

JACKRABBIT ROAD PUBLIC UTILITY DISTRICT
Minutes of Board of Directors Meeting
October 11, 2022

The Board of Directors (the "Board") of Jackrabbit Road Public Utility District (the "District") met in regular session, open to the public on October 11, 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, 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 Castillo of Municipal Accounts & Consulting, L.P. ("MAC"); Erik Miller of Sander Engineering Corporation ("SEC"); Eric Worthington of Harris County Municipal Utility District No. 136 ("MUD No. 136"); 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 offered, 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 September 13, 2022, Board meeting. After review and discussion of the draft minutes presented, it was moved by Director Bell, seconded by Director Horn, and unanimously carried that the said minutes be approved as written.

PUBLIC HEARING REGARDING ADOPTION OF THE DISTRICT'S 2022 TAX RATE AND LEVY OF THE DISTRICT'S 2022 TAX RATE AND ADOPTION OF AN ORDER IN CONNECTION THEREWITH

The Board conducted a hearing regarding the imposition of a proposed maintenance tax rate for 2022. It was noted that no taxpayer appeared at the hearing. Upon motion made by Director Falknor, seconded by Director Kopecky and unanimously carried, the hearing was closed.

The Board then discussed the setting of the 2022 tax rate. Ms. Burks confirmed that that the notice had been published in *Houston Chronicle*, in accordance with all legal requirements and as directed at the previous meeting. After discussion on the matter, Director Falknor moved that: (1) the Board adopt the tax rate as proposed at the District's September 13, 2022, meeting and as reflected in the notice, being a 2022 maintenance tax rate of \$0.2665 per \$100 of valuation, resulting in a total 2022 tax rate of \$0.2665 per \$100 of valuation; and (2) the Order Levying Taxes attached hereto as **Exhibit A** be adopted in connection therewith and that the President be authorized to

execute and the Secretary to attest same on behalf of the Board and the District. Director Kopecky seconded said motion, which unanimously carried.

AMENDMENT TO THE THIRD AMENDED AND RESTATED DISTRICT INFORMATION FORM

Mr. Barker presented and discussed with the Board an Amendment to the Third Amended and Restated District Information Form (the "DIF") relative to the District's 2022 tax rate. After discussion, Director Falknor moved that the amended DIF be approved and that the Board members present be authorized to execute same on behalf of the Board and the District. Director Kopecky seconded said motion, which carried unanimously.

BOOKKEEPER'S REPORT

Ms. Castillo presented to and reviewed with the Board the Bookkeeper's Report, dated October 11, 2022, a copy of which is attached hereto as **Exhibit B**. After discussion, it was moved by Director Bell, seconded by Director Kopecky, and unanimously carried that the Board approve the Bookkeeper's Report and authorize payment of the disbursements listed therein.

COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2265 RELATIVE TO ENERGY REPORTING

Mr. Barker advised the Board that, pursuant to the energy efficiency and reporting requirements set forth in Texas Government Code Chapter 2265, the District must (i) report its annual electricity usage and costs in an electronic format, and (ii) make that report publicly accessible. Ms. Castillo presented for the Board's review the Historical Cost and Usage Report prepared by Acclaim Energy. A copy of which is attached to the Bookkeeping Report. She noted that no further action by the Board was required for compliance.

ANNUAL REVIEW OF ORDER ESTABLISHING POLICY FOR INVESTMENT OF DISTRICT FUNDS AND APPOINTING INVESTMENT OFFICER

The Board considered the annual review of its Order Establishing Policy for Investment of District Funds and Appointing Investment Officer (the "Investment Policy"), and the adoption of a Resolution in connection therewith. Mr. Barker presented to and reviewed with the Board a redline of the proposed changes to the Investment Policy, and then presented for the Board's adoption a Resolution Regarding Review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer (the "Resolution"). After discussion on the matter, Director Falknor moved that the revised Investment Policy be approved, that the Resolution attached hereto as **Exhibit C** be adopted, and that the President and Secretary be authorized to execute same. Director Kopecky seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Burks presented to and reviewed with the Board the Tax Assessor-Collector Report dated September 30, 2022, a copy of which is attached hereto as **Exhibit D**. After discussion, it was moved by Director Horn, seconded by Director Kopecky, 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 October 4, 2022 (the "Report"), a copy of which

is attached hereto as **Exhibit E**. 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 consideration of the Sales and Use Tax Administration Report after noting that no report was received this month.

