

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

Minutes of Meeting of Board of Directors

June 25, 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 June 25, 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, except Directors Haehnel and Marken, thus constituting a quorum. Director Marken entered after the meeting was 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"); Kim Cosco of Champions Hydro-Lawn, Inc. ("Champions"); Angie Hartwell of Touchstone District Services, LLC ("Touchstone"); Keith Arrant of Municipal Operations & Consulting, Inc. ("MOC"); Jeff Safe of BGE, Inc. ("BGE"); and Matthew Reed and Melanie Walsh of Schwartz, Page & Harding, L.L.P. ("SPH").

Mr. Reed noted the absence of the President and Vice President, and suggested the appointment of a President Pro Tempore. Director Piper moved Director Hajovsky be designated the meeting's President Pro Tempore, which motion was seconded by Director Torres, and unanimously carried. Director Hajovsky 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

Noting Director Haehnel's absence at today's meeting, the Board deferred consideration of acceptance of the Statement of Elected Officer, Oath of Office, Affidavit of Current Director, and Election Not to Disclose Certain Information in connection with Director Haehnel's reelection as a Director of the District.

ELECTION OF OFFICERS

The Board deferred consideration of the election of officers of the Board until its next meeting.

APPROVE MINUTES

The Board considered approval of the minutes of its meeting held on May 28, 2024. 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 June 25, 2024, including a Quarterly Investment Inventory Report for the period ended March 31, 2024, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Hajovsky moved that the Bookkeeper's Report be approved and that: (i) the disbursements identified therein be approved for payment, (a) including additional check no. 4237 payable to C&C Water Services, LLC ("C&C") in the amount of \$492,930 for Pay Estimate No. 1 and Final in connection with the contract for Rehabilitation of Water Well No. 1 at the District's Water Plant (the "WW No. 1 Rehabilitation Project"), subject to consideration and approval of said Pay Estimate by the Board later in the meeting under the Engineer's Report, and (b) except for check no. 10906, which was voided; and (ii) the Quarterly Investment Report be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District. Director Piper 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 prepared by BLI dated May 31, 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

Mr. Reed reported that a Delinquent Tax Report was not received this month from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys. He stated that the next quarterly report will be provided in July.

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

Mr. Cosco next presented to and reviewed with the Board a D&D Report dated June 2024, prepared by Champions for Little Prong Creek and corresponding photographs, a copy of which is attached hereto as **Exhibit C**. After discussion, the Board noted that no action was required on its part in connection with the D&D Report at this time.

Director Marken entered during the above discussion.

STORMWATER MANAGEMENT PROGRAM

The Board next considered the status of the District's SWMP. Mr. Reed 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 June 25, 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 next presented to and reviewed with the Board a proposed Exhibit A4 to the Consulting Agreement between the District and Touchstone (the "Touchstone Agreement"), a copy of which is included with **Exhibit D**, relative to the proposed creation of a Smart Meter Public Outreach Campaign for the District with respect to the new wireless electronic water meters recently installed throughout the District (the "Outreach Campaign"). It was then moved by Director Piper, seconded by Director Hajovsky and unanimously carried, that Exhibit A4 to the Touchstone Agreement be approved, as presented, and the Vice President be authorized to execute same on behalf of the Board and the District, and Touchstone be authorized to proceed with creation of the District's Outreach Campaign to include website content and smart meter training videos for the estimated total amount of approximately \$4,000. It was noted that the Board does not wish Touchstone to organize a postcard mailing nor host in-person or virtual informational events in connection with the District's Outreach Campaign.

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

Mr. Reed presented to the Board a Monthly Contract Deputy Report for the month of May 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 May 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 total amount of \$84.80 to be moved to the uncollectible roll. After discussion, it was duly moved by Director Hajovsky, seconded by Director Piper and unanimously carried, that MOC be authorized to move one (1) account in the amount of \$84.80 to the uncollectible roll, as reflected in the O&M Report.

With regard to Phase 2 of 5 (Schedule B) of the District's 5-year annual sanitary sewer televising program, the Board requested that MOC prepare a summary of the expected estimated cost for the point repairs and/or rehabilitation of certain manholes identified within the Phase 2 inspection area for consideration at its next meeting.

Mr. Arrant next advised the Board that C&C has completed the WW No. 1 Rehabilitation Project and reported that the well is in very good condition, with increased pump submergence and production capacity.

Mr. Reed then advised the Board that Section 13.1396 of the Texas Water Code, as amended, requires the District to update its information identifying the location and description of facilities that have qualified for critical load status and its information regarding emergency contacts (a) annually to each electric utility that provides transmission and distribution service to

the District and each retail electric provider that sells power to the District and (b) immediately upon any change in the information to the above entities, as well as to the office of emergency management of Fort Bend County, the Public Utility Commission of Texas, and the division of emergency management of the governor. In connection therewith, Mr. Arrant advised that MOC has completed the annual update and submitted any required changes to the information to the appropriate entities.

