

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94
Minutes of Meeting of Board of Directors
March 26, 2020

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 94 (the "District") met in special session, open to the public on March 26, 2020, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Jim Spitzmiller, President
Jason Schultz, Vice President
Joseph Frost, Secretary
Merry Leonard, Assistant Secretary
Eric Lugger, Assistant Secretary

all of whom participated in the meeting via telephone conference call, thus constituting a quorum.

Also attending the meeting via telephone conference call were Michael Williams and Jeanette Montes of Gulf Utility Services, Inc. ("Gulf Utility"); Barbara Nussa of Republic Services, Inc. ("Republic"); Jerry Rueschhoff and John Rigsdell, residents of the District; and Spencer Creed and Kristin Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

EXPLANATION OF TELEPHONE CONFERENCE CALL MEETING PROCEDURES AND CALL TO ORDER

Mr. Creed explained to the Board the procedures to be used during the telephone conference call meeting. In connection therewith, he informed the participants that the meeting would be recorded, and requested that participants clearly state his or her name before speaking, including when making or seconding a motion. Mr. Creed further explained that he would conduct a roll call vote for all motions and that Board members should wait to vote on a motion until his or her name has been called. Similarly, Mr. Creed stated that a full roll call of all participants would be conducted at the start of each telephone conference meeting for attendance purposes.

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. Mr. Rigsdell made an inquiry regarding the District's regularly scheduled April meeting date, to which Mr. Creed responded.

Ms. Nussa addressed the Board at this time regarding the status of solid waste collection and recycling services provided to the District by Republic. She advised that the District's

document shred event that was scheduled to be held on April 4, 2020, has been canceled and that the event will be rescheduled for a later date.

RESOLUTION ADOPTING TEMPORARY POLICIES AND PROCEDURES IN RESPONSE TO COVID-19 PANDEMIC

Mr. Creed stated that the Governor of Texas issued a proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas. As a result of such proclamation, effective March 16, 2020, the Governor suspended certain provisions of the Texas Open Meetings Act (the "Act") pursuant to Section 418.016, Texas Government Code, to allow the governing boards of political subdivisions, such as the District, to meet via telephone conference call during the pendency of the COVID-19 pandemic. Accordingly, Mr. Creed counseled the Board regarding the adoption of temporary policies and procedures for conducting Board meetings and other District administrative matters during the COVID-19 pandemic and presented a Resolution Adopting Temporary Policies and Procedures in Response to COVID-19 Pandemic (the "Resolution"), attached hereto as **Exhibit A**. He then explained the provisions of the Resolution in detail with the Board. Following discussion, Director Leonard moved that the Resolution be adopted as presented. Director Frost seconded the motion which unanimously carried.

IMPACT OF COVID-19 PANDEMIC ON MAY 2, 2020, ELECTION

The Board next discussed the impact of the COVID-19 Pandemic on the District's May 2, 2020, Directors Election. Mr. Creed advised that, due to the current pandemic, the Governor of the State of Texas has authorized those districts that have contested directors elections to postpone same until November 3, 2020, and has recommended that they do so. He further explained that Montgomery County may be able to administer the election on behalf of the District in November 2020. After discussion, Director Leonard moved that (i) the District postpone the May 2, 2020, Directors Election proceedings until November 3, 2020, (ii) the Board take action to formally postpone the Election at its next meeting, and (iii) SPH be authorized to notify Montgomery County regarding same. Director Frost seconded said motion, which unanimously carried.

DISPOSITION OF DELINQUENT ACCOUNTS DURING PENDENCY OF COVID-19 PANDEMIC

The Board next discussed the disposition of delinquent accounts during the pendency of the COVID-19 Pandemic. Following discussion, Director Leonard moved that Gulf Utility be authorized to (i) suspend termination of water service and any related delinquent fees for District customer accounts through the end of the District's May billing cycle, (ii) send letters to those customers who become delinquent, and (iii) waive the fee charged to District customers for such letter under the District's Rate Order. Director Schultz seconded the motion, which unanimously carried.

POSSIBLE FUTURE AGENDA ITEMS

The Board considered items for placement on future agendas. Director Frost requested that the District's bookkeeper prepare a cash flow analysis that depicts the impact on the District's operating account with regard to varying levels of delinquent utility accounts, for review by the Board at the next meeting.

Director Luger requested that an item be included on the next agenda regarding the continued impact of the COVID-19 Pandemic on the District.

ADJOURN

There being no further business to come before the Board, Director Spitzmiller moved that the meeting be adjourned. Director Leonard seconded said motion, which unanimously carried.

/s/Joseph Frost
Secretary
Board of Directors

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LIST OF EXHIBIT(S)

EXHIBIT A Resolution Adopting Temporary Policies and Procedures in Response to
COVID-19 Pandemic