

MINUTES OF MEETING OF
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 70,
OF HARRIS COUNTY, TEXAS
November 21, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 70, of Harris County, Texas (the "District") met in special session on November 21, 2024, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Stephanie Peters, President
Ron Sanches, Vice President
Rudolph Lange, Secretary
Rachel Knight, Assistant Secretary
Ronald Garcia, Assistant Secretary

All of said persons were present, except Director Knight, thus constituting a quorum. Director Knight entered later in the meeting, as noted herein.

Also present at the meeting were: District resident Latisha Yakubu; David Selesky of Green for Life Environmental ("GFL"); Caleb Burson and Jennifer Hicks of Accurate Meter & Supply ("AMS"); Rachel Broom of Cobb Fendley & Associates, Inc. ("CobbFendley"); Yaneth Cooper of Municipal Accounts & Consulting, L.P. ("MAC"); Ryan Vaughn of Municipal Operations & Consulting, Inc. ("MOC"); Brenda McLaughlin of Bob Leared Interests ("BLI"); Sam Cocke of Double Oak Erosion ("Double Oak"); Chuck Brandman of Harris County Municipal Utility District No. 264 ("No. 264"); Dennis Eby of Eby Engineers, Inc. ("Eby Engineers"), engineer for Harris County Municipal Utility District No. 144 ("No. 144"); and Spencer Creed of Schwartz, Page & Harding, L.L.P. ("SPH"). Some of the above persons entered the meeting after it was called to order, as noted herein.

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

JOINT PLANT COMMITTEE (THE "COMMITTEE") MEETING MINUTES

The Joint Sewage Treatment Plant Committee portion of the minutes of the District's October 23, 2024, Board meeting were considered. No revisions were requested to said minutes.

ENGINEERING REPORT

Ms. Broom presented a written Engineering Report for the Joint Sewage Treatment Plant Committee Meeting, a copy of which report is attached hereto as **Exhibit A**. Ms. Broom then presented to and reviewed with the Board the cost estimate and scope of work for the Clarifier Rehabilitation Project, copies of which are attached to the Joint Wastewater Treatment Plant ("Joint Plant") Engineering Report. She noted that the pricing is still being evaluated. Mr. Eby requested that the spray bars repairs be done first to see if that improves performance, before the

remainder of the repairs are performed. Mr. Vaughn noted that MOC will be performing maintenance on the first clarifier and will do an evaluation of the clarifier and replace the spray bar at that time. The Board took no action on this matter.

Ms. Broom noted that the Lift Station Rehabilitation Project will be moved back to a later date in the Capital Improvement Plan.

OPERATIONS REPORT

Mr. Vaughn presented and reviewed the Joint Plant Operations Report for the month of October 2024, a copy of which report is attached hereto as **Exhibit B** and discussed same with the Board. No action was taken.

BOOKKEEPER'S REPORT

Ms. Cooper presented to and reviewed with the Board the Joint Plant Bookkeeper's Report for November 21, 2024, a copy of which report is attached hereto as **Exhibit C**, including the disbursements presented for payment. A discussion ensued regarding the Lift Station budget figures. After discussion, it was moved by Director Garcia that the Joint Plant Bookkeeper's Report be approved and that the disbursements identified in the report be authorized for payment. Director Lange seconded said motion, which unanimously carried.

JOINT SEWAGE TREATMENT PLANT ATTORNEY REPORT

The Board next considered the Attorney's Report. Mr. Creed reminded the Committee that the December meeting has been rescheduled to December 19, 2024, at 5:30 p.m.

Mr. Eby exited the meeting at this time.

DISTRICT MEETING

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

MINUTES

The Board considered approving the minutes of the District's October 23, 2024, Board meeting and the November 8, 2024, special Board meeting. After discussion, Director Lange moved that the October 23, 2024, Board meeting and the November 8, 2024, special Board meeting minutes be approved as written. Director Garcia seconded said motion, which unanimously carried.

Ms. Knight entered the meeting at this time.

STATUS REPORT FROM GFL ENVIRONMENTAL REGARDING GARBAGE COLLECTION SERVICE

Mr. Selesky presented to and reviewed with the Board GFL's ("GFL") Customer Service Report for the month of October 2024 and Call Log, copies of such report and log being attached hereto as **Exhibit D**. Mr. Selesky discussed the various incidents reflected in the Call Log. He noted that the majority of incidents involved customers attempting to use their recycling cart for trash service. Director Lang requested a copy of GFL's Waste Collection Guidelines for posting on the District's website.

AMS SMART METER PRESENTATION

Mr. Burson and Ms. Hicks presented to and reviewed with the Board an AMS marketing brochure and proposal regarding the AMS/Badger Meter smart meters, and then responded to questions from the Board. A copy of these materials are attached hereto as **Exhibit E**. After discussion, the Board thanked Mr. Burson and Ms. Hicks and concurred to defer a decision on the matter at this time.