ENGINEER'S REPORT

Mr. Safe presented to and reviewed with the Board a written Engineer's Report dated June 25, 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.

With regard to the proposed repair and/or rehabilitation of the storm outfall pipe located at Long Meadow Pond, Mr. Safe reported that Champions drained the subject Pond on June 13th, as previously authorized by the Board. He advised that, upon inspection, BGE determined that the storm outfall pipe is in good condition and does not require attention. He noted, however, that a considerable amount of debris and silt build-up is present just downstream of the outfall and, after recommending that the build-up and debris be removed, Mr. Safe presented to and reviewed with the Board a proposal prepared by Champions in the estimated total amount of \$24,890 for Long Meadow Pond Desilting, a copy of which is attached to the Engineer's Report.

Mr. Safe next discussed the correspondence previously received from Double Oak Erosion ("Double Oak") dated May 28, 2024, a copy of which is attached to the Engineer's Report, regarding the proposed installation of rip rap on the bottom of Little Prong Creek at Fry Road to fill a void on the upstream side of the slope paving in order to address the suspected underlying reason for the repeated failure of the SOX erosion repair system at the site. Mr. Safe reminded the Board that Double Oak has offered to install the rip rap at no additional cost to the District and in return requested that it be removed from future maintenance claims upon repair of the deteriorated portion of the bank utilizing the SOX system. After noting that there are still approximately two and a half years remaining on the Maintenance Bond attached to the original contract with Double Oak, Mr. Safe recommended that the District repair the void, the total estimated cost for which is approximately \$10,000, and keep the original Maintenance Bond in place. The Board indicated that it concurred with Mr. Safe's recommendation.

After discussion, it was moved by Director Marken that the Engineer's Report and all action items listed therein be approved, including: (i) approval of Champions' proposal for the Long Meadow Pond Desilting project in the estimated total amount of \$24,890; (ii) approval of Pay Request No. 1 and Final from C&C in the amount of \$492,930 in connection with the WW No. 1 Rehabilitation Project; and (iii) authorization for BGE to advise Double Oak that the District will pay the cost to fill the void on the bottom of Little Prong Creek at Fry Road, as discussed above, and that the District does not agree to release Double Oak from any maintenance claims that may occur before the remaining approximately two and a half years of the Maintenance Bond term expires. Director Piper seconded the motion, which unanimously carried.

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"), Mr. Reed advised the Board that SPH has not yet received a response from Hickory Creek.

VOTING SYSTEM ANNUAL FILING FORM

Mr. Reed requested that the Board authorize SPH to complete a Voting System Annual Filing Form ("Voting Form") on behalf of the District, which will be forthcoming from the Secretary of State's Office. He advised that, pursuant to provisions of the Texas Election Code, each political subdivision in the State of Texas is required to complete and file said Voting Form with the Secretary of State's Office on an annual basis. After discussion on the Voting Form, Director Marken moved that SPH be authorized to complete and file said form with the Secretary of State's Office, as required by law. Director Piper seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

The Board considered the Attorney's Report. In connection therewith, Mr. Reed presented to and reviewed with the Board a Consent to Assignment and Assumption Agreement ("Consent") of the Paying Agent/Registrar Agreements for the District's Unlimited Tax Refunding Bonds, Series 2014, and Unlimited Tax Bonds, Series 2013 (collectively, the "Agreements"), a copy of which is attached hereto as **Exhibit H**. Mr. Reed explained that Wells Fargo Bank, N.A. ("Wells Fargo") sold substantially all of its corporate trust business to Computershare Trust Company, National Association ("Computershare") and desires to assign its rights, duties and obligations under the Agreements to Computershare. After discussion on the matter, Director Marken moved that said Consent be approved and that the Vice President be authorized to execute same on behalf of the Board and the District. Director Hajovsky seconded the motion, which carried unanimously.,

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 Torres seconded said motion, which unanimously carried.

(SEAL)


Secretary, Board of Directors



TABLE OF EXHIBITS

June 25, 2024

- Exhibit A: Bookkeeper's Report
- Exhibit B: Tax Assessor-Collector Report
- Exhibit C: Detention and Drainage Facilities Report
- Exhibit D: Communications Report
- Exhibit E: FBCCO Report
- Exhibit F: Monthly Operations Report
- Exhibit G: Engineer's Report
- Exhibit H: Consent to Assignment and Assumption Agreement relative to certain Paying Agent/Registrar Agreements