

JACKRABBIT ROAD PUBLIC UTILITY DISTRICT
Minutes of Board of Directors Meeting
April 11, 2023

The Board of Directors (the "Board") of Jackrabbit Road Public Utility District (the "District") met in regular session, open to the public on April 11, 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: Jared Richards and Robert Charpiot of Barker Cypress Municipal Utility District ("Barker Cypress"); Eric Worthington of Harris County Municipal Utility District No. 136 ("MUD No. 136"); 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. Charpiot and Mr. Richards discussed the recent request from a landowner that certain property be annexed into the District to facilitate development of Harmony Public High School-Queenston Campus ("HPHS-QC"). They noted that Barker Cypress recently denied the same request due to various concerns, such as increased heavy traffic, and saturation of such development in the area. Mr. Worthington informed the Board that MUD No. 136 is considering the same request and will likely deny it.

STATUS OF FEASIBILITY STUDY; REQUEST FOR ANNEXATION

The Board next considered HPHS-QC's request for annexation of a 10.85-acre tract into the District. After discussion, it was moved by Director Falknor, seconded by Director Goings, and unanimously carried that the District to deny HPHS-QC's request for annexation. Mr. Miller noted that he would notify HPHS-QC regarding same.

Messrs. Richards and Charpiot exited the meeting at this time.

MINUTES

As the next order of business, the Board considered approval of the draft minutes of the March 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 AND QUARTERLY INVESTMENT INVENTORY REPORT

Ms. Castillo presented to and reviewed with the Board the Bookkeeper's Report, dated April 11, 2023, a copy of which is attached hereto as **Exhibit A**. Ms. Castillo noted that the direct deposit of the directors per diems will not go into effect this month. 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.

Ms. Castillo next presented to and reviewed with the Board the Quarterly Investment Report for the reporting period ending January 31, 2023, a copy of which Report is attached to the Bookkeeper's Report. After discussion, it was moved by Director Goings, seconded by Director Kopecky and unanimously carried, that the Quarterly Investment Inventory Report be approved, and that the District's Investment Officer be authorized to execute same on behalf of the Board and the District.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Burks presented to and reviewed with the Board the Tax Assessor-Collector Report dated March 31, 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 Tax Assessor-Collector Report and authorize payment of the disbursements identified therein.

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 Goings, seconded by Director Bell, and unanimously carried, that said Resolution, a copy of which is attached hereto as **Exhibit C**, be adopted by the District.

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 April 5, 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 April 11, 2023, a copy of which is attached hereto as **Exhibit E**.

Mr. Miller then requested: (i) the approval of Pay Application No. 8 in the amount of \$7,200.00 to C3 Constructors ("C3") and Change Order No. 2 in the amount of \$20,000.00 for work completed on the Wastewater Treatment Plant Flood Wall System. After discussion, it was moved by Director Goings, seconded by Director Bell, and unanimously carried to approve Pay Application No. 8 and Change Order No. 2 to C3, as discussed.

UTILITY COMMITMENT

Mr. Miller next reported that the church (Shiva Durga Krishna) is again considering the development of undeveloped 1.2745-acre tract of land located east of Carleigh Drive, north of Keith Harrow and south of Water Plant No. 4 and as indicated shown in the aerial photograph attached to the Engineer's Report. He noted that the church may present a request for a utility commitment next month.

Mr. Miller informed the Board that he had nothing further to discuss regarding requests for capacity at this time.

OPERATOR'S REPORT

Ms. Bonilla-Odums presented to and reviewed with the Board the Operator's Report for the month of April 2023, a copy of which is attached hereto as **Exhibit F**. She also presented a Water Quality Noncompliance Notification the District received from the Texas Commission on Environmental Quality, a copy of which is included with **Exhibit F**.

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, the Board concurred to acknowledge the receipt of the Program report, 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, 2023. After discussion, on the matter, it was moved by Director Falknor, seconded by Director Goings 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.

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 REPORT

Mr. Barker next presented to and reviewed the Texas Pride Monthly Report for March 2023, prepared by Texas Pride Disposal Solutions LLC's ("Texas Pride"). A copy of which is attached hereto as **Exhibit G**.

CPI INCREASE NOTIFICATION FROM TEXAS PRIDE; AMENDMENT OF DISTRICT RATE ORDER

Mr. Barker then presented to and reviewed with the Board a notice from Texas Pride regarding its annual price adjustment for garbage collection and recycling services based upon the Consumer Price Index ("CPI"), a copy of which is attached hereto as **Exhibit H**. He then reported that effective June 1, 2023, Texas Pride will increase the District's solid waste collection base fee from by 5% \$17.57 to \$18.45 per connection per month. He further suggested that the Board consider amending the District's Rate Order to incorporate such CPI increase by Texas Pride. Following discussion, Director Falknor moved that District's Rate Order be amended to reflect that: (i) an increase of the monthly base rate for residential sanitary sewer and solid waste collection and disposal and recycling services the District charges its customers from \$28.57 to \$29.45, with said amended Rate Order, attached hereto as **Exhibit I**, and that any and all rate orders previously adopted by the Board be revoked and that the attached Rate Order be passed and adopted as of this date. Director Goings seconded the motion, which unanimously carried.

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. A copy of the Glencarin Crime Report for March 2023 is attached hereto as **Exhibit J**.

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 Kopecky, seconded by Director Bell, and unanimously carried that the meeting be adjourned.



Secretary
Board of Directors



LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Bookkeeper's Report and Quarterly Investment Report
- Exhibit B Tax Assessor-Collector Report
- Exhibit C Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes
- Exhibit D Delinquent Tax Report
- Exhibit E Engineer's Report
- Exhibit F Operator's Report
- Exhibit G Texas Pride Monthly Report Texas Pride Monthly Report
- Exhibit H Texas Pride Annual Price Adjustment Notice
- Exhibit I Rate Order
- Exhibit J Glencarin Crime Report