

JACKRABBIT ROAD PUBLIC UTILITY DISTRICT  
Minutes of Board of Directors Meeting  
March 12, 2024

The Board of Directors (the "Board") of Jackrabbit Road Public Utility District (the "District") met in regular session, open to the public on March 12, 2024, 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  
James Horn, Assistant Secretary  
Gary Streit, Assistant Secretary

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

Also attending the meeting were: Mirna Bonilla-Odums of Inframark, LLC ("Inframark"); Miranda Burks of Wheeler & Associates, Inc. ("Wheeler"); Yaneth Cooper of Municipal Accounts & Consulting, L.P. ("MAC"); Erik Miller of Sander Engineering Corporation ("SEC"); Aimee Ordeneaux-Raley of Texas Pride Disposal Solutions LLC ("TPDS"); Derek Michael of Sales Revenue Inc. ("SRI"); 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. There being no comments presented, the Board continued to the next item of business.

**MINUTES**

As the next order of business, the Board considered approval of the draft minutes of the February 13, 2024, regular Board meeting. After review and discussion of the draft minutes presented, it was moved by Director Falknor, seconded by Director Horn, and unanimously carried that said minutes be approved as written.

**TPDS MONTHLY SERVICE REPORT**

The Board next considered the Texas Pride Monthly Service Report for February 2024, a copy of the report is attached hereto as **Exhibit A**.

Ms. Ordeneaux next presented to and reviewed with the Board correspondence from TPDS requesting that the Board consider a variable energy charge concerning the increased costs for diesel fuel, a copy of which is included with **Exhibit A**. A discussion ensued regarding same and the possibility of extending the District's current contract term with TPDS for a 5-year term. After

further discussion, Director Horn moved that SPH be authorized to prepare a contract amendment for the Board's consideration at the next meeting to (i) implement the variable energy charge discussed and (ii) extend the District's current contract with TPDS for a 5-year term. Director Streit seconded the motion, which carried unanimously.

Ms. Ordeneaux exited the meeting at this time.

### **BOOKKEEPER'S REPORT**

Ms. Cooper presented to and reviewed with the Board the Bookkeeper's Report, dated March 12, 2024, a copy of which is attached hereto as **Exhibit B**. After discussion, it was moved by Director Falknor, seconded by Director Horn and unanimously carried, that the Board approve the Bookkeeper's Report and authorize payment of the disbursements listed therein.

Ms. Cooper then presented to and reviewed with the Board the Quarterly Investment Report for the reporting period ending January 31, 2024, a copy of which Report is included with the Bookkeeper's Report. After discussion, it was moved by Director Falknor, seconded by Director Horn and unanimously carried, that the Quarterly Investment Report be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District.

### **UNCLAIMED PROPERTY**

The Board considered authorizing the preparation of an Unclaimed Property Report as of March 1, 2024 which is to be filed with the State Comptroller prior to July 1, 2024. After discussion on the matter, Director Bell moved that the District's consultants be authorized to research the District's accounts to determine the necessity of preparing an Unclaimed Property Report, and, if such report is necessary, that the District's Bookkeeper and Tax Assessor-Collector be authorized to file same with the State Comptroller prior to July 1, 2024. Director Streit seconded said motion, which unanimously carried.

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

Ms. Cooper discussed the upcoming AWBD Summer Conference to be held in June 2024. 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 29, 2024, and a Delinquent Collections Listings as of February 29, 2024, copies of which are attached hereto as **Exhibit C**. After discussion on the matter, it was moved by Director Horn, seconded by Director Bell, and unanimously carried that the Board approve the Tax Assessor-Collector Report.

Ms. Burks next informed the Board that District has \$29.72 in unclaimed property in its tax account, and noted that said unclaimed property has been submitted to the State Comptroller.

## **DELINQUENT TAX REPORT**

The Board considered the Delinquent Tax Report received from the District's delinquent tax collections attorney, Ted A. Cox, P.C. ("Cox"), dated March 4, 2024, 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**

In connection with collection of sales tax revenue funds received by the District pursuant to the Strategic Partnership Agreement with the City of Houston, Mr. Michael presented to and reviewed with the Board the March 2024 Allocation Report prepared by SRI, a copy of which is attached hereto as **Exhibit E**, and noted that there is no action required by the Board at this time.

## **OPERATOR'S REPORT**

Ms. Bonilla-Odums presented to and reviewed with the Board the Operator's Report for the month of January 2024, a copy of which is attached hereto as **Exhibit F**.

Ms. Bonilla-Odums next discussed the delinquent list of water accounts and requested that the Board consider authorizing Inframark to transfer five delinquent accounts totaling \$541.18 to Collections Unlimited ("CU") for collection, which accounts are reflected in the attached report. After discussion on the matter, it was moved by Director Horn, seconded by Director Streit, and unanimously carried that Inframark be authorized to transfer the five delinquent accounts to CU for collection, as requested.

## **STATUS OF REVIEW OF DROUGHT CONTINGENCY PLAN**

Mr. Barker next discussed with the Board the status of review of the District's Drought Contingency Plan. No action was taken by the Board at this time.