Ms. Yakubu and Mr. Sam Cocke entered the meeting during the discussion of the AMS presentation. Mr. Brandman exited the meeting at this time.

COMMENTS FROM THE PUBLIC

Ms. Yakubu addressed the Board regarding her delinquent utility account in the amount of \$1,010.35. After discussion, the Board stressed the need for Ms. Yakubu to enter into a payment agreement which allows her to pay an agreed upon portion of her delinquent account each month along with the full payment of her monthly utility bill. The Board noted a payment agreement will be a condition to re-instituting service and authorized MOC and Director Peters to work with Ms. Yakubu to determine a workable monthly payment amount. Ms. Yakubu then exited the meeting.

BOOKKEEPER'S REPORT AND QUARTERLY INVESTMENT REPORT

Ms. Cooper presented to and reviewed with the Board the Bookkeeper's Report dated November 21, 2024, a copy of which report is attached hereto as **Exhibit F**, including the disbursements listed therein. Director Lange requested information pertaining to check number 15298 payable to LJA Environmental Services ("LJA"). Mr. Vaughn explained that LJA was sub-contracted by MOC to complete the Lead and Copper Inventory sampling and to address field verification. After discussion, it was moved by Director Peters that the report be approved and that the disbursements identified in the report be authorized for payment. Director Garcia seconded said motion, which unanimously carried.

Ms. Cooper next presented to and reviewed with the Board a Quarterly Investment Inventory Report, which had been prepared by MAC for the reporting period ending September 30, 2024, a copy of which is attached to the Bookkeeper's Report. After review of the Quarterly Investment Inventory Report and upon motion duly made by Director Peters, seconded by Director Garcia and unanimously carried, said Quarterly Investment Inventory Report was approved and

the District's Investment Officer was authorized to execute same on behalf of the Board and the District.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. McLaughlin presented and reviewed the Tax Assessor/Collector's Report for October 31, 2024, including the disbursements presented for payment as listed therein, a copy of which report is attached hereto as **Exhibit G**. After discussion, Director Peters moved that said report be approved and that the disbursements identified in the report be approved for payment from the tax account. Director Lange seconded said motion, which unanimously carried.

APPROVAL AND EXECUTION OF AN AMENDED DISTRICT INFORMATION FORM

Mr. Creed presented to and reviewed with the Board a proposed Amendment to the District's Amended and Restated District Information Form (the "Amendment"). He advised that at the request of the Director Peters the Notice to Purchasers, attached to the Amendment as **Exhibit A**, will be revised to reflect an additional signature block for both the purchaser and the seller. After discussion regarding the Amendment, Director Lange moved that the Amendment be approved and that all of the Board members present be authorized to execute same on behalf of the Board and the District. Director Peters seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS ATTORNEY'S REPORT

The Board deferred action with respect to the review of a Delinquent Tax Report from the District's Delinquent Tax Collections Attorneys, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., as a report was not received this month.

OPERATIONS REPORT

Mr. Vaughn presented and reviewed the Operations Report for the month of October 2024, a copy of which report is attached hereto as **Exhibit H** and discussed same with the Board.

Mr. Vaughn next presented to and reviewed with the Board the list of delinquent accounts for the prior month. He requested authorization to write off six (6) delinquent accounts in the total amount of \$941.23, since all collection efforts to date had been unsuccessful. After discussion on the matter, Director Lange moved that MOC be authorized to write off six (6) delinquent accounts in the total amount of \$941.23 as more fully set forth in the attached Operations and Maintenance Report, and as recommended by the District's Operator. Director Garcia seconded said motion, which unanimously carried.

ENGINEERING REPORT

Ms. Broom presented to and reviewed with the Board a written Engineering Report for the District, a copy of which report is attached hereto as **Exhibit I**.

Ms. Broom next requested payment of Pay Estimate No. 1 in the amount of \$287,907.00 payable to SKE Construction, LLC ("SKE") for work completed on the Waterline Replacement Project. After discussion, Director Garcia moved to approve Pay Estimate No. 1 in the amount of \$287,907.00 payable to SKE. Director Peters seconded said motion, which unanimously carried. A copy of the pay estimate is attached to the Engineering Report.

Ms. McLaughlin exited the meeting during the discussion of the Engineering Report.

