

**LONGHORN TOWN UTILITY DISTRICT OF HARRIS COUNTY, TEXAS**  
**Minutes of Meeting of Board of Directors**  
**November 2, 2023**

The Board of Directors (the "Board") of Longhorn Town Utility District of Harris County, Texas (the "District") met in regular session, open to the public on November 2, 2023, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Steven Crain, President  
H. Don Henry, Vice President  
Julie Swearingen, Secretary  
Barry Hunsworth, Assistant Secretary  
Chris White, Assistant Secretary

all of whom were present at the meeting, except for Director Swearingen, thus constituting a quorum.

Also present were: Todd Elston of R.G. Miller Engineers, Inc. ("R.G. Miller"); Ashlie Whittemore of Wheeler & Associates, Inc. ("Wheeler"); Michelle Giacona of H2O Innovation ("H2O"); Cara Sliva of Artesian Financial Services, LLC ("Artesian"); and Katie Blasio, Katherine Edwards, Consuella Dye and Katlyn Gribble 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 it.

**PUBLIC COMMENT**

The Board began by opening the meeting for public comments. There being no comments from the public, the Board continued to the next item of business.

## **APPROVAL OF MINUTES OF MEETING**

The Board considered approval of the minutes of its meeting held on October 5, 2023. After review and discussion of the minutes, Director Henry moved that the minutes of the Board meeting held October 5, 2023, be approved, as written. Director Crain seconded said motion, which unanimously carried.

## **BOOKKEEPER'S REPORT**

Ms. Sliva presented to and reviewed with the Board the Bookkeeper's Report dated November 2, 2023, a copy of which report is attached hereto as **Exhibit A**, including the checks therein for payment from the District's various accounts. After discussion, it was moved by Director Hunsworth that the Board approve the Bookkeeper's Report, and authorize payment of the checks identified therein. Director Crain seconded said motion, which unanimously carried.

## **COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2265 RELATIVE TO ENERGY REPORTING**

The Board considered the District's compliance with Texas Government Code, Chapter 2265, relative to energy reporting requirements. In connection therewith, Ms. Blasio advised the Board that governmental entities, including the District, are required to prepare an annual report on the entities' metered usage of electricity and the aggregate costs for same. She then noted that Artesian has provided an annual report, a copy of which is attached to the Bookkeeper's Report, summarizing the District's electricity usage and costs. Ms. Blasio advised that no Board action was necessary.

## **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Whittemore presented to and reviewed with the Board the October 31, 2023 Tax Assessor-Collector report, including the delinquent collections listings, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Hunsworth moved that the Tax Assessor-Collector

report be approved as presented, and payment be authorized as identified in said report. Director Crain seconded the motion, which carried unanimously.

**SALES AND USE TAX ADMINISTRATION REPORT BY SALES REVENUE INC.**

Ms. Blasio next presented to and reviewed with the Board the October 2023 Sales and Use Tax Administration Report, prepared by Sales Revenue Inc., a copy of said report is attached hereto as **Exhibit C**, in connection with collection of sales tax revenue funds received by the District pursuant to the Strategic Partnership Agreement with the City of Houston. No action was required by the Board regarding same.

**REPORT AND LEGAL ACTION TAKEN BY THE DISTRICT'S DELINQUENT TAX COLLECTIONS ATTORNEY**

The Board deferred consideration of a report and legal action taken by the District's delinquent tax collections attorney after noting that no report had been received for the current period. Ms. Blasio reminded the Board that said reports are provided on a quarterly basis and that a report was not expected for consideration at today's meeting.

**OPERATIONS REPORT**

Ms. Giacona presented to and reviewed with the Board the operations report, dated November 2, 2023, a copy of which report is attached hereto as **Exhibit D**, and discussed with the Board the matters contained therein. In connection therewith, Ms. Giacona noted that in the month of October five additional District water lines were damaged by Ezee Fiber and other fiber optic subcontractors. H2O repaired said lines, and H2O sent invoices to the appropriate contractor(s) for said repairs.

Ms. Giacona noted that the District opened the emergency interconnect with Harris County Municipal Utility District No. 216 ("No. 216") on October 20, 2023 in order for No. 216 to payback the District in kind for No. 216's prior use of the shared interconnect.

