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

April 13, 2021

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 **April 13, 2021**, 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.

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

and all Directors were present, except Director Smith, thus constituting a quorum.

Also in attendance or joining during the meeting, were Janey Miller, the District's General Manager; Hector Alanis, the District's Operations Manager; 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**"). Several members of the public were also present.

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

Director Sabatino then noted that there were two residents present who wished to address the Board at this time.

Ms. Trennah Dishongh gave a lengthy statement to the Board. She expressed her disappointment in the Board's responses to her recent ethics complaint as well as her belief that the Board had a fiduciary duty to respond to her request.

Ms. Whendy Martinez next addressed the Board. She requested that the Board adopt a general homestead exemption for District residents. She also asked that a response be provided to the public regarding the legitimacy of the Architectural Control Committee.

Mr. Gardner then presented the Landscaping Report. He stated that routine weekly maintenance was ongoing throughout the District, and that the removal of downed trees throughout the District as a result of the recent snow and ice storm should be complete by the end of next week. He told the Board that the second round of pre-emergent weed killer and fertilizer would be also be applied next week and that all the

District's Parks and the Community Center were sprayed with post emergent week killer. Mr. Gardner reported that the color change-out throughout the District was complete, but that several plants within the District had died as a result of the snow and ice storm. He explained that Texas Lawn has submitted a proposal to remove and reinstall additional plantings. He also noted that Texas Lawn has provided a Spring newsletter detailing landscaping tips for homeowners, a copy of which is included in the Board Packet. After discussion, the Board thanked Mr. Gardner for his time, and he departed the meeting.

The Board then considered approval of the monthly consent agenda containing the minutes of the March 9, 2021, 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 Stempko, the Board voted unanimously to approve the Consent Agenda, including the minutes of the March 9, 2021, regular Board of Directors meeting, as written.

Next, the Board reviewed options for a new deed restriction management company. Director Barnes stated that the Deed Restriction Committee had reviewed the pros and cons of Sage Management Services ("**Sage**") versus the District's current deed restriction management company, Connect Community Management, LLC ("**Connect**"). He noted that, after consideration, the Deed Restriction Committee determined that Sage would: (1) provide more personalized services for District residents; and (2) provide an overall cost savings to the District. Therefore, he said, the Deed Restriction Committee was recommending terminating services with Connect and engaging Sage. After discussion, upon a motion duly made by Director Barnes and seconded by Director Stempko, the Board voted unanimously to: (1) terminate management services by Connect; and (2) engage Sage, subject to review and approval of the contract and terms by the District's General Counsel.

Ms. McCalla noted that she had received a cybersecurity certification verifying completion of the annual state-approved cybersecurity training course from one Director, to date. Ms. McCalla reminded the Board all Directors and District employees would need to submit the training certification to McGinnis by June 14, 2021, before McGinnis could certify with the Texas Department of Information Resources that the District was in compliance.

Mr. Evans then discussed with the Board a cost estimate from McGinnis for maintenance of the District's records. He reviewed the total number of boxes currently maintained by McGinnis and the total costs to digitize the records. After discussion, upon a motion duly made by Director Stempko and seconded by Director Barnes, the Board voted unanimously to approve the estimate costs from McGinnis, and to authorize McGinnis to digitize the District's records.

The Board next considered the preparation and submittal of the District's 2nd year annual report 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, 2021. Mr. Alanis detailed the purpose of the District's stormwater system as well as the purpose of the District's Stormwater Management Program. He confirmed that the annual report for the Permit was submitted to the Commission, as required.

Next, Ms. Miller detailed the status of the improvements and/or widening of Brushy Creek Road and Hairy Man Road (the "**Hairy Man Project**"). She stated that the Hairy Man Project was in progress and that due to the construction, the pavilion at Olson Meadows Park is not available for rental at this time. Mr. Alanis next updated the Board on the water line change over in the Oakbrook Subdivision of the District. He stated that all affected customers were notified that water would be turned off during the "cut over." He added that the estimated total time that the water would be off was eight hours.

Next, Ms. Miller presented the General Manager's Report in its entirety, a copy of which is included in the Board Packet and attached hereto. She stated that her office continues to assess the damage to the District's parks and green spaces as a result of the recent snow and ice storm. She explained that many plants survived the storm and were recovering slowly, but some of plants died due to the extreme cold temperatures. She added that maintenance issues within the parks would be handled on a park-by-park basis.

Continuing her report, Ms. Miller said that Texas Lawn provided a proposal to replace all the shrubs at the Community Center. She continued that the Viburnum shrubs, killed by the snow and ice storm, are a very hardy plant and provide effective screening of the Community Center, and should be replaced.

Mr. Alanis then 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 March was at 86% of water pumped versus water distributed. He added that the District's water accountability for the past 12 months was at 105% of water pumped versus water distributed. He next reported that the District was experiencing water system telemetry issues due to the storm. Mr. Alanis continued that the issues were not major issues, and that he continued to work to make all necessary repairs. Mr. Alanis then told the Board that work on the District's risk and resiliency assessment pursuant to America's Water Infrastructure Act of 2018 (AWIA), was underway as was work on the District's Water Quality Report. He stated that both items would be completed and submitted timely, as required.

The next item of business before the Board was the status of the reopening of the Community Center. Ms. Miller reported that her office was now taking reservations for the Community Center for small groups. She stated that additional larger reservations would be addressed in the near future.

The Board then reviewed the proposal from Texas Lawn discussed earlier in the meeting. Upon a motion duly made by Director Teiber and seconded by Director Sabatino, the Board voted unanimously to approve the proposal from Texas Lawn to remove and replace plants at the District's Community Center at a total cost to the District of $25,920.00. A copy of the proposal is included in the Board Packet.

Director Barnes next updated the Board on the Deed Restriction Committee's recommendation for the appointment of two members to fill the vacancies on the Architectural Control Committee (the "**ACC**"). He reminded the Board that residents were able to submit applications to serve on the ACC until March 31, 2021. He continued that after review, the Deed Restriction Committee was recommending the appointment of Dave Gray and Marilyn Listander to the ACC Committee. After review and discussion, upon a motion duly made by Director Stempko and seconded by Director Barnes, the Board voted unanimously to appoint David Gray and Marilyn Listander to the ACC as recommended by the Deed Restriction Committee.

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 Sheriff's Office. He stated that 81 patrol hours were logged in by patrol officers for the month of March. He noted that these patrols included patrols of the District's parks and residential streets. Ms. Miller added that vehicle burglaries were increasing and warned those present to keep vehicles locked when not in use.

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 May 11, 2021.

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
April 13, 2021, Board of Directors Meeting

1. Board Packet.