

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 94

Minutes of Special Meeting of Board of Directors September 19, 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 September 19, 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"); Justin Abshire of Quiddity Engineering, LLC ("Quiddity"); 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 21, 2024. 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 HOLGUIN, MAYARD AND HARTFIEL

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 Holguin, Maynard and Hartfiel. Ms. Free advised that Directors Holguin, Maynard and Hartfiel submitted their executed Bonds, Statements, Oaths, Affidavits and Elections Not to Disclose. After discussion on the matter, it was moved by Director Gutierrez, 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 Cleo Holguin, Fred Maynard and JoAnn Hartfiel to be duly elected and qualified Directors of the District for a four-year term ending in May 2028.

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 Gutierrez 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.

LOCAL GOVERNMENT OFFICERS LIST

Ms. Free reminded the Board that, pursuant to Chapter 176 of the Texas Local Government Code, the District is required to and does maintain a list of Local Government Officers, which includes the members of the Board and the District's Investment Officers, in connection with conflict of interest disclosure requirements. Ms. Free advised that no updates to the list are required at this time.

BOOKKEEPER'S REPORT

Ms. Michaux presented to and reviewed with the Board the Bookkeeper's Report dated September 19, 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.

2024 TAX RATE RECOMMENDATION

The Board next considered the Financial Advisor's recommendations concerning the District's proposed 2024 tax rate. In connection therewith, Ms. Free presented to and reviewed with the Board Masterson's recommendation and analysis regarding the proposed 2024 debt service tax rate and options regarding the 2024 maintenance tax rate, a copy of which is attached hereto as **Exhibit B**.

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 2024 debt service tax rate of \$0.250 and declare its intention to levy said rate plus a maintenance tax rate of \$0.060, and (ii) BLI be authorized to publish notice of the District's intention to adopt a 2024 tax rate at its next meeting in the form and at the time required by law. Director Maynard seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Arellano presented the Tax Assessor-Collector's Reports for the months of April 2024, through September 2024, copies of which are 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 Reports be approved as presented, and the disbursements listed therein be approved for payment.

DELINQUENT TAX COLLECTIONS

The Board deferred consideration of a Delinquent Tax Report from Perdue, after noting that a quarterly report was not due for this month.

ENGINEER'S REPORT AND UTILITY COMMITMENTS

Mr. Abshire then presented to and reviewed with the Board the Engineer's Report dated September 19, 2024, a copy of which is attached hereto as **Exhibit D**. It was noted no action was required.

RECORDS MANAGEMENT OFFICER REQUEST

Ms. Free presented to and reviewed with the Board a memorandum from SPH, which is attached hereto as **Exhibit E**, 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 attached hereto as **Exhibit F** (the "Records Resolution"). After discussion, Director Gutierrez moved to approve the Records 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 Maynard seconded the motion, which unanimously carried.

Ms. Free 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 G** (the "Request"). After discussion, Director Gutierrez moved that SPH be authorized to destroy the records described in the Request. Director Maynard seconded said motion, which carried unanimously.

ATTORNEY'S REPORT


The Board considered the Attorney's Report. In connection therewith, Ms. Free noted that the next meeting will be held in November.

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

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LIST OF ATTACHMENTS TO MINUTES

Exhibit A	Bookkeeper's Report
Exhibit B	2024 Tax Recommendation
Exhibit C	Tax Assessor-Collector's Report
Exhibit D	Engineering Report
Exhibit E	Memorandum regarding Electronic Storage of District Records prepared by SPH
Exhibit F	Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records
Exhibit G	Letter from Records Management Officer for Approval to Destroy Certain Records