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 October 11, 2022, a copy of which is attached hereto as **Exhibit F**.

Mr. Miller next presented to and reviewed with the Board a revised proposal from Magna Flow Environmental to clean the remaining eleven aeration basins at the Waste Water Treatment Plant (the "WWTP") in the approximate amount of \$14,500 per load. He noted that the total cost is estimated to be between \$478,500.00 and \$551,000.00 depending on the exact number of loads required. After discussion, it was moved by Director Falknor, seconded by Director Bell, and unanimously carried that the Board accept the proposal from Magna Flow as presented, and authorize the acceptance and acknowledgement of the TEC Form 1295 by SPH on behalf of the Board and the District. A copy of the proposal and TEC Form 1295 is included with **Exhibit E**.

Mr. Miller next reported that the bid package for the Clarifier No. 2 Weir Replacement Project is being prepared.

Mr. Miller then requested the payment of Pay Estimate No. 3 in the amount of \$11,835.00 payable to C3 Constructors for work completed on the WWTP Flood Wall System Project, a copy of which is included with **Exhibit E**. After discussion, it was moved by Director Falknor, seconded by Director Kopecky, and unanimously carried to approve the payment of Pay Estimate No. 3 as discussed.

UTILITY COMMITMENT

Messrs. Barker and Miller noted that there were no requests for utility commitments this month.

OPERATOR'S REPORT

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

Ms. Bonilla-Odums next requested authorization from the Board for Inframark to transfer seven (7) delinquent accounts, totaling \$1,107.26, to Collections Unlimited for collections and to write off one (1) uncollectible account, totaling \$23.17. After discussion on the matter, Director Kopecky moved to authorize Inframark to transfer and write off the accounts as requested. Director Horn seconded said motion, which unanimously carried.

Ms. Bonilla-Odums then presented to and reviewed with the Board the Fire Hydrant Inspection and PM Report dated September 2022, a copy of which report is included in **Exhibit G**. Ms. Bonilla-Odums recommended the replacement of all District fire hydrants and advised that Inframark will prepare a proposal and a project timeline for the project. After discussion, the Board concurred to defer any action relative to the project until the Board has considered Inframark's

proposal and project timeline.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Barker reported receiving correspondence from the West Harris County Regional Water Authority (the "WHCRWA") advising the District that on November 9, 2022, the Board of Directors of the WHCRWA will vote on whether to increase its water supply fees \$0.25 per 1,000 gallons, effective January 1, 2022. The increase will bring the ground pumpage fee from \$3.70 to an amount not to exceed \$3.95 per 1,000 gallons of ground water pumped. Mr. Barker advised that an item will be placed on the agenda for the December Board meeting to consider amending the District's Rate Order relative to same. A copy of the WHCRWA correspondence is attached hereto as **Exhibit H**.

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.

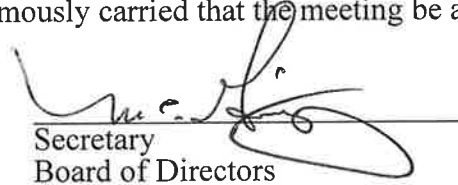
MATTERS FOR PLACEMENT ON FUTURE AGENDAS

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




Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Order Levying Taxes
- Exhibit B Bookkeeper's Report and Quarterly Investment Report
- Exhibit C Resolution Regarding Review of Investment Policy
- Exhibit D Tax Assessor-Collector Report
- Exhibit E Delinquent Tax Report
- Exhibit F Engineer's Report
- Exhibit G Operator's Report
- Exhibit H WHCRWA Notice of Anticipated Fees

