## MINUTES FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 206

## April 11, 2023

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 206 (the "District"), met in regular session, open to the public, on the 11th day of April, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Robin Stoner	President
Amy Rozell	Vice President
Sandra Weider	Secretary
Kathrin Yokubaitis	Assistant Secretary
Cheryl A. Kainer	Assistant Vice President/Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were: Mary Ann Mihills of Municipal Accounts & Consulting, L.P.; Debbie Arellano of Bob Leared Interests; Debbie Shelton of Masterson Advisors LLC; Kyle Donham of Si Environmental, LLC ("SiEnviro"); Mike Scott of Champions Hydro-Lawn, Inc. ("Champions"); Danielle Gonzalez of Odyssey Engineering ("Odyssey"); and Hannah Brook and Faye Simonds of Allen Boone Humphries Robinson LLP ("ABHR").

### PUBLIC COMMENTS

There were no public comments.

#### MINUTES

The Board considered approving the regular meeting minutes of March 14, 2023. After review and discussion, Director Weider moved to approve the minutes as presented. Director Rozell seconded the motion, which passed by unanimous vote.

### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills distributed and reviewed the bookkeeper's report and presented checks for payment to the Board, a copy of which is attached.

Following review and discussion, Director Stoner moved to approve the bookkeeper's report and payment of the bills. Director Rozell seconded the motion, which passed by unanimous vote.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano distributed the tax assessor/collector's monthly report, a copy of which is attached.

After review and discussion, Director Rozell moved to approve the tax assessor/collector's report and the checks presented for payment. Director Yokubaitis seconded the motion, which passed by unanimous vote.

## OPERATION OF DISTRICT FACILITIES; HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT ACCOUNTS

Mr. Donham distributed and reviewed the operator's report, a copy of which is attached.

Mr. Donham reported on routine maintenance and repair items in the District.

Mr. Donham presented a list of delinquent customers and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Mr. Donham stated the District's Identity Theft Prevention Program (the "Program") requires SiEnviro to provide an annual written report evaluating the effectiveness of the Program, significant instances of identity theft detection, and any recommendations regarding changes to the Program. He stated the report indicates no significant incidents of identity theft detection and SiEnviro recommends no changes to the Program. The Board directed the report be retained in the District's official records.

Following review and discussion, Director Stoner moved (1) to approve the operator's report; and (2) that because the customers on the termination list were not present at the meeting to address the Board and had not submitted a written statement on the matter, to authorize the District's operator to proceed with termination of utility service for such customers in accordance with the District's Rate Order, and direct that the customer termination list be filed appropriately and retained in the District's official records. Director Weider seconded the motion, which passed by unanimous vote.

### STORM WATER FACILITIES MAINTENANCE AND OPERATIONS

Mr. Scott distributed and reviewed the monthly report on storm water facilities maintenance and operations for the District. A copy of the report is attached.

## **ENGINEERING MATTERS**

Ms. Gonzales reviewed the engineer's report, a copy of which is attached. She updated the Board on construction projects underway, as reflected in her report.

Ms. Gonzales stated that the annual report for the Phase II MS4 Storm Water Management Plan was submitted to the Texas Commission on Environmental Quality ("TCEQ") on October 25, 2022.

Ms. Gonzales updated the Board on the proposed emergency water interconnect with Fort Bend Municipal Utility District No. 30, as reflected in the engineer's report.

Ms. Gonzales updated the Board on the TCEQ violation from 2020 and the proposed water plant treatment modifications.

Ms. Gonzales updated the Board on Bond Application No. 4.

Following review and discussion, Director Rozell moved to approve the engineer's report. Director Yokubaitis seconded the motion, which passed by unanimous vote.

## SERIES 2023 UNLIMITED TAX BONDS ("SERIES 2023 BONDS")

Ms. Shelton presented and reviewed the bids received for the sale of the District's \$6,500,000 Unlimited Tax Bonds, Series 2023 (the "Series 2023 Bonds"). A summary of the bids received is attached. Ms. Shelton stated that the low bid submitted by RBC Capital Markets ("RBC") with a net effective interest rate of 4.142115% was reviewed and all numbers checked, and everything found to be correct and consistent with the conditions in the Notice of Sale. Ms. Shelton recommended that the District accept the bid of RBC as submitted.

The Board next considered adopting a Resolution Authorizing the Issuance of the District's Bonds ("Resolution"). Ms. Brook reviewed the proposed Resolution with the Board and explained that the document sets forth the terms and provisions of issuance and delivery of the Bonds, the payment of principal and interest over the life of the Bonds, and certain District covenants regarding continuing disclosure and the tax-exempt status of the Series 2023 Bonds.

Ms. Brook reviewed the Paying Agent/Registrar Agreement with The Bank of New York Mellon Trust Company, N.A.

The Board next considered approving the Official Statement. Ms. Brook stated the Preliminary Official Statement will be revised to reflect the terms of this sale, including the purchaser, interest rates, and debt service requirements.

Ms. Brook reviewed a Certificate Regarding Provision of Financial Advice, certifying that ABHR has not provided the Board with financial advice in relation to the

Series 2023 Bonds, and the Board has relied solely upon financial advice provided by Masterson Advisors LLC.

Ms. Brook stated it will be necessary for the President and Secretary of the Board to sign certain documents relating to the sale of the Series 2023 Bonds, and for the attorney to submit a transcript of the bond proceedings to the Attorney General of Texas. She added that the financial advisor also will take necessary action in connection with the delivery of the bonds to the purchaser.

Ms. Brook stated the Attorney General requires a fee to review the documents related to the issuance of the Bonds. She then requested the Board approve payment to the Attorney General for this purpose.

Ms. Brook stated the Texas Water Code requires the District to file an Amendment to the Information Form with Fort Bend County and the Texas Commission on Environmental Quality ("TCEQ") in order to reflect the bonds issued by the District. She then reviewed the Amendment to the Information Form with the Board.

Ms. Gonzales noted that the TCEQ inspection of facilities included in the Series 2023 Bonds is complete.

After review and discussion, Director Stoner moved to: (1) award the sale of the Series 2023 Bonds to RBC with a net effective interest rate of 4.142115%; (2) adopt the Resolution Authorizing the Issuance of the District's \$6,500,000 Unlimited Tax Bonds, Series 2023, and direct that the Resolution be filed appropriately and retained in the District's official records; (3) approve the Paying Agent/Registrar Agreement with The Bank of New York Mellon Trust Company, N.A., and direct that the Agreement be filed appropriately and retained in the District's official records; (4) approve the Official Statement for the Series 2023 Bonds; (5) authorize execution of the Certificate Regarding Provision of Financial Advice and direct that the Certificate be filed appropriately and retained in the District's official records; (6) authorize the President and Secretary to sign the documents relating to the bond sale and authorize the attorney and financial advisor to take all necessary action to deliver the bonds to the purchaser; (7) approve payment to the Attorney General for review of the bond documents; and (8) authorize execution of the Amendment to the Information Form and direct that the Amendment be filed appropriately and retained in the District's official records. Director Weider seconded the motion, which passed by unanimous vote.

## ATTORNEY'S REPORT

There was no discussion under this item.

## CONFIRM DATE AND TIME OF NEXT MEETING

The Board concurred to hold the next regular meeting on May 9, 2023, at 12:30 p.m.

There being no further business to come before the Board, the meeting was adjourned.

<u>/s/ Sandra Weider</u> Secretary, Board of Directors



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