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

December 14, 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 **December 14, 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 Lecelle Clarke 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 Smith led those present in the Pledge of Allegiance.

Director Sabatino then noted that there were 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 work on the District's irrigation system was complete. He continued that Texas Lawn was in the process of removing fallen leaves from the District's parks and green spaces and installing mulch in the landscaping areas. Mr. Gardner reported that the annuals at the Fern Bluff Community Center were replaced and should bloom in the near future. He then thanked the Board for their time and departed the meeting.

The Board next heard Citizen Comments. David Flores addressed the Board and stated that the Board was doing a great job on maintaining the District's parks and green spaces. He stated that all municipal utility districts should be fully transparent.

Next, Linda Fabre spoke to the Board. She stated that she was present at the meeting to rebut information presented at a previous Board meeting regarding a lawsuit that she had brought against the Williamson Travis County Municipal Utility District No. 1.

Trennah Dishongh then requested that the District's website be updated to more easily reflect how to request public information from the District.

Lastly, Svetlana Bann thanked the Board for addressing her concerns she presented at a prior Board meeting so quickly and effectively. She emphasized that her children enjoyed the District's Parks and that she appreciated the Board's hard work

The Board then considered approval of the monthly consent agenda containing the minutes of the November 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 November 9, 2021, regular Board of Directors meetings minutes, as written.

Next, the Board considered the AMENDED RESOLUTION OF THE FERN BLUFF MUNICIPAL UTILITY DISTRICT REGARDING DISTRICT ADMINISTRATIVE OFFICES AND MEETING PLACES; PROVIDING FINDINGS OF FACT; PROVIDING FOR OPEN MEETING; AUTHORIZING THE FILING OF A COPY OF THIS RESOLUTION WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; AND AUTHORIZING PUBLICATION OF NOTICE OF THE RESOLUTION (the "**Resolution**"). Ms. McCalla noted that the Resolution was being amended to include the change in McGinnis' office location. After a motion duly made by Director Smith and seconded by Director Stempko, the Board voted unanimously to approve the Resolution as presented. A copy of the Resolution amending the District's meeting places is included in the Board Packet; which packet is attached hereto as an exhibit to these minutes.

Next, the Board reviewed a Consent to Assignment from Burgess & Niple, Inc. ("**Burgess**") officially notifying the District that Burgess has acquired CMA Engineering, Inc., ("**CMA**"), the District's Engineer, effective October 1, 2021, and requesting that the District formally approve Burgess as the District's Engineer. Ms. Miller explained that the change would not have any adverse impact on the services currently provided to the District under its agreements with CMA and that all terms and conditions of the CMA agreements will remain in full force and effect with Burgess agreeing to perform all services indicated in the agreements with CMA. After a brief discussion, upon a motion duly made by Director Smith and seconded by Director Barnes, the Board voted unanimously to formally engage Burgess as the District's Engineer. A copy of the Consent to Assignment is included in the Board Packet.

Ms. Miller then reported on the status of the improvements to the Great Oaks/Brushy Creek Road intersection, the improvements and/or widening of Brushy

Creek Road and Hairy Man Road, and the improvements to Wyoming Springs Drive (collectively the "**Road Projects**"). She stated the Road Projects were progressing as expected and that she would keep the Board updated on any future changes.

Next, Ms. Miller presented the General Manager's Report, a copy of which is included in the Board packet. She reported that the installation of fiber optic cable in areas of the District by AT&T is ongoing and that her office has received numerous calls about the damage to front and back yards within the District. She added that her office has posted contact information for AT&T on the District's website and will continue to monitor work by AT&T on District's property.

Mr. Alanis then provided the Operations Report. He reported that the Emergency Response Plan for the District was submitted to the United States Environmental Protection Agency [EPA]. He continued that work on the District's Emergency Preparedness Plan ("**EPP**"), required pursuant to Senate Bill 3 passed during the 87th Texas Legislative Session, was almost complete. He reminded the Board that the District was required to submit its EPP to the Texas Commission on Environmental Quality (the "**Commission**") no later than March 1, 2022, and that the District has until July 1, 2022, to implement the District's EPP.

Mr. Alanis then stated that the District recently joined the Texas Water/Wastewater Agency Response Network ("**TXWARN**"). He explained that TXWARN works closely with the Commission and the State Emergency Operations System to support and promote statewide emergency preparedness, disaster response and mutual aid assistance for water and wastewater utilities. He noted that participating in TXWARN provided the District additional stability during any extreme weather event.

Continuing his report, Mr. Alanis stated that the District was in the process of purchasing a portable generator as backup support for the District's facilities and in compliance with its EPP. Director Smith questioned if the generator would be tested monthly, and Mr. Alanis responded in the affirmative.

Director Barnes next reviewed with the Board the Profit and Loss Statement for the District for the fiscal year to date. No action was taken on this item.

Ms. Miller then reported that the Fern Bluff Community Center was fully operational and continued to schedule events for the holiday season and beyond. She noted that five events were scheduled for the current week, but that the number of events at the Fern Bluff Community Center is still not at pre-COVID numbers.

Director Barnes next provided the Deed Restrictions Committee Report. He reported that the Architectural Control Committee met on November 15, 2021, to discuss a recent development regarding deed restriction violations at 8405 Priest River Drive. He continued that the owners of the property had recently notified the District that they had experienced a personal loss. Director Barnes stated that as a result in consideration of

the extenuating circumstances presented, the Architectural Control Committee had voted to recommend suspension of any enforcement of the deed restriction violations currently issued at this location for 60 days from the date the District was notified of the issue. After discussion, upon a motion duly made by Director Barnes and seconded by Director Smith, the Board voted unanimously to suspend enforcement of the current deed restriction violations at 8405 Priest River Drive for 60 days from the date the District was notified of the issue. Director Stempko emphasized that, as in the past, the Board is always willing to work with residents experiencing personal hardships.

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 officers had patrolled the District a total of 36 hours for the month of November. He continued that officers continue to focus on patrols in the District's parks as well as monitoring traffic issues along Brightwater Boulevard. Director Sabatino noted that he had recently experienced an issue and had to call 911. He stated that officers from the Sheriff's Office responded quickly and efficiently and that he was thankful for their presence in the District.

The Board then discussed the Communications Committee report. Ms. Miller stated that although the District's new website planned to "go live" beginning December 1, 2021, the website host designing the new website had developed COVID and the "go live" date was delayed. She added that the new website should be "live" in the near future, and she added that she would keep the Board updated on the website's progress.

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 January 11, 2022.

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
December 14, 2021, Board of Directors Meeting

1. Board Packet.