

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35,
OF FORT BEND COUNTY, TEXAS

Minutes of Meeting of Board of Directors
December 6, 2023

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 35, of Fort Bend County, Texas ("District"), met on December 6, 2023, at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas 77056, 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, as follows:

Piero Battistini	President
Sergio Handal	Vice President
Tony Feng	Secretary
Shah Haleem	Assistant Secretary
Trevor Eynon	Assistant Secretary

and all of said persons were present, except Directors Feng and Haleem, thus constituting a quorum. Directors Feng and Haleem entered the meeting after it was called to order, as noted herein.

Also present were: Brian Desilets and Eric Gonzalez of Clarity Consulting Corporation ("Clarity"); Esther Flores of Tax Tech, Inc. ("Tax Tech"); Jeff Safe of Brown & Gay Engineers, Inc. ("BGE"), Jerry Schroeder of Champions Hydro-Lawn, Inc. ("Champions"), who entered the meeting after it was called to order, as noted herein; Dawn Mouton of Inframark ("Inframark"); and Kate Henderson and Melanie Walsh of Schwartz, Page & Harding, L.L.P. ("SPH").

The President 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.

APPROVAL OF MINUTES

As the next order of business, the Board considered approval of the minutes of its meeting held on November 1, 2023. After discussion, Director Handal moved that the minutes for said meeting be approved, as written. Director Eynon seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

Mr. Gonzalez presented to and reviewed with the Board the Bookkeeper's Report dated December 6, 2023, including an Investment Report for the period November 1, 2023, through November 30, 2023, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Eynon moved that (i) the Bookkeeper's Report be approved and that the disbursements identified

therein be approved for payment, and (ii) the Investment Report for November 2023 be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District. Director Handal seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Flores next presented to and reviewed with the Board the Tax Assessor-Collector Report for the month ending November 30, 2023, a copy of which is attached hereto as **Exhibit B**. Following discussion, it was moved by Director Eynon, seconded by Director Battistini and unanimously carried that the Tax Assessor-Collector Report be approved as presented and that the disbursements identified therein be approved for payment.

Directors Feng and Haleem each entered the meeting during the above discussion.

DELINQUENT TAX REPORT

Ms. Henderson 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. She stated that the next quarterly report will be provided in January.

FORT BEND COUNTY CONSTABLE'S OFFICE ("FBCCO") ACTIVITY REPORT

Ms. Henderson presented Monthly Contract Deputy Activity Reports for the month of October 2023, regarding FBCCO, a copy of which is attached hereto as **Exhibit C**. It was noted that no action was required by the Board in connection with the FBCCO Report at this time.

ENGINEER'S REPORT

Mr. Safe presented to and reviewed with the Board a written Engineer's Report, dated December 6, 2023, a copy of which is attached hereto as **Exhibit D**, relative to the status of various engineering and construction projects within the District, and discussed the matters contained therein. The Board next discussed scheduling a tour of the District's facilities. In that regard, the Board concurred to schedule a tour of the District's facilities for Wednesday, December 13, 2023, at 4:00 p.m. Ms. Henderson noted that SPH would prepare an agenda for said meeting. After further discussion, the Board noted that no action was required in connection with the Engineer's Report at this time.

STORMWATER MANAGEMENT PROGRAM ("SWMP")

The Board next considered the status of the District's SWMP. Ms. Henderson noted that there were no updates at this time.

OPERATIONS REPORT

Ms. Mouton presented to and reviewed with the Board the Operations and Maintenance Report ("O&M Report") for the month of October 2023, a copy of which is attached hereto as **Exhibit E**. Ms. Mouton reported to the Board that the District had approximately 97% water accountability for the reporting period, discussed repairs made throughout the District, and reviewed with the Board an inspection report from Landscape Images of Texas ("LIT"), relative to the District's park facilities. She also presented one (1) account to be written off in the amount

of \$4.42 and one (1) delinquent account to be referred to collections in the amount of \$104.62. The Board next considered the status of implementation of the District's Drought Contingency Plan ("DCP"). Ms. Mouton reported that Stage 1 of the District's DCP was rescinded upon receipt of notice that the North Fort Bend Water Authority (the "NFBWA") rescinded Stage 1 of its DCP on November 1, 2023. After discussion, Director Battistini moved that the Board (i) authorize Inframark to write off one (1) account and refer one (1) delinquent account to collections, as detailed above. Director Eynon seconded the motion, which unanimously carried.

