

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 94

Minutes of Special Meeting of Board of Directors August 30, 2022

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 94 ("District") met at the Board's regular meeting place on August 30, 2022, in accordance with the duly posted notice of special meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Sean Gutierrez, President
Cleo Holguin, Vice President
Fred Maynard, Secretary
Ken Bartling, Assistant Secretary
JoAnn Hartfiel, Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also attending the meeting were Debbie Arellano of Bob Leared Interests ("BLI"); Mary Ann Mihills of Municipal Accounts & Consulting, L.P. ("MAC"); Rebecca Watkins of Quiddity Engineering, LLC ("Quiddity"); Debbie Shelton of Masterson Advisors LLC ("Masterson"); and Gina Free of Schwartz, Page & Harding, L.L.P. ("SPH").

Following the roll call, the President called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. There being no comments from the public, the Board continued to the next item of business.

APPROVE MINUTES

The Board considered approval of the minutes of its Board of Directors meeting held on March 29, 2022. After discussion of the minutes presented, Director Gutierrez moved that same be approved, as presented. Director Maynard seconded said motion, which unanimously carried.

ACCEPTANCE OF STATEMENTS OF ELECTED/APPOINTED OFFICERS, BONDS, AFFIDAVITS OF CURRENT DIRECTORS, ELECTIONS NOT TO DISCLOSE CERTAIN INFORMATION AND OATHS OF OFFICE FOR DIRECTORS GUTIERREZ AND BARTLING

The Board next considered the acceptance of Bonds, Statements of Elected/Appointed Officer, Affidavits of Current Director, Elections Not to Disclose Certain Information and Oaths of Office for Directors Gutierrez and Bartling. Ms. Free advised that Directors Gutierrez and Bartling submitted their executed Bonds, Statements, Oaths, Affidavits and Elections Not to

Disclose. After discussion on the matter, it was moved by Director Holguin, seconded by Director Maynard and unanimously carried that the Board approve said Bonds, accept said Statements, Oaths, Affidavits and Elections Not to Disclose and declare Sean Gutierrez and Ken Bartling to be duly elected and qualified Directors of the District for a four year term ending in May 2026.

ELECTION OF OFFICERS OF BOARD OF DIRECTORS

The Board considered the election of the officers of the Board. After discussion, the Board concurred that there be no changes to the officer positions at this time.

DISTRICT REGISTRATION FORM

The Board next considered approving a District Registration Form required by the Texas Commission on Environmental Quality (the "TCEQ"). Ms. Free explained that municipal utility districts are required to file names, mailing addresses, officer positions and terms of new directors with the TCEQ within thirty (30) days after their election or appointment. She advised that, with the Board's approval, SPH will complete the District Registration Form to include the Directors' new terms of office and file same with the TCEQ. After discussion, Director Holguin moved that SPH be authorized to complete the District Registration Form as discussed and file same with the TCEQ. Director Maynard seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

Ms. Mihills presented to and reviewed with the Board the Bookkeeper's Report dated August 30, 2022, a copy of which is attached hereto as **Exhibit A**. She then presented to and reviewed with the Board the Quarterly Investment Reports for the periods ended March 31, 2022 and June 30, 2022, a copy of which is attached to the Bookkeeper's Report. After discussion, Director Gutierrez moved that (i) the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment, and (ii) the Quarterly Investment Reports be approved and the District's Investment Officers be authorized to execute same on behalf of the Board and the District. Director Maynard seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Arellano presented the Tax Assessor-Collector's Reports dated for the months of March 2022 through July 2022, copies of which are attached hereto as **Exhibit B**. After discussion, it was moved by Director Gutierrez, seconded by Director Bartling, and unanimously carried, that said Tax Assessor-Collector's Reports be approved as presented, and that the disbursements listed therein be approved for payment.

Ms. Arellano advised that BLI will be changing banks from Central Bank to Allegiance Bank and noted that a new collateral security agreement will need to be executed.

2022 TAX RATE RECOMMENDATION

The Board next considered the Financial Advisor's recommendations concerning the District's proposed 2022 tax rate. In connection therewith, Ms. Shelton presented to and reviewed with the Board Masterson's recommendation and analysis regarding the proposed 2022 debt service tax rate and options regarding the 2022 maintenance tax rate, a copy of which is attached hereto as **Exhibit C**.

Ms. Free next advised that, pursuant to Section 49.236 of the Texas Water Code, as amended, the District is required to provide a notice containing certain tax-related information in connection with each meeting at which the adoption of a tax rate will be considered by either publishing it, or mailing it to each owner of taxable property in the District. After further discussion, Director Gutierrez moved that (i) the Board accept Masterson's recommendation of a 2022 debt service tax rate of \$0.30 and declare its intention to levy said rate plus a maintenance tax rate of \$0.075, and (ii) BLI be authorized to publish notice of the District's intention to adopt a 2022 tax rate at its next meeting in the form and at the time required by law. Director Maynard seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS

The Board considered the delinquent tax report dated August 30, 2022, a copy of which is attached hereto as **Exhibit D**, received from Perdue, Brandon, Fielder, Collins & Mott L.L.P. ("Perdue"). It was noted that no Board action was required in connection with said report.

DEVELOPERS' REPORTS

The Board deferred consideration of Developers' Reports.

ENGINEER'S REPORT AND UTILITY COMMITMENTS

Ms. Watkins presented to and reviewed with the Board the Engineer's Report dated August 30, 2022, a copy of which is attached hereto as **Exhibit E**. It was noted that no Board action was required in connection with said report.

Ms. Watkins next presented and reviewed with the Board correspondence prepared by Quiddity, dated August 30, 2022, regarding Quiddity's 2022 Schedule of Engineering Fees, which reflects an increase in hourly rates to be effective September 1, 2022, a copy of which is attached included under **Exhibit E**. Following discussion, Director Gutierrez moved that the Board approve Quiddity's 2022 Schedule of Engineering Fees. Director Maynard seconded said motion, which carried unanimously.

RECORDS MANAGEMENT OFFICER REQUEST

The Board next considered a request from the District's Records Management Officer to destroy SPH's handwritten notes and audio recordings of Board meetings from March 22, 2021, to October 27, 2021, a copy of which request is attached hereto as **Exhibit F**. After discussion

on the matter, Director Gutierrez moved that the destruction of said notes and audio recordings be authorized as requested in accordance with the provisions of the District's Records Management Program. Director Maynard seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

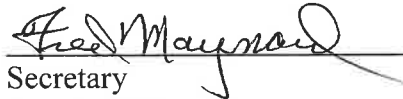
The Board considered the Attorney's Report. Ms. Free advised that she had nothing further to discuss with the Board of a legal nature which was not covered under specific agenda items.

FUTURE AGENDA ITEMS

The Board considered items for placement on future agendas. After consideration on the matter, no specific items, other than routine and ongoing matters were requested.

ADJOURNMENT OF MEETING

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


Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

Exhibit A	Bookkeeper's Report
Exhibit B	Tax Assessor-Collector's Reports (March 31, 2022 through July 31, 2022)
Exhibit C	Tax Recommendation for 2022
Exhibit D	Delinquent Tax Report by Perdue
Exhibit E	Engineering Report
Exhibit F	Letter Request for Destruction of Meeting Notes and Audio Recordings