attached hereto as **Exhibit F**. Following discussion, it was noted that no action was required by the Board in connection with the D&D Report at this time.

### **STORMWATER MANAGEMENT PROGRAM ("SWMP")**

The Board next considered the status of the District's SWMP. Ms. Henderson noted that there were no updates at this time.

### **ENGINEER'S REPORT**

Mr. Safe presented to and reviewed with the Board a written Engineer's Report dated April 22, 2025, a copy of which is attached hereto as **Exhibit G**, relative to the status of various engineering and construction projects within the District, and discussed the matters contained therein. He advised that XAG Group HQ LLC ("XAG") has not confirmed whether it would like to renew the Utility Commitment issued to XAG by the District at this time, which has expired. Ms. Henderson advised the Board that XAG has paid the outstanding invoice due to the District in connection with said expired Utility Commitment. Mr. Safe then advised that the drone survey of Little Prong Creek is currently in progress and the survey report should be available for next month's meeting. Mr. Safe next discussed with the Board the District's Wastewater Treatment Plant No. 2 and possible expansion if further development in the District occurs. After discussion, the Board noted there was no action being requested by BGE in connection with the report.

## **DISCUSSION REGARDING PURCHASE ORDER SYSTEM**

Director Haehnel next requested that the District's consultants generate a purchase order system for the Board's review of ongoing projects, specifically engineering projects within the District. In connection therewith, Mr. Safe presented a Summary of Expenses spreadsheet prepared by BGE in connection with recent construction projects in the District, a copy of which is included in **Exhibit G**. Following discussion, the Board concurred that MAC and BGE be authorized to include a monthly report detailing any and all invoices paid in connection with the District's ongoing projects with the Bookkeeper's Report for the Board's review.

## **STATUS OF COMPLIANCE WITH THE EPA'S NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS**

The Board deferred discussion on the District's compliance with the EPA's final National Primary Drinking Water Regulations for PFAS at this time.

## **UTILITY COMMITMENT REQUESTS**

The Board deferred consideration of requests for Utility Commitments after noting that no new requests were received.

## **DISTRICT WEBSITE AND MASS NOTIFICATION MESSAGING MATTERS**

Mr. Waggoner next presented to and reviewed with the Board a Monthly Communications Report prepared by Touchstone dated April 22, 2025, a copy of which is attached hereto as **Exhibit H**, regarding the status of the District's website and customer messaging system. After discussion, the Board concurred to include a bill message encouraging residents to sign up for the District's notification system.

## **RECEIVE FORT BEND COUNTY CONSTABLE'S OFFICE, PRECINCT 1 ("FBCCO") ACTIVITY REPORTS**

Ms. Henderson presented to the Board Monthly Contract Deputy Reports for the month of March, 2025 from the FBCCO (the "FBCCO Report"), a copy of which is attached hereto as **Exhibit I**. It was noted that no action was required by the Board in connection with the FBCCO Report at this time.

## **STATUS OF AMENDED SERVICES AGREEMENT WITH FLOCK GROUP, INC.;; FLOCK SAFETY REPORT**

Ms. Henderson next presented to and reviewed with the Board a Flock Safety Report on its security cameras throughout the District for the periods January 1 – April 21, 2025, a copy of which is attached hereto as **Exhibit J**. She noted there is was no action requested of the Board in connection with the report.

## **ANNUAL MAINTENANCE FOR ARBITRAGE ANALYSIS REPORT**

Ms. Henderson next presented to and reviewed with the Board the Annual Maintenance for Arbitrage Analysis Report prepared by Municipal Risk Management Group, LLC ("MRMG"),

dated April 7, 2025, relative to the District's outstanding bonds, a copy of which is attached hereto as **Exhibit K**. Ms. Henderson advised Arbitrage Compliance Specialists, Inc. ("ACS") is recommending the preparation of a 10<sup>th</sup> Year Arbitrage Rebate Report for the District's \$6,805,000 Unlimited Tax Refunding Bonds, Series 2015, a 5<sup>th</sup> Year Arbitrage Rebate Report for the District's \$2,870,000 Unlimited Tax Refunding Bonds, Series 2020, and an interim calculation report through October 28, 2025 for the District's \$5,285,000 Unlimited Tax Bonds, Series 2021. Ms. Henderson reminded the Board that the District has previously executed an evergreen contract with ACS. After discussion of the matter, Director Marken moved that ACS be authorized to prepare the reports for the bond issues described above, as recommended by MRMG in the Annual Maintenance for Arbitrage Analysis Report. Director Piper seconded said motion, which unanimously carried.

**ATTORNEY'S REPORT**

The Board considered the Attorney's Report. In that regard, Ms. Henderson reported on her communications with CenterPoint Energy ("CenterPoint") regarding the status of the conversion to LED bulbs and painting of the decorative light poles within the District.

**CLOSED SESSION**

The Board determined that it would not be necessary to meet in Closed Session at this time.

**FUTURE AGENDA ITEMS**

The Board considered items to be placed on future agendas. Director Marken requested that the Board consider a discussion regarding the expansion of Wastewater Treatment Plant No. 2.

**ADJOURNMENT OF MEETING**

There being no further business to come before the Board, Director Torres moved that the meeting be adjourned. Director Piper seconded said motion, which unanimously carried.

(SEAL)



  
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Secretary, Board of Directors

TABLE OF EXHIBITS

April 22, 2025

- Exhibit A: Bookkeeper's Report
- Exhibit B: Tax Assessor-Collector Reports
- Exhibit C: Delinquent Tax Report
- Exhibit D: Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes
- Exhibit E: Monthly Operations Report
- Exhibit F: Detention and Drainage Facilities Report; Little Prong Creek Exhibit
- Exhibit G: Engineer's Report
- Exhibit H: Communications Report
- Exhibit I: FBCCO Report
- Exhibit J: Flock Safety Report
- Exhibit K: Annual Maintenance for Arbitrage Analysis Report