

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

Minutes of Meeting of Board of Directors

May 27, 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 May 27, 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, except Directors Piper and Marken, thus constituting a quorum. Director Marken entered the meeting after it 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"); Dee Russell of Touchstone District Services, LLC ("Touchstone"); Keith Arrant of Municipal Operations & Consulting, Inc. ("MOC"); Jeff Safe of BGE, Inc. ("BGE"); Chris Contreras of Adventure Playground Systems ("APS"); James Polk as a member of the Board of Directors of Hickory Creek Homeowners' Association, Inc. ("Hickory Creek"); Mary Polk as a member of the public; 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 April 22, 2025. After discussion, Director Hajovsky moved that the minutes for said meetings be approved, as written. Director Torres seconded said motion, which unanimously carried.

**REQUEST FROM HICKORY CREEK FOR REPLACEMENT OF PLAYGROUND EQUIPMENT**

Mr. Polk next addressed the Board regarding the replacement of playground equipment for Hickory Creek. Mr. Contreras then presented to the Board a proposal for Hickory Creek's new playground project, a copy of which is attached hereto as **Exhibit A**. He advised the Board that

the estimated cost for the new playground equipment is \$109,413.00. Mr. Polk then requested the Board contribute funds for said project. Following a lengthy discussion, Director Torres move that the Board authorize SPH to draft a letter agreement with Hickory Creek for a contribution towards the playground project in the amount of \$35,000.00. Director Marken seconded the motion, which unanimously carried.

Director Marken entered the meeting during the above discussion.

### **COMMENTS FROM THE PUBLIC (CONT'D)**

Ms. Polk next addressed the board regarding drainage concerns in connection with some of the District's roadways. Mr. Safe advised Ms. Polk that the roads in the District are maintained by Fort Bend County and recommended any issues be communicated to Fort Bend County's Road & Bridge Department.

She also addressed the Board regarding electronic water meters and residents placing trash and yard clippings down the storm sewer drains.

### **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 May 27, 2025, including a Quarterly Investment Inventory Report for the period ended March 31, 2025, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Torres moved that (i) the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment, except for check nos. 11211 and 11164, which were voided, and (ii) the Quarterly Investment Inventory Report be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District. 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 April 30, 2025, a copy of which is attached hereto as **Exhibit C**. After discussion, Director Marken moved that the Tax Assessor-Collector Reports be approved and the disbursements identified therein be approved for payment. Director Hajovsky seconded said motion, which unanimously carried.

### **UNCLAIMED PROPERTY REPORT**

The Board next considered approval of an Unclaimed Property Report as of March 1, 2025, and the filing of same with the Texas Comptroller of Public Accounts (the "Comptroller") prior to July 1, 2025. In connection therewith, Mr. Watson presented to and reviewed with the Board a report detailing \$670.63 of unclaimed property for the reporting period, a copy of which is attached hereto as **Exhibit D**. Ms. Scott then advised the Board that there was no unclaimed property in the District's tax accounts for the reporting period. After discussion, Director Hajovsky moved that MAC be authorized to file an Unclaimed Property Report with the Comptroller prior to July 1, 2025, and remit said unclaimed property to the Comptroller. Director Torres 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 July.

## **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 April 2025 prepared by MOC. He reported that the District had 101% water accountability for the reporting period. He further reported that MOC received the permit for the Splash Pad located at the Family Park from Fort Bend County (the "County") and that MOC is in the process of installing an informational sign required by the County in connection with same. Mr. Arrant next presented to and reviewed with the Board a proposal for repairs in connection with the Phase 3 sanitary sewer televising in the amount of \$31,280.00, a copy of which is included with the O&M Report. He then presented two (2) delinquent accounts in the total amount of \$94.17 to be moved to the uncollectable roll. Following a lengthy discussion, the Board requested that MOC and MAC prepare a breakdown of the water distributed in connection with water accountability as determined by the electronic water meters installed by the District and billed pursuant to the Permanent Water Supply Contract between the District and Fort Bend County Municipal Utility District No. 35 ("No. 35") to No. 35.

Mr. Arrant then presented to and reviewed with the Board a draft of the District's Consumer Confidence Report ("CCR"), the format of which is dictated by the Texas Commission on Environmental Quality and by the United States Environmental Protection Agency. A copy of the draft CCR is included in the O&M Report. He advised the Board that the CCR must be provided to all customers of the District and posted to the District's website prior to July 1 of this year, as required by law. Mr. Arrant advised the Board that MOC can provide the District's CCR to the District's customers (a) by mailing a paper copy of such CCR to each customer, or (b) in an electronic format viably including a direct URL link included on the next water bill rather than by mail, if the Board so desires.