AMENDMENT TO RATE ORDER

The Board next considered amending the District's Rate Order. In connection therewith, Ms. Henderson presented to and reviewed with the Board an amended Rate Order reflecting various changes recommended by Inframark to clarify and/or update certain language and deposits fees imposed by the District. The Board requested that several additional revisions be made to the Rate Order relative to deposits required from renters and commercial property owners, as well as the charge for the required monthly grease trap inspections. After a lengthy discussion, Director Battistini moved that (i) the amended Rate Order be approved, subject to revision as discussed above, and (ii) effective as of January 1, 2024, any and all Rate Orders heretofore adopted by the Board be revoked, and the amended Rate Order attached hereto as **Exhibit F** be passed and adopted. Director Handal seconded said motion, which unanimously carried.

Mr. Schroeder entered the meeting during the above discussion.

DISTRICT WEBSITE AND MASS NOTIFICATION MESSAGING MATTERS

The Board next considered the continued operation of the District's website and its mass communication system. In that regard, Ms. Henderson presented to and reviewed with the Board a First Amendment to Website Re-Design & Operations Agreement by and between the District and Apollo IT Consulting, LLC ("Apollo"), a copy of which is attached hereto as **Exhibit G**, relative to hosting of one (1) public Microsoft Exchange email address for the Board. After discussion, it was moved by Director Battistini, seconded by Director Eynon and unanimously carried, that the Board approve the First Amendment to Website Re-Design & Operations Agreement and accept the Texas Ethics Commission ("TEC") Form 1295 provided by Apollo in connection with same, and that and SPH be authorized to acknowledge the District's receipt of same with the TEC.

MATTERS RELATED TO MAY 4, 2024 DIRECTORS ELECTION

Ms. Henderson then advised the Board that, pursuant to Section 141.040, Texas Election Code, the District is required to post a notice regarding the period during which a candidate may file an application to appear on the ballot for the District's Directors Election to be held on May 4, 2024. She noted that such notice must be posted by December 18, 2023, (i) at the in-District posting location for notices of meetings, (ii) at the District's administrative office, and (iii) on the District's website. Following discussion on the matter, upon motion made by Director Eynon, seconded by Director Battistini and unanimously carried, the Board authorized SPH to prepare and post such notice on behalf of the Board and the District.

CHAMPIONS HYDRO-LAWN, INC. ("CHAMPIONS") MAINTENANCE OPERATIONS AT LITTLE PRONG CREEK

Mr. Schroeder next presented to and reviewed with the Board a Detention and Drainage Facilities Report ("D&D Report") dated December 6, 2023, prepared by Champions, for Little Prong Creek and corresponding photographs, a copy of which is attached hereto as **Exhibit H**. It was noted that no action was required of the Board in connection with the D&D Report at this time.

Ms. Flores exited the meeting at this time.

ATTORNEY'S REPORTS

The Board considered the Attorney's Report. In connection therewith, Ms. Henderson presented to and reviewed with the Board an Annual Disclosure provided by Masterson Advisors, LLC regarding its annual disclosure requirements pursuant to the Municipal Securities Rulemaking Board Rule G-10, a copy of which is attached hereto as **Exhibit I**.

Ms. Henderson next advised that the District received notices regarding two (2) class action settlements with DuPont and 3M (the "Settlements") relating to the presence of PFAS (per and polyfluoroalkyl substances) in drinking water. She then summarized the notices and settlements. After discussion, no action was taken by the Board regarding this matter.

Ms. Henderson next requested that the Board consider its meeting schedule for January. After discussion, the Board concurred to cancel its regular meeting in January and reschedule it for Friday, January 5, 2024, at 1:00 p.m.

CLOSED SESSION

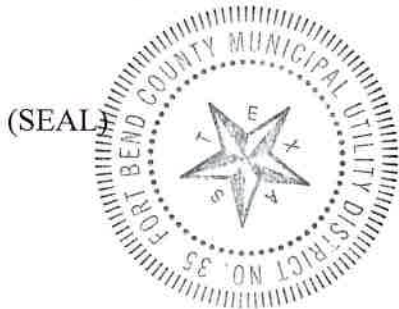
The Board determined that it would not be necessary to meet in Closed Session at this time.

FUTURE AGENDA ITEMS

The Board considered items for placement 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 Battistini moved that the meeting be adjourned. Director Handal seconded said motion, which unanimously carried.




Secretary, Board of Directors

TABLE OF EXHIBITS

December 6, 2023

- Exhibit A: Bookkeeper's Report
- Exhibit B: Tax Assessor-Collector's Report
- Exhibit C: FBCCO Monthly Activity Report
- Exhibit D: Engineer's Reports
- Exhibit E: Operations and Maintenance Report
- Exhibit F: Rate Order
- Exhibit G: First Amendment to Website Re-Design & Operations Agreement
- Exhibit H: Detention and Drainage Facilities Report
- Exhibit I: MSRB Rule G-10 Letter presented by Masterson Advisors LLC