Ms. Giacona noted that Classic Messaging does not have an “Opt-Out” system. The Board asked H2O and SPH to coordinate to add the phone number for "opting in" to District messaging to the District's water bills and the Green Trails website.

### **ENGINEERING REPORT**

The Board next considered the Engineer's Report, which Mr. Elston presented verbally. It was noted that no specific Board action was required at this time with respect to same.

### **DISCUSS LEAD AND COPPER REGULATION COMPLIANCE**

Ms. Giacona presented to and reviewed with the Board a proposal for the lead and copper survey, a copy of which is attached to the operations report. She advised that the research and data entry, field verification, and preparation of inventory for public use will cost \$9,500 for H2O to complete. An additional fee of \$30/connection will be required for any connections that need material verification. After discussion, Director Henry moved to authorize H2O to complete the lead and copper inventory at a cost of \$9,500 and material verifications at \$30/connection in accordance with the proposal and file with the appropriate authorities prior to the deadline, as discussed. Director Crain seconded said motion, which unanimously carried.

### **ISSUANCE OF UTILITY COMMITMENTS**

The Board deferred action regarding utility commitments as no additional requests were made this month.

### **SIDEWALK PROJECT BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 346**

Ms. Blasio advised the Board that she is in receipt of a signed copy of the License Agreement between Harris County Municipal Utility District No. 346 ("No. 346") and the U.S.

Army Corps of Engineers ("USACE") and that USACE has given its permission for No. 364 to begin construction of the Barker-Cypress Sidewalk project. A copy of said Agreement is attached hereto as **Exhibit E**.

### **STORM WATER SOLUTIONS REPORT**

Ms. Blasio presented to and reviewed with the Board a Storm Water Management Program dated November 2023 prepared by Storm Water Solutions, a copy of which is attached hereto as **Exhibit F**. No action was required by the Board regarding same at this time.

### **NEIGHBORHOOD IMPROVEMENT PROJECTS IN THE DISTRICT**

Director Henry updated the Board regarding the neighborhood improvement project, which is the proposed planting of wildflower seeds in certain areas in the District. He presented a proposal from Allied Hydromulch in the amount of \$24,982.02 for the planting of a variety of wildflowers within the District, a copy of which is attached hereto as **Exhibit G**. After discussion, Director Hunsworth moved to approve the proposal, as discussed above, and to accept the related TEC Form 1295. Director Crain seconded said motion, which unanimously carried.

### **EMINENT DOMAIN**

Ms. Blasio reported that, pursuant to §2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an Annual Eminent Domain Report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). She explained that the report will contain the District's contact information as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Crain, seconded by Director Hunsworth, and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District.

### **ATTORNEY'S REPORT**

The Board next considered the attorney's report. In connection therewith, Ms. Blasio presented to and reviewed with the Board correspondence from Houston Public Works regarding the Area 3 Groundwater Committee Voting Member Request, a copy of which is attached hereto as **Exhibit H**. She advised that the District can appoint one representative to vote in the January election for the appointment of two members to the Groundwater Reduction Program Review Committee ("GRP Committee"). After discussion, the Board concurred to nominate Director Henry to vote in the upcoming election regarding the GRP Committee. Ms. Blasio advised that SPH will submit Director Henry's information to the Groundwater Reduction Program prior to the deadline.

**ITEMS FOR PLACEMENT ON FUTURE AGENDA**

The Board considered items for placement on future agendas. No specific agenda items other than routine and ongoing matters were requested.

**ADJOURN**

There being no further business to come before the Board, upon a motion made by Director Crain and seconded by Director Hunsworth, the meeting was adjourned.

(SEAL)

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Secretary  
Board of Directors

**LIST OF ATTACHMENTS TO MINUTES**

- Exhibit A Bookkeeper's Report
- Exhibit B Tax Assessor-Collector Report
- Exhibit C Sales and Use Tax Administration Report, prepared by Sales Revenue Inc
- Exhibit D Operations Report;
- Exhibit E License Agreement
- Exhibit F Storm Water Management Program;
- Exhibit G Allied Hydromulch proposal for seeding wildflowers
- Exhibit H Houston Public Works Correspondence regarding Area 3 Groundwater Committee Voting Member Request

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