

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

Minutes of Meeting of Board of Directors

July 23, 2024

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 July 23, 2024, 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"); Angie Hartwell, Michael Willett, Dee Russell and Danae Dehoyos of Touchstone District Services, LLC ("Touchstone"); Keith Arrant of Municipal Operations & Consulting, Inc. ("MOC"); Jeff Safe of BGE, Inc. ("BGE"); and Kate Henderson and Melanie Walsh of Schwartz, Page & Harding, L.L.P. ("SPH"). Mr. Willet and Mses. Russell and Dehoyos entered later in the meeting, 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. No comments from the public were presented.

**ACCEPTANCE OF QUALIFICATION STATEMENT, BOND, OATH OF OFFICE,
AFFIDAVIT OF CURRENT DIRECTOR, AND ELECTION NOT TO DISCLOSE**

In connection with his election as a Director of the District, the Statement of Elected Officer, Oath of Office and Affidavit of Current Director (collectively, the "Qualification Documents") were presented for Director Haehnel. Ms. Henderson then noted that Director Haehnel has executed and delivered an Election Not to Disclose Certain Information. She stated that, pursuant to Section 552.024 of the Texas Government Code, as amended, directors may elect to withhold public access to certain personal information in the custody of the District. Said Director's Official Bond was then presented to the Board and the Board found said Bond to be in proper form. After discussion on the matter, it was moved by Director Hajovsky, seconded by Director Torres and unanimously carried, that the Board accept said Statement of Elected Officer, Oath of Office, Affidavit of Current Director and Election Not to Disclose Certain

Information, approve said Bond and declare Director Haehnel to be a duly elected and qualified Director of the District.

ELECTION OF OFFICERS

The Board considered the election of officers of the Board. After discussion, Director Haehnel moved that all Directors continue to serve in their current officer positions and that no changes to the officer positions be made at this time. Director Hajovsky seconded said motion, which unanimously carried.

APPROVE MINUTES

The Board considered approval of the minutes of its meeting held on June 25, 2024. After discussion, Director Hajovsky 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 July 23, 2024, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Piper moved that the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment, except for check no. 10818, which was voided. Director Torres seconded said motion, which unanimously carried. The Board then requested that MAC hold check no. 10954 payable to the Accurate Utility Supply, LLC ("AUS") in the amount of \$50,625 pending confirmation from MOC that AUS charged the District for the correct number of Beacon AMA Polymer E-Series electronic water meters installed throughout the District.

Mr. Willet and Mses. Russell and Dehoyos entered the meeting during the above discussion.

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 June 30, 2024, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Hajovsky moved that the Tax Assessor-Collector Report 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 July 23, 2024, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys. A copy of said report is attached hereto as **Exhibit C**. The Board noted there were no action items in the report.

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

The Board deferred consideration of a D&D Report, noting that no representative of Champions Hydro-Lawn, Inc. was in attendance at today's meeting.

STORMWATER MANAGEMENT PROGRAM

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 July 23, 2024, a copy of which is attached hereto as **Exhibit D**, regarding the status of the District's website and customer messaging system. Ms. Hartwell advised the Board that Touchstone has created a "Smart Meter" page on the District's website which contains informational videos, instructions and a link to EyeOnWater.com to help District customers register the new electronic water meters serving their accounts and view their water usage using the EyeOnWater application, as previously authorized by the Board. The Board then requested that Touchstone send out a text notification directing Customers to the "Smart Meter" page on the District's website, with a second notification to follow fifteen (15) days later.

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

Ms. Henderson presented to the Board a Monthly Contract Deputy Report for the month of June 2024 from the FBCCO (the "FBCCO Report"), a copy of which is attached hereto as **Exhibit E**. It was noted that 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 F**, for June 2024 prepared by MOC. In connection therewith, he reported that the District had 93% water accountability for the reporting period. Mr. Arrant then presented one (1) delinquent account in the amount of \$136.55 to be moved to the uncollectible roll. With regard to Phase 2 of 5 (Schedule B) of the District's 5-year annual sanitary sewer televising program, Mr. Arrant presented a summary of the point repairs and/or manholes requiring rehabilitation identified within the Phase 2 inspection area (the "Phase 2 Summary"), a copy of which is included in **Exhibit F**, and requested that the Board authorize MOC to proceed with same. After discussion, it was duly moved by Director Hajovsky, seconded by Director Piper and unanimously carried, that MOC be authorized to: (i) move one (1) account in the amount of \$136.55 to the uncollectible roll, as reflected in the O&M Report; and (ii) proceed with the point repairs and manhole rehabilitation identified in the Phase 2 Summary for an estimated cost not to exceed \$200,000.

