

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

Minutes of Meeting of Board of Directors

March 28, 2023

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 34, of Fort Bend County, Texas ("District") met at 1300 Post Oak Boulevard, Suite 2500, Houston, Texas 77056, on March 28, 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:

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, except for Directors Marken and Piper, thus constituting a quorum. Director Marken entered after the meeting had been called to order, as noted herein.

Also present were: Taylor Watson of Municipal Accounts & Consulting, L.P. ("MAC"); Kristen Scott of Bob Leared Interests ("BLI"); Angie Hartwell of Touchstone District Services, LLC ("Touchstone"); Keith Arrant of Municipal Operations & Consulting, Inc. ("MOC"); Jerry Schroeder of Champions Hydro-Lawn, Inc. ("Champions"); Jeff Safe of BGE, Inc. ("BGE"); and Kate Henderson and Melanie Walsh of Schwartz, Page & Harding, L.L.P. ("SPH"). Mr. Schroeder and Mr. Safe entered the meeting after it had been called to order, as noted herein.

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. The Board deferred consideration of comments from the public as no comments were offered.

APPROVE MINUTES

The Board considered approval of the minutes of its meeting held on February 28, 2023. After discussion, Director Torres moved that the minutes for said meetings be approved, as written. Director Hajovsky seconded said motion, which unanimously carried.

CLIENT SERVICES AGREEMENT WITH HR&P, INC.

Mr. Watkins reminded 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 summarized the program and its costs and benefits for the Board. Following discussion on the matter, the Board deferred action on the matter pending further consideration at its next meeting.

Director Marken and Mr. Safe entered the meeting during the above discussion.

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 March 28, 2023, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Marken moved that the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment, with the exception of check no. 10475, which was voided. Director Torres seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Scott next presented to and reviewed with the Board the Tax Assessor-Collector's Report dated February 28, 2023, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Marken moved that the Tax Assessor-Collector Report be approved and the disbursements identified therein be approved for payment. Director Hajovsky seconded said motion, which unanimously carried.

UNCLAIMED PROPERTY

As the next order of business, the Board considered authorizing the District's consultants to research unclaimed property and MAC and/or BLI to prepare an Unclaimed Property Report as of March 1, 2023. She advised the Board that the District's Bookkeeper and/or Tax Assessor-Collector will file the report(s) with the Comptroller of Public Accounts of the State of Texas (the "Comptroller") and discharge any unclaimed funds to the Comptroller by July 1, 2023. After discussion, Director Torres moved that the District's Operator, Tax Assessor-Collector and Bookkeeper be authorized to research their records to determine whether or not there is any unclaimed property for the stated period and that the Bookkeeper and Tax Assessor-Collector be authorized to prepare an Unclaimed Property Report, if necessary, for the Board's consideration, approval and filing with the Comptroller prior to July 1, 2023. Director Hajovsky seconded said motion, which unanimously carried.

DELINQUENT TAX REPORT

Ms. Henderson reported that there was no Delinquent Tax Report this month from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys. She stated that the next quarterly report will be provided in April.

STATUS OF CONTINUING DISCLOSURE REPORT

Ms. Henderson advised the Board that the annual continuing disclosure report was filed by McCall, Parkhurst & Horton, L.L.P., the District's disclosure counsel, on March 27, 2023, prior to the March 30, 2023 deadline.

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.

DISTRICT WEBSITE AND MASS NOTIFICATION MESSAGING MATTERS

Ms. Hartwell next presented to and reviewed with the Board a Monthly Communications Report prepared by Touchstone dated March 28, 2023, a copy of which is attached hereto as **Exhibit C**, regarding the status of the District's website and customer messaging system. After discussion regarding the change in MOC's electronic payment processing services for the District, the Board concurred for Mr. Arrant to provide Touchstone with a copy of the notice MOC mailed to District customers regarding the matter for dissemination via the District's text messaging system.

RECEIVE FBCCO ACTIVITY REPORTS

Ms. Henderson next presented to the Board a Monthly Contract Deputy Activity Report for the month of February 2023 from the FBCCO (the "FBCCO Report"), a copy of which is attached hereto as **Exhibit D**. She then advised the Board that reportedly the FBCCO recently filled the night shift position, which has been vacant for several months. She noted that a start date for the new deputy is still to be determined. No action was required by the Board in connection with the FBCCO Report at this time.

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 February 2023 prepared by MOC. In connection therewith, he reported that the District had 96% water accountability for the reporting period. He also presented a list of one (1) delinquent account in the amount of \$252.62 to be moved to the uncollectible roll. With regard to the District's Splash Pad, Mr. Arrant advised that MOC will coordinate with Watts Pool Service to inspect the facility and will advise the Board if any repairs are required. Mr. Arrant then reported that the District has been enrolled in the North Fort Bend Water Authority Water ("NFBWA") 2023 Conservation Program, as previously authorized by the Board. After discussion, it was moved by Director Hajovsky, seconded by Director Marken and unanimously carried, that MOC be authorized to move one (1) account in the amount of \$252.62 to the uncollectible roll, as reflected in the O&M Report.