## **REVIEW OF WATER CONSERVATION PLAN**

Mr. Barker next discussed with the Board the status of review of the Water Conservation Plan. No action was taken by the Board at this time.

## **ENGINEER'S REPORT**

Mr. Barker presented to and reviewed with the Board a written Engineer's Report prepared by SEC dated March 12, 2024, a copy of which is attached hereto as **Exhibit G**. It was noted that no action was being requested of the Board at this time with respect to items listed in said Report.

## **PROPOSED SERIES 2024/2025 UNLIMITED TAX BONDS (THE "BONDS")**

A discussion next ensued regarding the District's proposed Series 2024/2025 Unlimited Tax Bonds. In connection therewith, Mr. Miller presented to and reviewed with the Board a draft Summary of Cost for the proposed Bonds, a copy of which is included with the Engineer's Report.

Mr. Barker the presented to and reviewed with the Board a Cash Flow Analysis prepared by the District's financial advisor, Masters Advisors LLC, a copy of which is attached hereto as **Exhibit H**. After discussion on the matter, Director Falknor moved that (i) the Summary of Cost be approved and that SEC be authorized to move forward with the preparation of a Bond Application Report for the District's proposed Series 2024/2025 Unlimited Tax Bonds.

### **ADOPTION OF RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE OPERATING ACCOUNT**

The Board next considered the adoption of a Resolution Expressing Official Intent to Reimburse Operating Account in connection with the abandonment of the water well located at Water Plant No. 2. Mr. Barker presented and reviewed the Resolution with the Board and advised that it is necessary to adopt said Resolution if the Board intends to reimburse the Operating Fund for the costs of the project out of future bond proceeds. After discussion of the matter, and upon motion made by Director Horn and seconded by Director Streit, the Board voted unanimously to adopt the Resolution Expressing Official Intent to Reimburse Operating Account attached hereto as **Exhibit I**.

### **SUBMISSION OF CRITICAL LOAD STATUS INFORMATION**

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 Horn, seconded by Director Streit and unanimously carried that the District's engineer and/or operator be authorized to make such annual filings on behalf of the District.

### **UTILITY COMMITMENT**

In connection with the utility commitment request by the Shiva Durga Krishna Church (the "Church"), Mr. Miller reminded the Board that the check for the tap-exempt fee in the amount of \$32,108.87 had been received by SEC. He then advised that the revised drawings have been approved by the City, but that their engineer is waiting for the owner to pay for the permits. There was no Board action taken on the matter at this time.

Mr. Miller next reminded the Board that SEC was recently contacted by an engineer regarding a proposed Chipotle restaurant off of Highway 6 between Royal Mile and Loch Katrine. Mr. Miller then informed the Board that the plans had been received and noted that SEC and Inframark are in the process of reviewing said plans at this time. There was no Board action taken on the matter at this time.

### **PROPOSED ANNEXATION REQUEST**

Mr. Miller reminded the Board that he previously presented to and reviewed with the Board an informal annexation request from developer Eugene Chong requesting the annexation of 16301 Pine Forest Lane, Houston, Texas 77084 into the boundaries of the District to receive water and sanitary sewer services to serve a proposed RV Park. Mr. Miller then reminded the Board that he received email correspondence from Mr. Chung stating that he would be submitting the required

\$15,000 deposit for the preparation of a feasibility study for the proposed project, but noted that the deposit has not yet been received.

### **ATTORNEY'S REPORT**

Mr. Barker informed the Board that he had nothing more of a legal nature to report at this time.

### **SUPPLEMENTAL AGENDA**

The Board considered cancellation of the Directors Election called for May 4, 2024. Mr. Barker advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2024. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Barker then presented and reviewed the Order Declaring Candidates Elected, attached hereto as **Exhibit J**. After discussion, Director Falknor moved that the Order be adopted by the Board declaring Ross Bell, James Horn and Gary Streit elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President be authorized to execute and the Assistant Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 4, 2024, be cancelled. Director Horn seconded said motion, which unanimously carried.

### **SECURITY PATROL REPORT**

The Board considered the Security Patrol Report. Directors Falknor and Bell presented to and reviewed with the Board a Glencairn Crime Report for February 2024; a copy of the Report is attached hereto as **Exhibit K**.

### **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 Streit, seconded by Director Bell, and unanimously carried that the meeting be adjourned.

(SEAL)

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Secretary  
Board of Directors

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LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Texas Pride Monthly Service Report for February 2024; Correspondence regarding variable energy charge
- Exhibit B Bookkeeper's Report
- Exhibit C Tax Assessor-Collector Report
- Exhibit D Delinquent Tax Report
- Exhibit E Sales and Use Tax Administration Report prepared by SRI
- Exhibit F Operator's Report
- Exhibit G Engineer's Report
- Exhibit H Cash Flow Analysis
- Exhibit I Resolution Expressing Official Intent to Reimburse Operating Account
- Exhibit J Order Declaring Candidates Elected
- Exhibit K Glencairn Crime Report for February 2024

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