

JACKRABBIT ROAD PUBLIC UTILITY DISTRICT
Minutes of Board of Directors Meeting
March 14, 2023

The Board of Directors (the "Board") of Jackrabbit Road Public Utility District (the "District") met in regular session, open to the public on March 14, 2023, at 16720 Pine Forest Lane, Houston, Texas, in accordance with the duly posted notice of public meeting, and the roll was called of the duly constituted officers and members of said Board, as follows:

Charles L. Falknor, President
Ross L. Bell, Vice-President
Michael Goings, Secretary
Michael Kopecky, Assistant Secretary
James Horn, Assistant Secretary

all of whom participated in the meeting, thus constituting a quorum.

Also attending the meeting were: Zach Kunchandy and Gretchen Hollas of CobbFendley and Associates ("CFA"), engineers for Harmony Public School Queenston Campus ("HPS-QC"); Mirna Bonilla-Odums of Inframark, LLC ("Inframark"); Miranda Burks of Wheeler & Associates, Inc. ("Wheeler"); Yaneth Castillo of Municipal Accounts & Consulting, L.P. ("MAC"); Erik Miller of Sander Engineering Corporation ("SEC"); and Rick Barker of Schwartz, Page & Harding, L.L.P. ("SPH").

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. Kunchandy addressed the Board regarding a request from HPS-QC for the possible annexation of a 10.85-acre tract to serve as the site for a Harmony public high school.

Mr. Miller noted that if HPS-QC wishes to seek the annexation of land into the District, it will be required to submit a \$10,000.00 deposit for the preparation of a feasibility study to be performed by SEC and annexation documentation to be prepared by SPH. After discussion, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried that SEC be authorized to prepare a feasibility study in connection with same, subject to receipt of a \$10,000.00 deposit from HPS-QC. A copy of HPS-QC's annexation request is attached hereto as **Exhibit A**.

Ms. Hollas and Mr. Kunchandy exited the meeting at this time.

MINUTES

As the next order of business, the Board considered approval of the draft minutes of the February 14, 2023, Board meeting. After review and discussion of the draft minutes presented, it

was moved by Director Goings, seconded by Director Bell, and unanimously carried that the said minutes be approved as written.

BOOKKEEPER'S REPORT

Ms. Castillo presented to and reviewed with the Board the Bookkeeper's Report, dated March 14, 2023, a copy of which is attached hereto as **Exhibit B**. After discussion, it was moved by Director Horn, seconded by Director Goings, and unanimously carried that the Board approve the Bookkeeper's Report and authorize payment of the disbursements listed therein.

UNCLAIMED PROPERTY REPORT

The Board considered authorizing certain District consultants to research their files for unclaimed property and authorizing the District's bookkeeper to prepare an Unclaimed Property Report as of March 1, 2023. Mr. Barker advised the Board that the District's bookkeeper and tax assessor-collector will review its records and provide a current listing of any unclaimed property in the District's accounts for preparation of the Unclaimed Property Report. After discussion on the matter, Director Goings moved that the District's bookkeeper and/or tax assessor-collector be authorized to provide current listings of any and all unclaimed property to the Board at its next meeting. Director Kopecky seconded said motion, which unanimously carried.

ATTENDANCE AT ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

Ms. Castillo discussed the upcoming AWBD Summer Conference to be held in June 2023. There was no action taken by the Board on this matter at this time.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Burks presented to and reviewed with the Board the Tax Assessor-Collector Report dated February 28, 2023, a copy of which is attached hereto as **Exhibit C**. After discussion, it was moved by Director Goings, seconded by Director Bell, and unanimously carried that the Board approve the Tax Assessor-Collector Report and authorize payment of the disbursements identified therein.

DELINQUENT TAX REPORT

The Board considered the Delinquent Tax Report received from the District's delinquent tax collections attorney, Ted A. Cox, P.C, dated March 7, 2023, a copy of which is attached hereto as **Exhibit D**. Mr. Barker noted that there was no action required by the Board at this time with respect to any of the delinquent tax accounts listed in the report.

SALES AND USE TAX ADMINISTRATION REPORT

The Board deferred discussion of the collection of sales tax revenue funds received by the District pursuant to the Strategic Partnership Agreement between the District and the City of Houston, as there was no representative from Sales Revenue, Inc. in attendance at the meeting.

Ms. Burks exited the meeting at this time.

ENGINEER'S REPORT

Mr. Miller presented to and reviewed with the Board a written Engineer's Report prepared by SEC dated March 14, 2023, a copy of which is attached hereto as **Exhibit E**.

Mr. Miller then requested: (i) the approval of Pay Application No. 7 in the amount of \$35,326.58 to C3 Constructors ("C3") for work completed on the Wastewater Treatment Plant ("WWTP") Flood Wall System. After discussion, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried to approve Pay Application No. 7 in the amount of \$35,326.58 to C3, as discussed.

