MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE FERN BLUFF MUNICIPAL UTILITY DISTRICT

March 10, 2020

THE STATE OF TEXAS §
WILLIAMSON COUNTY §

The Board of Directors (the "**Board**") of the Fern Bluff Municipal Utility District (the "**District**") convened in a **regular** meeting open to the public at 6:00 p.m. on March 10, 2020, at the Fern Bluff Municipal Utility District Community Center, 7320 Wyoming Springs Drive, Round Rock, Texas, pursuant to notice duly given in accordance with the law.

The roll was called of the following members of the Board of Directors, to wit:

George Sabatino	President
Joseph Teiber	Vice President
Jessica Stempko	Secretary
Kevin Barnes	Treasurer
Marc Smith	Assistant Secretary/Treasurer

and all Directors were present, thus constituting a quorum.

Also in attendance, were Janey Miller, the District's General Manager; Hector Alanis, the District's Operations Manager; Doug Smith of Texas Disposal Systems ("**TDS**"); Jack Gardner of Texas Lawn and Garden, LLC, ("**Texas Lawn**") the District's landscaper; and Zachariah T. Evans and Suzanne McCalla of McGinnis Lochridge, the District's Attorney ("**McGinnis**").

Director Sabatino called the meeting to order, after which Director Stempko led those present in the Pledge of Allegiance.

Director Sabatino noted that Mr. Smith wished to address the Board at this time.

Mr. Smith stated that he was present to talk to the Board regarding the expiration of the District's current solid waste collection contract. He explained that TDS was interested in the District's business, and he detailed the services that TDS could offer the District. The Board thanked Mr. Smith for his presentation.

The Board then considered approval of the monthly consent agenda containing the minutes of the February 11, 2020, regular Board of Directors meeting; payment of bills and invoices; payment of transfers for operation expenses; pay requests; change orders; and customer charge write-offs. After a brief discussion, upon a motion duly made by Director Teiber and seconded by Director Smith, the Board voted unanimously to

approve the Consent Agenda, including the minutes of the February 11, 2020, regular Board of Directors meeting, as written.

Mr. Gardner next presented the Landscaping Report. He stated that ant bait was applied throughout the District's parks and green spaces and that all parks were treated for weeds with a post emergent. He continued that the recent windy, wet weather was hampering cleanup efforts within the District by Texas Lawn staff but that the collection of leaves would begin within the next two weeks. Mr. Gardner reported that all grasses and rose bushes were cut back in February 2020, and that the first round of pre-emergent was applied to grassy areas within the District. He added that the second round of pre-emergent would be applied in late March or early April 2020. He also stated that Texas Lawn planned to aerate and top dress the District's sports fields at the end of April 2020. After a brief discussion, Mr. Gardner thanked the Board for their time and departed the meeting.

The Board next discussed the requirements under House Bill 3834, passed during the 86th Texas Legislative Session. Mr. Evans reminded the Board that the new law requires local government officials and employees to annually complete a state-approved cybersecurity training course by June 14, 2020. Ms. Miller stated that Texas Municipal League and Intergovernmental Risk Pool, the District's Insurance Provider, had options available to the Board via their website. The Board discussed calling a special meeting for all Board members and Consultants to take the training as required prior to June 14, 2020. Ms. Miller stated she would circulate the information to the Board.

Next, Mr. Alanis updated the Board on the preparation and submittal of the District's 1st year annual report confirming the District's compliance with its Stormwater Management Program (the "**SWMP**") required under the Texas Commission on Environmental Quality's (the "**Commission**") Texas Pollutant Discharge Elimination System [TPDES] General Stormwater Permit for Phase II Small Municipal Separate Storm Sewer Systems [MS4] (the "**Permit**"), which report is required to be filed with the Commission by March 30, 2020. Mr. Alanis detailed the purpose of the District's stormwater system as well as the purpose of the SWMP. He confirmed that the annual report for the SWMP would be completed and submitted to the Commission, as required under the Permit.