Mr. Arrant next reported on the status of the District's facilities during and after Hurricane Beryl. He advised the Board that the District did not experience any service interruptions due to the storm. However, after reporting that the utility pole supporting the overhead District power lines at the Joint Water Plant (the "JWP") fell during the storm, Mr. Arrant noted that the JWP is still running on emergency generator power. He advised that Board that, as a precaution, MOC has a leased backup generator at the JWP. Mr. Arrant then provided an overview of the events which led to the damage to and/or loss of certain electrical power

system components at the site. After presenting before and after photographs of the JWP electrical power system components, copies of which are included with **Exhibit F**, Mr. Arrant reported that the utility pole and weatherhead have now been replaced and/or repaired but replacement of the breaker box is still pending. Mr. Arrant confirmed that MOC is in the process of filing an insurance claim for damaged JWP power system and advised that MOC hopes to have all power system repairs completed by the end of next week.

Mr. Willet and Mses. Russell and Dehoyos exited the meeting at this time.

ENGINEER'S REPORT

Mr. Safe presented to and reviewed with the Board a written Engineer's Report dated July 23, 2024, 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 noted that no action was required by the Board in connection with the Engineer's Report at this time.

UTILITY COMMITMENT REQUESTS

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

AMENDMENT TO LETTER AGREEMENT WITH HICKORY CREEK HOMEOWNERS ASSOCIATION ("HICKORY CREEK")

In connection with the Letter Agreement with Hickory Creek relative to funding of the agreement with Flock Group, Inc. (the "Flock Agreement") in connection with the license plate cameras within the District (the "Security Camera System"), Ms. Henderson advised the Board that SPH has not yet received a response from Hickory Creek.

ELECTRONIC STORAGE OF DISTRICT RECORDS

Ms. Henderson presented to and reviewed with the Board a memorandum from SPH, which is attached hereto as **Exhibit H**, regarding the legal requirements to electronically store District records and destroy the paper copies of such records. In this regard, she recommended that the Board approve the Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records included with **Exhibit H** (the "Records Retention Resolution"). After discussion, Director Marken moved to approve the Records Retention Resolution, and authorize the Records Management Officer to execute the related certifications, and that same be submitted to the Texas State Library and Archives Commission for review and approval. Director Piper seconded the motion, which unanimously carried.

RECORDS DESTRUCTION REQUEST

Ms. Henderson next reported that the District's Records Retention Schedules adopted in connection with its Records Management Program require that records of the District be retained only for specific periods of time based on the type of record. As an example, she explained that notes taken during meetings and which are used to prepare the official minutes of Board meetings are to be retained for ninety days after approval of such minutes by the Board. She

next presented a request from the Records Management Officer for approval to destroy certain records (which will not be scanned in and stored electronically) in accordance with the District's Records Retention Schedules, a copy of which request is attached hereto as **Exhibit I** (the "Request"). After discussion, Director Marken moved that SPH be authorized to destroy the records described in the Request. Director Piper seconded said motion, which carried unanimously.

ATTORNEY'S REPORT

The Board considered the Attorney's Report. In that regard, Ms. Henderson advised the Board that Fort Bend County Municipal Utility District No. 35, of Fort Bend County, Texas ("No. 35") is interested in conducting another joint community event this coming fall in cooperation with the District in connection with the North Fort Bend Water Authority's 2024 Water Provider Conservation Program and inquired whether the Board is interested in participating again as it has in the past. After discussion, the Board indicated that it willing to participate with No. 35 in such an event and requested that SPH convey same to No. 35 and add an item regarding the matter to the agenda for the District's next Board meeting.

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. 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 Piper moved that the meeting be adjourned. Director Marken seconded said motion, which unanimously carried.

(SEAL)




Assistant Secretary, Board of Directors

TABLE OF EXHIBITS

July 23, 2024

- Exhibit A: Bookkeeper's Report
- Exhibit B: Tax Assessor-Collector Report
- Exhibit C: Delinquent Tax Report
- Exhibit D: Communications Report
- Exhibit E: FBCCO Report
- Exhibit F: Monthly Operations Report
- Exhibit G: Engineer's Report
- Exhibit H: Memorandum; Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records
- Exhibit I: Records Destruction Request