SEC'S 2023 SCHEDULE OF FEES ADJUSTMENT

Mr. Miller reviewed with the Board a letter prepared by SEC setting forth the schedule of fees charged by SEC for engineering services which were effective as of January 1, 2023. Mr. Miller noted that the changes reflect an average increase of approximately 3%, and that these fees are permitted to be adjusted in accordance with SEC's contract with the District. Following discussion, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried that the Board approve SEC's request for adjustment of fees and amendment of the District's contract with SEC in connection therewith, and that the President be authorized to execute same on behalf of the Board and the District. A copy of SEC's 2023 Schedule of Engineering Fees letter and schedule are attached hereto as **Exhibit F**.

SUBMISSION OF CRITICAL LOAD STATUS INFORMATION TO RETAIL ELECTRIC PROVIDER

Mr. Barker reported that Section 13.1396, Water Code, requires that a district must annually submit to each electric distribution utility and each retail electric utility provider a list of its facilities which may qualify for critical load status for a determination that the facilities qualify for critical load status. After discussion, it was moved by Director Goings, seconded by Director Kopecky and unanimously carried that the District's engineer and/or operator be authorized to make such annual filings on behalf of the District.

ANNUAL REVIEW OF WAGE RATE SCALES

The Board then considered its annual review of prevailing wage rates for construction projects and the adoption of a Resolution in connection therewith. In that regard, Mr. Barker reported that SPH is recommending that the District adopt the revised United States Department of Labor ("DOL") wage rate scales for construction projects for Harris County, as permitted under Section 2258.022 of the Government Code. After discussion, it was moved by Director Goings, seconded by Director Kopecky, and unanimously carried that the revised DOL wage rate scales for Harris County be adopted as the District's prevailing wage rate scale for construction projects, and that the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects attached hereto as **Exhibit G** be adopted by the Board.

UTILITY COMMITMENT

Mr. Miller informed the Board that he had nothing further to discuss regarding requests for capacity that was not covered earlier in the meeting by Mr. Kunchandy and Ms. Hollas.

OPERATOR'S REPORT

Ms. Bonilla-Odums presented to and reviewed with the Board the Operator's Report for the month of March 2023, a copy of which is attached hereto as **Exhibit H**.

Ms. Bonilla-Odums next requested authorization from the Board for Inframark to transfer seven (7) delinquent utility accounts, totaling \$2,502.98, to Collections Unlimited for collections and write off one (1) delinquent utility account in the amount of \$16.69. After discussion, Director Falknor moved to authorize Inframark to transfer and write off the accounts as requested. Director Goings seconded said motion, which unanimously carried.

Ms. Bonilla-Odums then presented to and reviewed with the Board a proposal from Vacuum Blower Repair ("VBR") to: (i) repair Blower No. 1 at the Wastewater Treatment Plant ("WWTP") in the amount of \$33,289.00; or (ii) replace Blower No. 1 in the amount of \$78,660.00. A copy of the proposal is attached to the Operator's Report. She noted that Inframark is recommending that the District repair said Blower No. 1. After discussion, Director Falknor moved to authorize Inframark to accept VBR's proposal to repair Blower No. 1 for an amount not to exceed \$33,289.00. Director Goings seconded said motion, which unanimously carried.

Ms. Bonilla-Odums next reported receiving a request for a water bill adjustment from a District resident. Ms. Bonilla-Odums explained that the resident claims that the excessive water use was the result of a faulty water meter. After discussion, Director Falknor moved to deny the water bill adjustment request and to authorize Inframark to inform the resident of the Board's decision. Director Goings seconded said motion, which unanimously carried.

WATER/SANITARY SEWER RATE ANALYSIS

The Board concurred to defer consideration of Inframark's water/sanitary sewer rate analysis at this time.

TRASH COLLECTION SERVICE

Mr. Barker presented to and reviewed the District's letter to the residents regarding the current service concerns. A copy of which is attached hereto as **Exhibit I**.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Barker advised the Board that he had nothing additional to discuss with the Board of a legal nature which was not covered under specific agenda items.

SECURITY PATROL REPORT

The Board considered the Security Patrol Report. In connection therewith, Director Bell discussed with the Board the recent security related activities in the District.

MATTERS FOR PLACEMENT ON FUTURE AGENDAS

The Board next considered matters to be placed on future agendas and noted that there were no additional items other than the items set forth hereinabove.

ADJOURNMENT OF MEETING

There being no further business to come before the Board, it was moved by Director Goings, seconded by Director Bell, and unanimously carried that the meeting be adjourned.


Secretary
Board of Directors



LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Annexation Request by Harmony Public School Queenston Campus
- Exhibit B Bookkeeper's Report
- Exhibit C Tax Assessor-Collector Report
- Exhibit D Delinquent Tax Report
- Exhibit E Engineer's Report
- Exhibit F 2023 Schedule of Engineering Fees letter and schedule
- Exhibit G Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- Exhibit H Operator's Report
- Exhibit I Letter to Residents Regarding Texas Pride Services