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

May 11, 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 **May 11, 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, 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 Barnes led those present in the Pledge of Allegiance.

Director Sabatino then noted that there were two residents present who wished to address the Board during the Citizen Communications portion of the meeting.

Mr. Gardner then presented the Landscaping Report. He stated that routine weekly maintenance was ongoing throughout the District and that Texas Lawn continues to work on clean up in the District on issues resulting from the February snow and ice storm. He stated that work at the Fern Bluff Community Center was ongoing and that the annual color was installed and was looking "good." He continued that all the District's sports fields were aerated and the tree program along Olson Meadows Park was in progress. After a question from the Board regarding the damage to the District's oak trees as a result of the February snow and ice storm, Mr. Gardner responded that Texas Lawn will continue to monitor the health of oak trees within the District and that he is optimistic that the majority of the District's oaks will survive. After discussion, the Board thanked Mr. Gardner for his time, and he departed the meeting.

Ms. Trennah Dishongh then addressed the Board and detailed her views on her recent deed restriction violation from the District as well as the results of a recent public information request submitted to the Board.

Mr. Yoram Givon next addressed the Board. He requested that the public be provided additional opportunities to address the Board during meetings.

The Board then considered approval of the monthly consent agenda containing the minutes of the April 13, 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 Smith, the Board voted unanimously to approve the Consent Agenda, including the minutes of the April 13, 2021, regular Board of Directors meeting, as written.

Ms. McCalla noted that she had received a cybersecurity certification verifying completion of the annual state-approved cybersecurity training course from three Director and all employees, to date. Ms. McCalla reminded the Board all Directors and District employees are required 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.

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 continued to be in progress and that due to the construction, the two parking lots closest to the Olson Meadows Park have been closed to ensure the safety of all persons. She also noted that the restroom at the pavilion was still under repair. Mr. Alanis reported that water line along Olson Meadows was re-located successfully with minimal impact to District residents. Director Smith thanked the District for providing cases of water to those residents affected by the re-locations and associated temporary lack of water.

Ms. Miller then 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 a final assessment of the damage to the District's parks and green spaces as a result of the recent snow and ice storm was completed by Texas Lawn, and she added that Texas Lawn provided a proposal to replace the plants in the damaged area for the Board's consideration. She reminded the Board that although many plants survived the storm and were recovering slowly, some of plants died due to the extreme cold temperatures.

Mr. Alanis then provided the Operations Report. He first 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 April was at 105% 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 work on the

District's risk and resiliency assessment pursuant to America's Water Infrastructure Act of 2018 (AWIA), was complete, and he confirmed he would provide the required certification to the United States Environmental Protection Agency, as required. He also reported that work on the District's Water Quality Report was in progress and would be mailed out with the May utility billings.

Continuing his report, he stated that the winter storm caused minor issues at the District's pump station. He told the Board that as a result of the issues experienced, he was looking at the costs for the District to acquire a backup generator to mitigate these types of issues in the future. Mr. Alanis emphasized that it was not an urgent issue, and that due to increased prices at this time, he would likely re-review the costs for a new generator towards the end of the year. Director Sabatino questioned how long a backup generator could run before requiring additional fuel, and Mr. Alanis responded approximately 24 hours. He added that the District would also need to research options for replenishment diesel for the generators.

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.

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.

The next item of business before the Board was consideration of a RESOLUTION OF FERN BLUFF MUNICIPAL UTILITY DISTRICT CONCERNING EXEMPTION OF RESIDENCE HOMESTEADS FROM TAXATION; PROVIDING FINDINGS OF FACT; PROVIDING FOR OPEN MEETINGS (the "**Resolution**"). Director Barnes explained that several residents had approached him regarding a general residential homestead exemption for the District. He stated that he requested the District's General Manager to calculate the effects of a general residential exemption on the District's overall budget using several exemption amount scenarios. Ms. Miller stated that the District currently has a disabled or over sixty-five tax exemption in place and that she is researching a general residential homestead tax exemption. She continued that she would prepare a conservative analysis of the effects of an exemption on the District's overall budget going forward for review at the District's next Board meeting.

The Board then considered the proposal from Texas Lawn to repopulate plants within the District, a copy of which is included in the Board Packet. Director Smith questioned if the proposal amounts were within the District's current budgeted amounts for landscaping, and Ms. Miller responded in the affirmative. After discussion, upon a motion duly made by Director Smith and seconded by Director Barnes, the Board voted unanimously to approve the proposal from Texas Lawn to remove the dead plant material

and reinstall new plants within the District's parks and green spaces at a total cost to the District of $24,682.00.

Director Stempko next reported that the Terry Cook, Williamson County Commissioner for Precinct 1, notified the District that the traffic signal project on O'Connor is continuing and that the signals should be installed in June.

Director Stempko next provided the Deed Restriction Committee Report. She stated that the District had sent a letter terminating Connect Community, as of August 1, 2021, at which time Sage Management will begin providing deed restriction management services for the District.

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 77 patrol hours were logged in by patrol officers for the month of April. He noted that these patrols included patrols of the District's parks and residential streets from the hours of 5:00 a.m. to 9:00 p.m.

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 June 8, 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
May 11, 2021, Board of Directors Meeting

1. Board Packet.