The Board then discussed the May 2, 2020, Directors Election (the "**Election**"). Ms. McCalla stated that as the agent for the District, McGinnis has certified that no more than three persons had filed to be listed on the ballot as candidates for Director of the District and that no persons had filed as write-in candidates for the Election. Ms. McCalla explained that the Board could now declare the unopposed candidates elected to office and avoid further costs associated with the holding of an election, pursuant to Section 2.053 of the Texas Election Code. She explained that the new terms of office of Directors Sabatino, Teiber, and Smith would commence at the first meeting after the Election, at which time they would be required to take the Oath of Office. She then presented the ORDER OF THE BOARD OF DIRECTORS OF THE FERN BLUFF MUNICIPAL UTILITY DISTRICT: CANCELING THE MAY 2, 2020, DIRECTORS ELECTION AND DECLARING UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING FINDINGS OF

FACT; AND PROVIDING FOR AN OPEN MEETING (the "**Election Order**"). After consideration, upon a motion duly made by Director Stempko and seconded by Director Smith, the Board voted unanimously to: (1) approve the Election Order; and (2) declare the following unopposed candidates elected to office: George Sabatino, Marc Smith, and Joe Teiber. Ms. McCalla pointed out that a copy of the Election Order would be posted at the District's regular polling places on Election Day. A copy of the Election Order is included in the Board Packet.

Ms. Miller next reviewed with the Board a letter from Round Rock Refuse, Inc., and Central Texas Refuse, Inc. ("**Round Rock Refuse**"), the District current solid waste collector, requesting the District's consent to an Assignment of the District's Solid Waste Collection, Recycling & Disposal Agreement (the "**Assignment"**). She explained that Round Rock Refuse was "bought out" and was requesting the District's approval of the Assignment. She added her understanding that no management, staffing, or services, would change as a result of the Assignment. Mr. Evans confirmed that he had reviewed the Assignment and saw no issues with the form. After discussion, upon a motion duly made by Director Sabatino and seconded by Director Teiber, the Board voted unanimously to approve the Assignment, as presented. A copy of the Assignment is included in the Board Packet.

Ms. Miller then discussed the improvements by Williamson County (the "**County**") to the Great Oaks Drive/Brushy Creek Road intersection, including bridge replacement (the "**Great Oaks Project**"). Ms. Miller stated that the relocation of the waterlines for the Great Oaks Project began on February 24, 2020, and was expected to take a minimum of 60 days. She explained that the waterlines for the District and Brushy Creek Municipal Utility District would be relocated as part of the Great Oaks Project. She added that two email notifications were sent out to all residents advising them to avoid the area during the construction. Ms. Miller pointed out that the waterline move would directly impact the Oak Brook subdivision within the District and that water services would be interrupted for a period of time. She emphasized that the disruption of service was planned to occur between 12:00 midnight to 5:00 a.m., to minimize the impact to residents.

Next, Ms. Miller presented the General Manager's Report in its entirety, a copy of which is included in the Board Packet. She reported that the District's new wastewater averages would be billed to District customers beginning in March and that the District's Spring Bulk Pickup Day would be held on Saturday, May 30, 2020.

Next, Mr. Alanis reviewed the District's water loss report as included in the Board Packet. He noted that the District's water accountability for the month of February was at 112% of water pumped versus water distributed. He added that the District's water accountability for the past 12 months remained at 97% of water pumped versus water distributed. Mr. Alanis also noted that the County had hit one of the District's water lines during recent construction for the Great Oaks Project, but that the issue was resolved quickly.

Director Teiber then reported on the patrols of the District by off-duty officers pursuant to the Independent Contractor Agreement for Off-Duty Security and Patrol Services between the District and the Williamson County Sheriff's Office (the "**Sheriff's Office**"). He stated that the patrols by the Sheriff's Office during the past month were routine. He added that the Sheriff's Office continued to regularly patroll the District's neighborhoods, parks, and all school zones.

Director Smith then presented the Communications Report. He updated the Board on the various communications planned for the District. He stated that he planned to include an article from the District's Landscaper on the District's website.

The Board then discussed the date of the District's next regular Board of Directors meeting. After discussion, the Board decided that the District's next regular meeting would be held at 6:00 p.m. on April 14, 2020.

There being no further business to come before the Board, the meeting was adjourned.

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Secretary, Board of Directors
Fern Bluff Municipal Utility District

(SEAL)

Attachments to the Minutes of the
Fern Bluff Municipal Utility District
March 10, 2020, Board of Directors Meeting

1. Board Packet.