

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

Minutes of Meeting of Board of Directors
July 6, 2022

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 35, of Fort Bend County, Texas ("District"), met on July 6, 2022, 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, Assistant Secretary
Shah Haleem, Assistant Secretary

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

Also present were: Ravi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Bernita Armstrong of Principal Management Group of Houston ("PMI"), Community Manager for Seven Meadows Community Association, Inc. ("Seven Meadows"); Esther Flores of Tax Tech, Inc. ("Tax Tech"); Jeff Safe of Brown & Gay Engineers, Inc. ("BGE"); Jerry Schroeder of Champions Hydro-Lawn, Inc. ("Champions"); Robert Lugo of Inframark ("Inframark"); and Bryan Yeates and Melanie Walsh of Schwartz, Page & Harding, L.L.P. ("SPH").

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 June 1, 2022. After discussion, Director Feng moved that the minutes for said meeting be approved, as written. Director Battistini seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

Mr. Patel presented to and reviewed with the Board the Bookkeeper's Report dated July 6, 2022, a copy of which is attached hereto as **Exhibit A**. After discussion, Director Battistini moved that the Bookkeeper's Report be approved and that the disbursements identified therein be approved for payment. Director Handal seconded said motion, which unanimously carried.

Director Haleem entered the meeting at this time.

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

Ms. Armstrong presented a Monthly Contract Deputy Report for the month of May,

2022, from FBCCO, a copy of which is attached hereto as **Exhibit B**. It was noted that no action was required of the Board.

PROPOSED RENEWAL OF LETTER AGREEMENT RELATIVE TO THE DISTRICT'S ANNUAL CONTRIBUTION TOWARD THE NORTH DRAINAGE CHANNEL MAINTENANCE COSTS

The Board next considered a request from Seven Meadows Community Association, Inc. ("Seven Meadows") to renew the letter agreement relative to the District's annual contribution toward the maintenance costs for North Drainage Channel. In connection therewith, the Board reviewed an estimated annual budget for landscaping expenses prepared by Seven Meadows, a copy of which is attached hereto as **Exhibit C**, which was previously presented to the Board at its meeting held on June 1, 2022. Director Handal then summarized his communication with Robert Ponville, President of the Seven Meadows Board of Directors, regarding the matter. After discussion, the Board requested that Seven Meadows submit a written request providing specific details of the terms and conditions being sought. The Board further requested that Champions provide a cost estimate for basic maintenance of the drainage tracts described in the budget provided by Seven Meadows to assist in determining the District's possible annual contribution to Seven Meadows.

STATUS OF CONVERSION TO LED BULBS AND PAINTING OF THE DECORATIVE LIGHT POLES IN THE COMMUNITY BY CENTERPOINT ENERGY

Noting that no new updates have been received, the Board deferred consideration of the status of conversion to LED bulbs and painting of the decorative light poles in the community by CenterPoint Energy ("CenterPoint"). The Board then requested that SPH contact Billy Haehnel, President of the Board of Directors of Fort Bend County Municipal Utility District No. 34, of Fort Bend County, Texas to determine the current status of the project.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Flores presented to and reviewed with the Board the Tax Assessor-Collector Report for the month ending June 30, 2022, a copy of which is attached hereto as **Exhibit D**. After discussion, it was moved by Director Handal, 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.

DELINQUENT TAX REPORT

Mr. Yeates presented to and reviewed with the Board a Delinquent Tax Report dated July 6, 2022, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys. A copy of said report is attached hereto as **Exhibit E**. The Board noted there were no action items in the report.

ENGINEER'S REPORT

Mr. Safe presented to and reviewed with the Board a written Engineer's Report dated July 6, 2022, a copy of which is attached hereto as **Exhibit F**, relative to the status of various engineering and construction projects within the District, and discussed the matters contained therein. In connection with the proposed purchase and installation of a permanent emergency

diesel generator at the joint Remote Well site, Mr. Safe reported that BGE is currently working with representatives of The Interlocal Purchasing System Program ("TIPS Program") to resolve certain issues BGE has encountered in its repeated attempts to solicit bids through the TIPS Program. After discussion, the Board noted that no action was required on its part in connection with the Engineer's Report at this time.