After discussion, it was moved by Director Torres, seconded by Director Hajovsky, and unanimously carried that (i) MOC be authorized to move two (2) accounts in the amount of \$94.17 to the uncollectable roll, as reflected in the O&M Report and recommended by MOC, (ii) MOC be authorized to proceed with the repairs in connection with the Phase 3 sanitary sewer televising in the amount of \$31,280.00, as recommended, and (iii) the CCR be approved by the Board, subject to SPH's final review and approval, and that MOC be authorized and directed to send a copy of the CCR to Touchstone for posting on the District's web site and to distribute same to the District's customers in an electronic format as described above prior to the July 1 deadline.

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

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

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

Mr. Safe next presented to and reviewed with the Board a D&D Report dated May 27, 2025, prepared by Champions Hydro-Lawn, 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 May 27, 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 then presented to and reviewed with the Board the drone survey of LPC, which he advised is also available on the District's GIS system. Mr. Safe next discussed with the Board the capacity of the District's Wastewater Treatment Plant No. 2 and a cost estimate for 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.

Ms. Henderson advised that XAG Group HQ LLC ("XAG") has requested to renew the Utility Commitment issued to XAG by the District, which expired by its terms on February 1, 2025. Following discussion, Director Hajovsky moved to authorize the issuance of a new Utility Commitment to XAG on the same terms, including an additional deposit requirement of \$20,000.00. Director Torres seconded said motion, which unanimously carried.

## **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 additional requests were received.

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

Ms. Russell next presented to and reviewed with the Board a Monthly Communications Report prepared by Touchstone dated May 27, 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, it was noted that no action by the Board was necessary in connection with the Communications Report at this time.

**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 April, 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**

With regard to the proposed Master Services Agreement with Flock Group, Inc. ("Flock") relative to license plate cameras within the District, Ms. Henderson advised that SPH has provided Flock with comments and is awaiting a response from Flock in connection with same. She noted that a Safety Report had not been received from Flock for this month.

**TENTH (10<sup>TH</sup>) YEAR ARBITRAGE REBATE CALCULATIONS FOR THE DISTRICT'S  
SERIES 2015 UNLIMITED TAX REFUNDING BONDS**

Ms. Henderson next presented to and reviewed with the Board the Tenth (10<sup>th</sup>) Year Arbitrage Rebate Calculations Report for the District's Series 2015 Unlimited Tax Refunding Bonds (the "Bonds") prepared by Arbitrage Compliance Specialists, Inc. ("ACS"), dated April 28, 2025, for the calculation period April 9, 2015, to April 9, 2025, a copy of which is attached hereto as **Exhibit J**. In connection therewith, she informed the Board that ACS has completed said Report and noted that no arbitrage rebate payments are due to the United States Treasury, Internal Revenue Services for the Bonds for the reporting period.

Ms. Russell exited the meeting during the above discussion.

**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.

The Board deferred discussion regarding a special meeting schedule for November and December until next month's meeting.

**CLOSED SESSION**

The Board President announced at 2:03 p.m. that the Board would convene in Closed Session, as authorized pursuant to Texas Government Code Section 551.071 to discuss matters protected by attorney-client privilege. At this time, all those present, with the exception of the Board, Mr. Arrant, Ms. Henderson and Ms. Gribble, exited the meeting.

### **RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 2:29 p.m. with the Board, Ms. Henderson and Ms. Gribble remaining present in the meeting. No action was taken with regard to matters discussed in Closed Session.

### **FUTURE AGENDA ITEMS**

The Board considered items to be placed on future agendas. No other specific agenda items other than routine and ongoing matters, or those discussed above, were requested.

### **ADJOURNMENT OF MEETING**

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

(SEAL)



  
Secretary, Board of Directors

## TABLE OF EXHIBITS

Exhibit A:	Adventure Playground System's Proposal
Exhibit B:	Bookkeeper's Report
Exhibit C:	Tax Assessor-Collector Reports
Exhibit D:	Unclaimed Property Report
Exhibit E:	Monthly Operations Report
Exhibit F:	Detention and Drainage Facilities Report
Exhibit G:	Engineer's Report
Exhibit H:	Communications Report
Exhibit I:	FBCCO Report
Exhibit J:	Arbitrage Rebate Calculations Report