

MINUTES
EMERALD FOREST UTILITY DISTRICT

November 13, 2023

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 13th day of November, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were Greg Lentz of Masterson Advisors LLC; Angie Hartwell of Touchstone District Services ("Touchstone"); Luly Stripling of District Data Services, Inc. ("DDS"); Sherry Grant of Baxter & Woodman, Inc. ("B&W"); Lonnie Lee of Regional Water Corporation ("RWC"); Patty Rodriguez and Debbie Arellano of Bob Leared Interests ("BLI"); and Katie Sherborne and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There was no discussion on this agenda item.

APPROVE MINUTES

The Board considered approving the minutes of the October 9, 2023, regular meeting and the October 24, 2023, special meeting. After review and discussion, Director Schmidt moved to approve the minutes of the October 9, 2023, regular meeting and the October 24, 2023, special meeting, as submitted. Director Kimball seconded the motion, which passed unanimously.

WEBSITE AND COMMUNICATION MATTERS

Ms. Hartwell reviewed the website and communication report, a copy of which is attached.

The Board discussed notifications to residents regarding the current stage of drought conditions. Mr. Lee stated that the District is no longer in Stage 1 drought

conditions. The Board directed Touchstone to post a notice to the District's website regarding the lifting of all water restrictions.

The Board then considered designating a director to approve text messages and website notices outside of Board meetings. After discussion, the Board concurred to designate the Board President, with the Vice President, then Secretary, then Assistant Vice President, then Assistant Secretary serving as alternates, to approve text messages and website notices outside of Board meetings as necessary.

GARBAGE COLLECTION AND RECYCLING MATTERS

The Board discussed garbage collection and recycling matters in the District.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Rodriguez presented the monthly tax report, a copy of which is attached. She stated that 0.07% of the District's 2023 taxes were collected as of October 31, 2023. Ms. Rodriguez then reviewed the District's delinquent tax roll.

Ms. Rodriguez inquired if the Board would like an aerial photograph taken of the District for a cost of \$1,125.00.

After review and discussion, Director Kimball moved to (1) approve the tax report and payment of the tax bills; and (2) authorize having an aerial photograph taken for a cost of \$1,125.00. Director High seconded the motion, which passed unanimously.

ADOPT RESOLUTION CASTING BALLOT FOR THE ELECTION OF A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS CENTRAL APPRAISAL DISTRICT ("HCAD")

The Board considered adopting a Resolution Casting Ballot for the Election of a Person to the Board of Directors for HCAD. After review and discussion, Director Kimball moved to adopt a Resolution Casting Ballot for the Election of a Person to the Board of Directors for HCAD, reflecting the District's vote for Jonathan Cowen, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Dillard seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Stripling reviewed the bookkeeper's report, including the District's investments and the budget comparison, and submitted the bills for payment. A copy of the bookkeeper's report is attached. She also requested the Board approve check no. 5054 in the amount of \$185,146.06, payable to D.L. Elliott Enterprises, Inc. ("D.L. Elliott").

After review and discussion, Director Schmidt moved to approve the bookkeeper's report and payment of the bills, including check no. 5054 as detailed above. Director High seconded the motion, which passed unanimously.

CONDUCT ANNUAL REVIEW OF INVESTMENT POLICY AND ADOPT RESOLUTION REGARDING ANNUAL REVIEW OF INVESTMENT POLICY

The Board reviewed the District's Investment Policy to determine if any amendments were necessary. After discussion, the Board determined to make no amendments at this time. After review and discussion, Director Schmidt moved to adopt a Resolution Regarding Annual Review of Investment Policy and direct that the Resolution be filed appropriately and retained in the District's official records. Director High seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKER/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

The Board considered adopting the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. After review and discussion, Director Schmidt moved to adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and direct that the Resolution be filed appropriately and retained in the District's official records. Director High seconded the motion, which passed unanimously.

REVIEW FINAL ARBITRAGE REBATE REPORT FOR THE SERIES 2013 BONDS

Ms. Sherborne discussed with the Board the final arbitrage rebate analysis prepared by OmniCap Group LLC for the District's Series 2013 Bonds. She noted that OmniCap Group LLC determined that there was no rebate or yield reduction payment due on the Series 2013 Bonds.