PROPOSED AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ("TXDOT")

The Board next considered the proposed construction by TxDOT of noise barriers in connection with the planned widening of the Grand Parkway from FM 1093 to Interstate 10 (the "Grand Parkway Project"). In connection therewith, Director Handal summarized discussions conducted during a recent meeting of representatives from each of the various entities affected by the Grand Parkway Project regarding possible alternatives to construction of noise barrier walls. He advised the Board that, in this particular situation, no such viable alternative exists. Director Handal next reported that TxDOT recently advised that the District would no longer need to be involved in the process should Seven Meadows agree to donate land to TxDOT for construction of the proposed noise barriers. He noted that Mr. Ponville has indicated that Seven Meadows would likely be willing to donate the required land to TxDOT. In the meantime, Director Handal reported, TxDOT is requesting that affected districts indicate whether they wish to proceed with the proposed construction of noise barriers and move forward with discussions in connection with a proposed Noise Barrier Agreement with TxDOT. In that regard, he presented correspondence from TxDOT dated June 13, 2022, a copy of which is attached hereto as **Exhibit G**, conveying said request. Director Handal noted that the District may choose to withdraw from the process at any time without penalty prior to execution of a formal agreement. After discussion, Director Feng motioned that Director Handal be authorized to complete and submit the form included with TxDOT's correspondence indicating the Board's willingness to proceed with discussions regarding the proposed Noise Barrier Agreement. Director Battistini seconded the motion, which unanimously carried.

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 July 6, 2022, 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.

STORMWATER MANAGEMENT PROGRAM ("SWMP")

The Board considered the status of the District's SWMP. Mr. Yeates advised the Board that there were no updates regarding the District's SWMP at this time.

OPERATIONS REPORT

Mr. Lugo presented to and reviewed with the Board the Operations and Maintenance Report ("O&M Report") for the month of May 2022, a copy of which is attached hereto as **Exhibit I**. Mr. Lugo reported to the Board that the District had approximately 94% 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. He noted that Inframark has completed the valve survey conducted throughout the District and will provide a report summarizing the results of said survey and any repairs recommended in connection therewith at the next Board meeting. Mr. Lugo further noted that repair of the damaged main water line near the intersection of Gaston Road and Willowleaf Garden Crossing is also complete. He next reported that the North Fort Bend Water Authority has implemented Stage 1 of its Drought Contingency Plan. He advised the Board that Inframark will follow the standard protocol for informing District water customers and residents of the implementation of Stage 1 of the District's Drought Contingency Plan. After discussion, the Board noted that no action was required on its part in connection with the O&M Report at this time.

PROPOSED RENAMING OF THE DISTRICT'S FAMILY PARK

The Board considered the proposed renaming of the District's family park site. After discussion, the Board concurred to consider the matter further at a later date and requested that the item be removed from upcoming agendas for the time being.

STATUS OF DISTRICT WEBSITE AND IMPLEMENTATION OF MASS NOTIFICATION SYSTEM; PROPOSED REDESIGN OF THE DISTRICT'S WEBSITE BY APOLLO IT CONSULTING, INC. ("APOLLO")

The Board next considered Apollo's redesign of the District's website. After discussion, it was moved by Director Handal, seconded by Director Battistini and unanimously carried, that the Board approve an amended Technology Consulting Service Contractor Agreement with Apollo to perform the redesign services for a total estimated cost of \$650, subject to SPH's review and receipt of a Texas Ethics Commission Form 1295 from Apollo.

DISCUSS FILLING OF VACANCY ON BOARD OF DIRECTORS

The Board next discussed the existing vacancy on the District's Board due to Steven Olsen's resignation. In connection therewith, Mr. Yeates reported that the District has receive one letter of interest to date. He reminded the Board that the deadline for receipt of such letters is 5:00 p.m. on Monday, July 25, 2022. No action was taken by the Board in connection with the matter at this time.

ATTORNEY'S REPORT

The Board considered the Attorney's Report. In connection therewith, Mr. Yeates advised she had nothing further to report to the Board other than the items previously discussed.

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 Feng seconded said motion, which unanimously carried.

(SEAL)


Secretary, Board of Directors

636424_2.docx



TABLE OF EXHIBITS

July 6, 2022

- Exhibit A: Bookkeeper's Report
- Exhibit B: FBCCO Monthly Activity Report
- Exhibit C: Seven Meadows Landscape Expenses
- Exhibit D: Tax Assessor-Collector's Report
- Exhibit E: Delinquent Tax Report
- Exhibit F: Engineer's Report
- Exhibit G: Proposed TxDOT Agreement
- Exhibit H: Detention and Drainage Facilities Report
- Exhibit I: Operations and Maintenance Report

636424_2.docx