In connection with Phase 1 of 5 (Schedule A) of District's 5-year annual sanitary sewer televising program, Mr. Arrant presented to and reviewed with the Board a summary of approximately twenty (20) recommended point repairs with an estimate of cost for same, photographs depicting examples of the issues to be addressed, and an exhibit depicting the District's manholes located within the inspection area defined in Schedule A. A copy of the materials presented is included with **Exhibit E**. He advised the Board that the estimated cost to perform the recommended point repairs is approximately \$100,000 to \$110,000. With regard to the District's manholes, he reported that MOC has scheduled a meeting with Infrastructure Technology Solutions ("ITS") to discuss lining certain manholes displaying signs of deterioration. Mr. Arrant advised the Board that he will present a proposal for rehabilitation of the subject manholes for the Board's consideration at its next meeting. After discussion, Director

Torres moved that MOC be authorized to proceed with the sanitary sewer point repairs, as discussed above. Director Hajovsky seconded the motion, which unanimously carried. Mr. Arrant confirmed that MOC will notify affected customers before proceeding with the point repairs and will create a billing code to track the costs for said repairs.

Upon the request of Director Haehnel, Mr. Arrant stated that he will obtain a proposal for clean up of the landscaping at the District's Water Plant and Wastewater Treatment Plant sites for consideration at the next Board meeting.

Mr. Schroeder entered the meeting during the above discussion.

NFBWA WATER CONSERVATION PLAN ANNUAL IMPLEMENTATION REPORT

The Board next considered authorizing MOC to prepare and file the Annual Implementation Report regarding the District's Water Conservation Plan with the Texas Water Development Board and NFBWA. After discussion, Director Hajovsky moved that MOC be authorized to prepare the Annual Implementation Report and file same with the Texas Water Development Board and NFBWA prior to the May 1, 2023, deadline. Director Marken seconded said motion, which carried unanimously.

ANNUAL FILINGS OF CRITICAL LOAD STATUS FACILITIES

Ms. Henderson next reported that Section 13.1396, Texas Water Code, requires public water suppliers, such as the District, to annually submit to each electric distribution utility and each retail electric utility provider, on forms reasonably required by each entity, its facilities which qualify for critical load status and various emergency contact information related thereto. After discussion, Director Hajovsky moved that MOC be authorized to make annual filings relative to critical load status on behalf of the District. Director Torres seconded the motion, which carried unanimously.

CHAMPIONS REPORT – MAINTENANCE OPERATIONS AT LITTLE PRONG CREEK

Mr. Schroeder next presented to and reviewed with the Board a Detention and Drainage Facilities Report ("D&D Report") dated March 28, 2023, prepared by Champions, for Little Prong Creek and corresponding photographs, a copy of which is attached hereto as **Exhibit F**. After discussion, the Board noted that no action was required on its part in connection with the D&D Report at this time.

ENGINEER'S REPORT

Mr. Safe presented to and reviewed with the Board a written Engineer's Report, dated March 28, 2023, 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. After discussion, it was moved by Director Hajovsky that the Engineer's Report and all action items listed therein be approved, including: (i) acceptance of HTS, Inc.'s ("HTS") proposal in the approximate total amount of \$2,996 for materials testing in connection with the installation of an emergency generator at the joint remote water well site as well as the related Texas Ethics

Commission ("TEC") Form 1295, copies of which are attached to the Engineer's Report, and authorization for SPH to acknowledge the District's receipt of HTS' TEC Form 1295 with the TEC and for the President to execute HTS' proposal on behalf of the Board and the District; and (ii) approval of Pay Request No. 1 from McDonald Municipal and Industrial in the amount of \$13,500 in connection with the installation of the permanent emergency generator at the Remote Well Site. Director Torres seconded said motion, which unanimously carried.

Mr. Watson left the meeting at this time.

UTILITY COMMITMENT REQUESTS

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

ATTORNEY'S REPORT

The Board considered the Attorney's Report. In connection therewith, Ms. Henderson advised that she had nothing further to report to the Board other than the items previously discussed.

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. After consideration, no specific items other than routine and ongoing matters and those items already discussed above were requested.

ADJOURNMENT OF MEETING

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




Secretary, Board of Directors

TABLE OF EXHIBITS

March 28, 2023

Exhibit A:	Bookkeeper's Report
Exhibit B:	Tax Assessor-Collector Report
Exhibit C:	Communications Report
Exhibit D:	FBCCO Report
Exhibit E:	Monthly Operations Report
Exhibit F:	Detention and Drainage Facilities Report
Exhibit G:	Engineer's Report