UTILITY COMMITMENTS AND SERVICE REQUESTS

Ms. Broom presented to and reviewed with the Board an updated memorandum regarding the request from New Life Church (the "Church") for water and sewer service for the Church's expansion. Ms. Broom advised the Board that the Church is requesting 1.67 equivalent single-family connections, which equates to 500 gallons of water per day ("gpd") and 416 gpd for sanitary sewer. Ms. Broom then advised the Board that the capital recovery fee is estimated to be \$28,339.65, as reflected in the memorandum. After discussion, Director Garcia moved to authorize Cobb Fendley to provide the Church the capital recovery fee calculations. Director Peters seconded said motion, which unanimously carried. The Board noted that, should the Church find the calculations amenable, CobbFendley is further authorized to request a \$2,500 deposit from the Church for the preparation of the service contract.

Director Knight exited the meeting during the discussion of the Church service request.

DRAINAGE FACILITY MAINTENANCE REPORT

Mr. Cocke next presented to and reviewed with the Board a Maintenance Report prepared by DOE dated November 21, 2024, a copy of which report is attached hereto as **Exhibit J**. Following discussion, Director Lange moved that Double Oak be authorized to renew the permit for the District's stormwater quality features. Director Sanches seconded the motion, which unanimously carried.

DISTRICT WEBSITE

The Board deferred consideration of the Off Cinco Analytics Report, as there was no reported provided to the Board for consideration.

AUTHORIZE ATTORNEY TO FILE EMINENT DOMAIN REPORT WITH THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS PRIOR TO FEBRUARY 1, 2025, PURSUANT TO SECTION 2206.154, TEXAS GOVERNMENT CODE

Mr. Creed informed the Board that, pursuant to Section 2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He explained that the report will contain the District's contact information as well as information related to the District's ability to exercise the power of eminent domain and whether it had done so within the reporting period. After discussion,

it was moved by Director Garcia, seconded by Director Lange and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District.

EXECUTIVE SESSION

The Board determined it would not be necessary to enter into Closed Session pursuant to Texas Government Code Sections 551.071 and/or 551.076.

COMMUNICATIONS WITH HOMEOWNER'S ASSOCIATIONS ("HOA")

Director Lange reported that he had nothing new to report at this time.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. Mr. Creed reviewed with the Board a memorandum prepared by SPH concerning the Environmental Protection Agency's final National Primary Drinking Water Regulation ("NPDWR") for per and polyfluoroalkyl substances ("PFAS"), a copy of which is attached hereto as **Exhibit K**. Mr. Creed advised that the NPDWR establishes maximum contaminant levels ("MCLs") for six categories of the twenty-nine (29) PFAS chemicals that may be found in public water systems, as well as an initial testing schedule for those categories that must be followed by certain districts. Mr. Creed further advised that the applicability of the NPDWR to the District will depend, in part, on a review of the sources and disinfection treatments for the District's water supply. For example, districts which receive treated water from another water system through an interconnect for distribution without further treatment, except any treatment necessary to maintain water quality within the receiving district's distribution system, are not required to monitor that water under the NPDWR. Mr. Creed noted that, for applicable districts, initial water supply monitoring is required to be completed by April 26, 2027. He stated that, depending on initial monitoring results, further monitoring will be established and a solution must be implemented to reduce PFAS levels for these six categories below the MCLs by April 26, 2029. Following discussion, Director Lange moved that MOC and CobbFendley be authorized to (i) determine whether the District is subject to the testing requirements of the NPDWR and, if so, (ii) develop an initial monitoring schedule which complies with the deadlines set forth in the attached memorandum. Director Sanches seconded the motion, which unanimously carried.

Mr. Creed reminded the Board of the District's Holiday Event, scheduled for Thursday, December 19, 2024, after its December meeting.

Mr. Creed presented and reviewed with the Board correspondence prepared by Masterson Advisors LLC relative to disclosure requirements imposed by Municipal Securities Rulemaking Board's Rule G-10, a copy of which is attached hereto as **Exhibit L**. No action by the Board was required.

Mr. Creed reminded the Board that the "Bonds 101" program for Directors has been scheduled for January 9, 2025, at 6:30 p.m., at the MOC Offices.

FUTURE AGENDA MATTERS

The Board considered items for placement on a future agenda. No specific agenda items, other than routine and ongoing matters and matters noted earlier in the meeting were requested.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Peters, seconded by Director Lange and unanimously carried, the meeting was adjourned.


Secretary



LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Engineering Report – Joint Plant Committee
- Exhibit B Joint Plant Operations Report
- Exhibit C Joint Plant Bookkeeper's Report
- Exhibit D GFL Environmental Customer Service Report
- Exhibit E AMS Marketing Brochure
- Exhibit F Bookkeeper's Report and Quarterly Investment Report
- Exhibit G Tax Assessor/Collector's Report
- Exhibit H Operations Report
- Exhibit I Engineering Report
- Exhibit J Double Oak Erosion Maintenance Report
- Exhibit K Memorandum regarding the EPA's final National Primary
Drinking Water Regulation
- Exhibit L GFL Environmental Report and Call Log