OPERATION OF DISTRICT FACILITIES

Mr. Lee presented the operations report from RWC, a copy of which is attached. He reported on routine maintenance and repair items in the District. He stated that water accountability for the prior billing cycle was 82.0%.

Mr. Lee reviewed a request from account no. 1-30-03480-04 requesting a payment plan for high water and sewer bills from May-September, 2023 due to a leaking toilet. He noted that the account has already been paid in full. The Board determined that no action was necessary on the request.

Mr. Lee updated the Board on the status of the account for The Abbey at Jones Road apartment complex. He stated that the next payment installment is due by December 13, 2023, but noted that RWC has not received any communication from the property manager regarding acceptance of the payment plan.

The Board reviewed correspondence from a resident requesting a refund of a meter tampering fee. After review and discussion, Director Dillard moved to deny the request for a refund of the meter tampering fee. Director Kimball seconded the motion, which passed unanimously.

After review and discussion, Director High moved to approve the operator's report. Director Dillard seconded the motion, which passed unanimously.

HEARING REGARDING TERMINATION OF WATER AND SEWER SERVICE

The Board conducted a hearing on the termination of water and sewer service to delinquent accounts. Mr. Lee stated that the residents on the list were delinquent in payment of their water and sewer bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bills and to show reason for nonpayment, all in accordance with the District's Rate Order. After discussion, Director High moved that, because the customers on the list were neither present at the meeting nor had presented any written statement on the matter, water and sewer service for accounts totaling \$10 or more would be terminated the following week in accordance with the District's Rate Order, except (i) accounts in compliance with payment agreements, and (ii) commercial accounts, which are to be contacted first by RWC and then terminated the following Monday if payment has not been received. Director Dillard seconded the motion, which passed unanimously.

UPDATE ON PREPARATION OF BOND APPLICATION

Ms. Grant updated the Board on the preparation of the District's bond application. The Board discussed the developers' reimbursements proposed to be included in the bond application and the taxable value generated by each developer in support of such reimbursement.

ENGINEERING MATTERS

Ms. Grant reviewed the engineer's report, a copy of which is attached.

SURFACE WATER, CHLORAMINE CONVERSION, AND BLEACH DISINFECTION CONVERSION

Ms. Grant reported that B&W received notification from AECOM, the engineer for the North Harris County Regional Water Authority ("NHCRWA"),

that the contractor addressed all deficiencies from the one-year warranty inspection.

Ms. Grant stated that the District received correspondence from the NHCRWA requesting payment in the amount of \$988,159.49 for the District's portion of Project 28F on October 25, 2023. She stated that, based on B&W's review, the District's portion of the project should only be in the amount of \$349,517.61 and reviewed B&W's comments on the cost breakdown prepared by AECOM, a copy of which is attached to the engineer's report. Ms. Grant also noted that AECOM did not provide the backup documentation required per the agreement. After discussion, the Board concurred to authorize ABHR to send correspondence to the NHCRWA regarding the required backup documentation and the revisions to the cost breakdown.

FM 1960 LIFT STATION NO. 5

Ms. Grant updated the Board on the status of the FM 1960 lift station no. 5 project, as reflected in her report. She stated that the contractor is still working on the punch list items. Ms. Grant did not have any Pay Estimates or Change Orders from Persons Services Corporation for the Board's approval.

FM 1960 WATER AND SANITARY SEWER EXTENSION

Ms. Grant updated the Board on the status of the FM 1960 water and sanitary sewer extension project, as reflected in her report. Ms. Grant reviewed and recommended approval of Pay Estimate No. 6 in the amount of \$185,146.06, submitted by D.L. Elliott Enterprises, Inc.

After review and discussion, Director High moved to approve Pay Estimate No. 6 in the amount of \$185,146.06 to D.L. Elliott, as recommended. Director Kimball seconded the motion, which passed unanimously.

CYPRESS NORTH HOUSTON ROAD (LOUEDD ROAD) WIDENING

There was no discussion on this agenda item.

