

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 94

Minutes of Special Meeting of Board of Directors March 21, 2024

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 94 ("District") met at the Board's regular meeting place on March 21, 2024, 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"); Diane Michaux of Municipal Accounts & Consulting, L.P. ("MAC"); Rebecca Watkins of Quiddity Engineering, LLC ("Quiddity"); Brian Krueger of FORVIS, LLP ("FORVIS"); and Justin Cox 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 February 13, 2024. After discussion of the minutes presented, Director Gutierrez moved that same be approved, as presented. Director Maynard seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

Ms. Michaux presented to and reviewed with the Board the Bookkeeper's Report dated March 21, 2024, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Gutierrez moved that the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment. Director Maynard seconded said motion, which unanimously carried.

APPROVAL OF AUDIT REPORT FOR FISCAL YEAR ENDED DECEMBER 31, 2023

The Board next considered the District's audit report for its fiscal year ended December 31, 2023. In connection therewith, Mr. Krueger reviewed with the Board a draft of the District's audit report, a copy of which is attached hereto as **Exhibit B**. After discussion, concerning the audit presented, Director Gutierrez moved that (i) the audit report for the District's fiscal year ended December 31, 2023, be approved, subject to final review and comment by SPH, (ii) the President be authorized to execute the Annual Filing Affidavit on behalf of the Board and the District, and (iii) the audit report and Annual Filing Affidavit be filed with the Texas Commission on Environmental Quality. Director Maynard seconded said motion, which unanimously carried.

In connection with the District's audit, Mr. Krueger next presented to and reviewed with the Board a draft Management Letter prepared by FORVIS, concerning the Board's internal controls over financial reporting ("Management Letter") and the response on behalf of the Board and the District ("Management Response"), which is included in the Management Letter. A copy of the Management Letter is included as part of **Exhibit B**. After discussion, it was moved by Director Gutierrez, seconded by Director Maynard and unanimously carried, that the draft Management Response be approved, as presented, and that the same be included in the final Management Letter.

AUTHORIZE PREPARATION AND FILING OF CONTINUING DISCLOSURE REPORT

The Board next considered the preparation of the Annual Financial and Operating Report ("Continuing Disclosure Report") in connection with the District's outstanding bonds. In connection therewith, Mr. Cox requested the Board's authorization for McCall Parkhurst & Horton ("MPH"), the District's continuing disclosure counsel, to prepare and submit said Continuing Disclosure Report to the appropriate entities on behalf of the District. After discussion, Director Gutierrez moved that the Board authorize MPH to prepare said Continuing Disclosure Report and to file same with the appropriate entities. Director Maynard seconded the motion, which carried unanimously.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Arellano presented the Tax Assessor-Collector's Report dated February 29, 2024, a copy of which is attached hereto as **Exhibit C**. After discussion, it was moved by Director Gutierrez, seconded by Director Maynard, and unanimously carried, that said Tax Assessor-Collector's Report be approved as presented, and the disbursements listed therein be approved for payment.

DELINQUENT TAX COLLECTIONS

The Board considered the delinquent tax report dated March 7, 2024, a copy of which is attached hereto as **Exhibit D**, received from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue"). In connection therewith, Mr. Cox reported that Perdue is recommending that the Rosenberg Chicken LLC account be moved to the uncollectible roll. After discussion, it was

moved by Director Gutierrez, seconded by Director Maynard, and unanimously carried that the delinquent tax report be approved and the Rosenberg Chicken LLC account be moved to the uncollectible roll.

EXEMPTIONS FROM TAXATION FOR 2024

Mr. Cox presented to and reviewed with the Board the Tax Exemption Analysis prepared by Masterson Advisors LLC, a copy of which is attached hereto as **Exhibit E**. After discussion of the matter, Director Gutierrez moved that the District (i) not grant a residential homestead exemption, and (ii) grant an exemption for persons under a disability or sixty-five years of age or older in the amount of \$15,000 from ad valorem taxes levied by the District during the calendar year 2024, and that the Resolution attached hereto as **Exhibit F** relative to same be approved and adopted by the Board and the District. Director Maynard seconded said motion, which carried unanimously.

ENGINEER'S REPORT AND UTILITY COMMITMENTS

Ms. Watkins then presented to and reviewed with the Board the Engineer's Report dated March 21, 2024, a copy of which is attached hereto as **Exhibit H**. In connection therewith, Ms. Watkins advised that Quiddity received a request for capacity for 14 equivalent single family connections for an office warehouse business park to be located south of FM 1640 near Radio Lane. In connection therewith, Mr. Cox presented and reviewed with the Board an Utility Commitment for said capacity, a copy of which is attached hereto as **Exhibit I**. After discussion, Director Gutierrez moved that the Engineer's Report and the Utility Commitment be approved. Director Maynard seconded said motion, which unanimously carried.

ANNUAL VOTING SYSTEM FILING FORM

The Board considered approving the completion, execution and filing of a Voting System Annual Filing Form ("Voting Form") with the Secretary of State's Office. Mr. Cox advised that pursuant to Section 123.061 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. After discussion on the Voting Form, it was moved by Director Gutierrez, seconded by Director Bartling, and unanimously carried that the Voting Form be approved and that SPH be authorized to file same with the Secretary of State's Office, as required by law.

SUPPLEMENTAL AGENDA

The Board next considered cancellation of the Directors Election called for May 4, 2024. Mr. Cox advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2024. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Cox then presented and reviewed the Order Declaring Candidates Elected, a copy of which is attached hereto as **Exhibit J**. After discussion, Director Gutierrez moved that the Order be adopted

by the Board declaring Cleo Holguin, Fred Maynard, and Jo Ann Hartfiel elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President be authorized to execute and the Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 4, 2024 be cancelled. Director Bartling seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

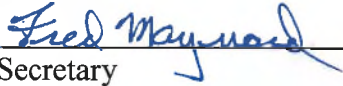
The Board considered the Attorney's Report. In connection therewith, Mr. Cox noted that the next meeting will be held in August.

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 Bartling seconded said motion, which unanimously carried.



Secretary
Board of Directors

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LIST OF ATTACHMENTS TO MINUTES

Exhibit A	Bookkeeper's Report
Exhibit B	Auditor's Report
Exhibit C	Tax Assessor-Collector's Report
Exhibit D	Delinquent Tax Report
Exhibit E	Tax Exemption Analysis
Exhibit F	Resolution Concerning Exemptions from Taxation
Exhibit G	Resolution Authorizing An Additional Penalty on Delinquent Real Property Taxes
Exhibit H	Engineering Report
Exhibit I	Utility Commitment
Exhibit J	Order Declaring Candidates Elected