

JACKRABBIT ROAD PUBLIC UTILITY DISTRICT
Minutes of Board of Directors Meeting
April 12, 2022

The Board of Directors (the "Board") of Jackrabbit Road Public Utility District (the "District") met in regular session, open to the public on April 12, 2022, 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: Kevin Atkinson of Texas Pride Disposal Solutions, LLC ("Texas Pride"); Mirna Bonilla-Odums of Inframark, LLC ("Inframark"); Miranda Burks of Wheeler & Associates, Inc. ("Wheeler"); Erik Miller of Sander Engineering Corporation ("SEC"); Yaneth Castillo of Municipal Accounts & Consulting, L.P. ("MAC"); 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. Atkinson addressed the Board regarding the issues Texas Pride has experienced recently related to the trash and recycling collection services within the District. Mr. Atkinson advised the Board that he will send the Board information regarding the Texas Pride customer notification system.

Mr. Atkinson exited the meeting at this time.

MINUTES

As the next order of business, the Board considered approval of the draft minutes of the March 8, 2022, Board meeting. Mr. Barker noted a revision to the acreage of real property subject to possible annexation changing such acreage from 1.3957 to 11.1426. After review and discussion of the draft minutes presented, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried that the said minutes be approved as revised.

BOOKKEEPER'S REPORT

Ms. Castillo presented to and reviewed with the Board the Bookkeeper's Report, dated April 12, 2022, a copy of which is attached hereto as **Exhibit A**. After discussion, it was moved by

Director Goings, seconded by Director Kopecky, and unanimously carried that the Board approve the Bookkeeper's Report and authorize payment of the disbursements listed therein.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Burks presented to and reviewed with the Board the Tax Assessor-Collector Report dated March 31, 2022, a copy of which is attached hereto as **Exhibit B**. After discussion on the matter, 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. ("Cox"), dated April 4, 2022, a copy of which is attached hereto as **Exhibit C**. 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.

RESOLUTION AUTHORIZING AN ADDITIONAL PENALTY ON DELINQUENT REAL PROPERTY TAXES

The Board considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes. Mr. Barker advised that the Board is authorized pursuant to Section 33.07 of the Texas Tax Code, as amended, to impose, under certain conditions on July 1, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due the District on taxes that remain delinquent as of July 1 of the year in which they became delinquent. After further discussion, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried, that said Resolution, a copy of which is attached hereto as **Exhibit D**, be adopted by the District.

ENGINEER'S REPORT

Mr. Miller presented to and reviewed with the Board a written Engineer's Report prepared by SEC dated April 12, 2022, a copy of which is attached hereto as **Exhibit E**.

Mr. Miller next presented to and reviewed with the Board the bid tabulation for the Waste Water Treatment Plant Flood Wall Project and a Recommendation Letter for C3 Constructors, LLC ("C3") to be awarded the project; copies of the Bid Tabulation Sheet and Recommendation Letter are included in the Engineer's Report. After discussion, it was moved by Director Falknor, seconded by Director Kopecky, and unanimously carried that the Board award the WWTP Flood Wall Project to C3.

Mr. Miller requested the Board's authorization to grant the request by the flood wall component manufacturer to utilize "Materials on Hand" payment plan that requires a payment of 20% at the time of submittal approval (\$78,570) and a payment of 80% at the time of product delivery (\$314,280). He noted that the request has become more common among manufacturers due to the recent supply chain issues. After discussion, the Board concurred to grant the request by the

manufacturer.

UTILITY COMMITMENT

The Board deferred the issuance of utility commitments after noting that no requests were received by the District during the prior month.

ANNEXATION OF 11.1426 ACRES

The Board considered the status of a 11.1426-acre annexation request by Arif Maknojia on behalf of Palol, LLC. In connection therewith, Mr. Miller noted that he has no additional information to report and no action required at this time relative to the matter.

OPERATOR'S REPORT

Ms. Bonilla-Odums presented to and reviewed with the Board the Operator's Report for the month of March 2022, a copy of which is attached hereto as **Exhibit F**.

Ms. Bonilla-Odums next presented to and reviewed with the Board correspondence from Katy Independent School District ("KISD"), dated March 30, 2022, a copy of which correspondence is attached to the Operator's Report, requesting that the grease trap and interceptor inspections be performed by KISD's master plumbers in an effort to reduce costs. Ms. Bonilla-Odums advised that Inframark is not recommending approval of the request allowing KISD to perform said inspections. After discussion, the Board deferred taking any action regarding this matter at this time and requested Ms. Bonilla-Odums inquire as to any other recommendations Inframark may have.

Ms. Bonilla-Odums discussed the delinquent list of water accounts and requested that the Board consider authorizing Inframark to transfer two delinquent accounts totaling \$185.59, which accounts are reflected on the attached report, to Collections Unlimited ("CU") for collection. After discussion on the matter, it was moved by Director Falknor, seconded by Director Kopecky, and unanimously carried that Inframark be authorized to transfer said delinquent accounts to CU for collection.

ANNUAL REVIEW OF THE DISTRICT'S IDENTITY THEFT PREVENTION PROGRAM

The Board considered review of the District's Identity Theft Prevention Program (the "Program"). In connection therewith, Ms. Bonilla-Odums presented Inframark's annual report regarding administration of the Program, a copy of which report is included with to the Operator's Report, and advised the Board regarding the District's experience with identity theft during the prior year, current identity theft methods, the types of accounts maintained by the District and the District's business arrangements with other entities. Ms. Bonilla-Odums noted that Inframark recommends that no changes be made to the Program. After discussion, it was moved by Director Falknor, seconded by Director Kopecky and unanimously carried that the report be acknowledged, and that no changes be made to the Program at this time.

CONSUMER CONFIDENCE REPORT

The Board next considered authorizing Inframark to prepare a draft Consumer Confidence Report ("CCR") for review by the Board. Mr. Barker advised that, pursuant to CCR requirements promulgated by the United States Environmental Protection Agency and the Texas Commission on Environmental Quality, the District is required to provide a report containing various information regarding the District's water supply to all customers of the District by July 1, 2022. After discussion, on the matter, it was moved by Director Falknor, seconded by Director Kopecky and unanimously carried, that Inframark be authorized to prepare a draft CCR and SPH be authorized to review same for compliance with all regulatory requirements.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Barker provided the Board with written materials from a PowerPoint presentation from Acclaim Energy Advisors ("Acclaim") regarding the Acclaim Reliability Advantage program (the "Program"), as well as a proposed form of letter agreement relative to same; copies of which are attached hereto as **Exhibit G**. Mr. Barker noted that Acclaim is seeking participation from a number of municipal utility districts with which they have an existing relationship in the Program at a cost of \$2,500 per district to interface with the Public Utility Commission to advocate on behalf of municipal utility districts relative to new rules and regulations proposed for adoption in connection with implementation of Senate Bill 3 from the 2021 Legislative Session, including encouraging the development of microgrids. To that end, Mr. Barker advised that Acclaim is seeking to attend the Board's next meeting to discuss the Program in greater detail. Following discussion on the matter, the Board determined it was not interested in participating in the Program.

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 Horn, and unanimously carried that the meeting be adjourned.

(SEAL)

/s/ Michael Goings
Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Bookkeeper's Report
- Exhibit B Tax Assessor-Collector Report
- Exhibit C Delinquent Tax Report
- Exhibit D Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes
- Exhibit E Engineer's Report
- Exhibit F Operator's Report
- Exhibit G Information Packet from Acclaim Energy Advisors