FEASIBILITY STUDIES, PLAN REVIEWS, AND UTILITY AVAILABILITY REQUESTS

Ms. Grant updated the Board on the status of the pending plan reviews, service requests, and feasibility studies, as reflected in her report.

Ms. Grant updated the Board on the status of preparation of the draft feasibility for the 6.2-acre 7C Jones LLC tract. She stated that the water line to serve the tract could potentially be reimbursable as a public facility if the water

line was extended to serve the Texas Quality Plumbing tract or the 0.7-acre tract on Jones Road. Discussion ensued.

CYPRESS GLEN SANITARY SEWER REPAIR PROJECT

Ms. Grant reported that the District received three bids for the Cypress Glen sanitary sewer and manhole rehabilitation project. She recommended that the Board award the contract to the low bidder, Texas Pride Utilities, LLC ("Texas Pride"), in the amount of \$424,890.00. The Board concurred that, in its judgment, Texas Pride was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Following review and discussion, Director High moved to award the contract for the Cypress Glen sanitary sewer and manhole rehabilitation project to Texas Pride in the amount of \$424,890.00, based on the engineer's recommendation and subject to receipt of payment and performance bonds and the certificate of insurance and endorsements, if any, provided by the contractor. Director Kimball seconded the motion, which passed unanimously.

UPDATES TO EMERGENCY PREPAREDNESS PLAN ("EPP") AND EMERGENCY RESPONSE PLAN ("ERP")

Ms. Grant stated that B&W is working on updates to the District's EPP and ERP to reflect the changes in chemical treatment at the water plants. She stated that she anticipates providing the draft updated EPP and ERP to the Board and consultants for review in the next week.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

OTHER ENGINEERING MATTERS

Ms. Grant stated that the District has not received a response from the Texas Commission on Environmental Quality to the District's response letter regarding the letter the District received regarding the failure to submit compliance documentation for a Notice of Violation Letter dated September 9, 2019.

Ms. Grant updated the Board on the preparation of the service line inventory for the Lead and Copper Rule compliance program.

APPROVE ANNEXATION AGREEMENT

There was no discussion on this agenda item.

APPROVE DEVELOPMENT FINANCING AGREEMENT

There was no discussion on this agenda item.

ACCEPT WAIVER OF SPECIAL APPRAISAL

There was no discussion on this agenda item.

APPROVE THIRD ADDENDUM TO WATER SUPPLY AND WASTE DISPOSAL CONTRACT WITH CY-FAIR ISD

There was no discussion on this agenda item.

ATTORNEY'S REPORT

There was no discussion on this agenda item.

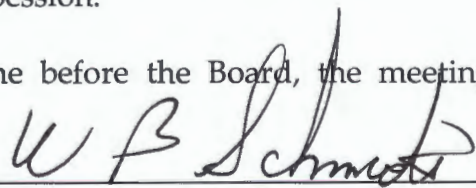
TEXAS PUBLIC INFORMATION ACT REQUESTS

There was no discussion on this agenda item.

CONVENE IN EXECUTIVE SESSION TO CONSULT WITH ATTORNEY, PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board did not convene in Executive Session.

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


Secretary, Board of Directors

(SEAL)



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MINUTES
EMERALD FOREST UTILITY DISTRICT

November 28, 2023

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in special session, open to the public, on the 28th day of November, 2023, at the offices of Baxter & Woodman, Inc., 11450 Compaq Center West Drive, Suite 660, Houston, TX 77070, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary
Donald F. Brooks	Assistant Vice President
DeWayne High	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were Deanna Brooks, resident of the District; Sergeant William Greer of the Harris County Sheriff's Office ("HCSO"); Scott Barr of Regional Water Corporation ("RWC"); Sherry Grant of Baxter & Woodman, Inc. ("B&W"); and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

SECURITY SERVICES REPORT

The Board reviewed the October 2023 security services report from the HCSO, a copy of which is attached. Sergeant Greer updated the Board on the status of security in the District.

ENGINEER'S REPORT

Ms. Grant reviewed the engineer's report, a copy of which is attached.

The Board reviewed correspondence from the AIMS Companies, the parent company of T. Gray Utility & Rehab Co., LLC ("T. Gray"), regarding payment for Pay Estimate No. 11 for the Woodedge Village sanitary sewer and manhole rehabilitation project, a copy of which is attached. Ms. Grant reminded the Board that T. Gray reported that the check for Pay Estimate No. 11 was fraudulently cashed by an unknown person. Ms. Ramirez stated that the District's bookkeeper filed a fraud

affidavit with the District's bank, but the fraud investigation is still ongoing. Discussion ensued and no action was taken by the Board.

SURFACE WATER, CHLORAMINE CONVERSION, AND CHLORINE DISINFECTION CONVERSION

Ms. Grant reported that B&W provided comments to the District's attorney on the response letter to the North Harris County Regional Water Authority ("NHCRWA") regarding the request for payment for the District's portion of Project 28F. She stated that a copy of the final response letter sent to the NHCRWA on November 16, 2023, is attached to the engineer's report.

FM 1960 LIFT STATION NO. 5

Ms. Grant updated the Board on the status of the FM 1960 lift station no. 5 project, as reflected in her report. She stated that the contractor is still working on the punch list items. Ms. Grant did not have any Pay Estimates or Change Orders from Persons Services Corporation for the Board's approval.

FM 1960 WATER AND SANITARY SEWER EXTENSION

Ms. Grant updated the Board on the status of the FM 1960 water and sanitary sewer extension project, as reflected in her report. She stated that the contractor has completed the remaining punch list items and B&W is working on preparing the close out documents. Ms. Grant did not have any Pay Estimates or Change Orders from D.L. Elliott Enterprises, Inc. for the Board's approval.

CYPRESS NORTH HOUSTON ROAD (LOUEDD ROAD) WIDENING

There was no discussion on this agenda item.

FEASIBILITY STUDIES, PLAN REVIEWS, AND UTILITY AVAILABILITY REQUESTS

Ms. Grant updated the Board on the status of the pending plan reviews, service requests, and feasibility studies, as reflected in her report.

CYPRESS GLEN SANITARY SEWER REPAIR PROJECT

Ms. Grant updated the Board on the status of the sanitary sewer and manhole rehabilitation project for Cypress Glen, as reflected in her report. Ms. Grant did not have any Pay Estimates or Change Orders from Texas Pride Utilities, LLC for the Board's approval.

UPDATES TO EMERGENCY PREPAREDNESS PLAN ("EPP") AND EMERGENCY RESPONSE PLAN ("ERP")

Ms. Grant stated that B&W provided a draft of the District's updated EPP and ERP for the directors' and consultants' review.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

FIVE-YEAR CAPITAL IMPROVEMENT PLAN ("CIP")

Ms. Grant stated that the next quarterly update to the CIP will be presented at the January special meeting.

OTHER ENGINEERING MATTERS

Ms. Grant stated that the District has not received a response from the Texas Commission on Environmental Quality to the District's response letter regarding the letter the District received regarding the failure to submit compliance documentation for a Notice of Violation Letter dated September 9, 2019.

Ms. Grant updated the Board on the preparation of the service line inventory for the Lead and Copper Rule compliance program.

Ms. Grant reported that Robert Appelt of the Environmental Protection Agency is no longer assigned to the Jones Road Superfund site, and the new representative, Lauren Guidry-Leach, was unable to attend today's meeting. She stated that she will coordinate with Ms. Guidry-Leach on attending a future meeting to discuss the District potentially providing water service to properties located within the Jones Road ground water plume boundary.

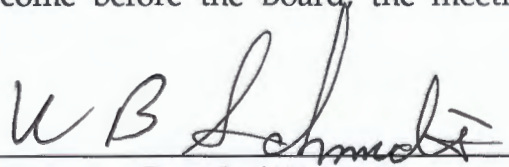
OPERATIONS REPORT, INCLUDING CUSTOMER CORRESPONDENCE

Mr. Barr reviewed the Greens Bayou E. coli report acknowledging samples taken in November, 2023, a copy of which is attached.

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

(SEAL)




Secretary, Board of Directors

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