

MINUTES
EMERALD FOREST UTILITY DISTRICT

July 10, 2023

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 10th day of July, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were Michael Willett and Justin Waggoner of Touchstone District Services ("Touchstone"); Maria Stripling of District Data Services, Inc.; Sherry Grant of Baxter & Woodman, Inc. ("B&W"); Lonnie Lee of Regional Water Corporation ("RWC"); Patty Rodriguez of Bob Leared Interests; and Katie Sherborne and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the June 12, 2023, regular meeting and the June 27, 2023, special meeting. Director Kimball noted a revision to page 3 of the June 27, 2023, special meeting minutes. After review and discussion, Director Schmidt moved to approve the minutes of the June 12, 2023, regular meeting, as submitted, and the June 27, 2023, special meeting, as revised. Director Brooks seconded the motion, which passed unanimously.

WEBSITE AND COMMUNICATION MATTERS

Mr. Willett reviewed the website and communication report, a copy of which is attached.

The Board discussed Touchstone's efforts during the May 6, 2023, Operation and Maintenance Tax Election and the overall results of the election.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Rodriguez presented the monthly tax report, a copy of which is attached. She stated that 98.5% of the District's 2022 taxes were collected as of June 30, 2023. Ms. Rodriguez then reviewed the District's delinquent tax roll.

After review and discussion, Director Kimball moved to approve the tax report and payment of the tax bills. Director Schmidt seconded the motion, which passed unanimously.

EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Sherborne reported on legislation passed by the Texas Legislature to update the language for the Notice to Purchasers form that must be provided by persons proposing to sell or convey real property located in a water district. She said water districts that are required to maintain a website or have access to a website under Section 26.18, Tax Code, are also now required to post their Notice to Purchasers on the applicable website. The Board then considered authorizing execution of an Amendment to Information Form reflecting the District's new form of Notice to Purchasers attached thereto. Ms. Sherborne explained that the District is required to file the Amendment to Information Form in the Official Public Records of Real Property of Harris County and with the Texas Commission on Environmental Quality ("TCEQ").

After review and discussion, Director High moved to authorize execution of the Amendment to Information Form and to authorize filing with Harris County and the TCEQ. Director Kimball seconded the motion, which passed unanimously.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") CONFERENCES

The Board discussed the AWBD summer conference and reviewed the conference expenses submitted by directors for reimbursement. The Board also considered authorizing attendance at the AWBD winter conference. After discussion, Director Kimball moved to approve reimbursement of eligible directors' expenses from the summer AWBD conference, which the bookkeeper confirmed are in compliance with the District's Travel Reimbursement Guidelines, and authorize any interested directors to attend the winter AWBD conference. Director Schmidt seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Stripling reviewed the bookkeeper's report, including the District's investments and the budget comparison, and submitted the bills for payment. A copy of the bookkeeper's report is attached.

After review and discussion, Director Schmidt moved to approve the bookkeeper's report, the District's investments, and payment of the bills. Director High seconded the motion, which passed unanimously.

DIRECTOR PER DIEMS

Ms. Sherborne stated that House Bill No. 2815, which became effective on June 18, 2023, sets the maximum water district director fees of office at the per diem amount set by the Texas Ethics Commission for members of the legislature. She noted that, pursuant to House Bill No. 2815, the current maximum amount for director fees of office is \$221.00, and going forward, the maximum amount automatically will be indexed for inflation.

After discussion, Director Kimball moved to approve payment of directors' fees of office at the new maximum amount allowed by law, effective as of June 18, 2023. Director Schmidt seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Lee presented the operations report from RWC, a copy of which is attached. He reported on routine maintenance and repair items in the District. He stated that water accountability for the prior billing cycle was 84.9%. Mr. Lee reported that RWC is scheduling a District-wide leak survey with Accurate Meter & Supply.

Mr. Lee reviewed a request from account no. 1-30-09095-01 requesting an account credit for previous water and sewer bills.

After review and discussion, Director Kimball moved to (1) approve the operator's report; and (2) deny the request for an account credit for account no. 1-30-09095-01. Director Schmidt seconded the motion, which passed unanimously.

HEARING REGARDING TERMINATION OF WATER AND SEWER SERVICE

The Board conducted a hearing on the termination of water and sewer service to delinquent accounts. Mr. Lee stated that the residents on the list were delinquent in payment of their water and sewer bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bills and to show reason for nonpayment, all in accordance with the District's Rate Order. After discussion, Director Kimball moved that, because the customers on the list were neither present at the meeting nor had presented any written statement on the matter, water and sewer service for accounts totaling \$10 or more would be terminated the following week in accordance with the District's Rate Order, except (i) accounts in compliance with payment agreements, and (ii) commercial accounts, which are to be contacted first by RWC and then terminated the following Monday if payment has not been received. Director Schmidt seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Ms. Grant reviewed the engineer's report, a copy of which is attached.

SURFACE WATER, CHLORAMINE CONVERSION, AND BLEACH DISINFECTION CONVERSION

Ms. Grant stated there was no update on the status of the North Harris County Regional Water Authority's construction at Water Plant No. 3.

Ms. Grant stated that RWC is continuing to conduct the preliminary water sampling in connection with the potential utilization of a phosphate treatment system at Water Plant No. 3.

FM 1960 LIFT STATION NO. 5

Ms. Grant updated the Board on the status of the FM 1960 lift station no. 5 project, as reflected in her report. She reviewed and recommended approval of Pay Estimate No. 11 in the amount of \$21,863.25, submitted by Persons Services Corporation ("Persons").

Ms. Grant reported that the startup of the lift station was held on June 27, 2023, and the contractor has addressed punch list items identified after startup. Ms. Grant stated that the standby generator startup, including a 2-hour generator load bank test, is scheduled for July 10, 2023.

After review and discussion, Director Schmidt moved to approve Pay Estimate No. 11 in the amount of \$21,863.25 to Persons, as recommended. Director High seconded the motion, which passed unanimously.

FM 1960 WATER AND SANITARY SEWER EXTENSION

Ms. Grant updated the Board on the status of the FM 1960 water and sanitary sewer extension project, as reflected in her report. She stated that the final inspection was held on June 21, 2023, and B&W provided the contractor with a punch list, a copy of which is attached to the engineer's report. Ms. Grant did not have any Pay Estimates or Change Orders from D.L. Elliott Enterprises, Inc. for the Board's approval.

CYPRESS NORTH HOUSTON ROAD (LOUEDD ROAD) WIDENING

There was no discussion on this agenda item.

WOODEDGE VILLAGE SANITARY SEWER REHABILITATION

Ms. Grant updated the Board on the status of the Woodedge Village sanitary sewer and manhole rehabilitation project, as reflected in her report. She

did not have any Pay Estimates or Change Orders from T. Gray Utility & Rehab Co., LLC for the Board's approval.

FEASIBILITY STUDIES, PLAN REVIEWS, AND UTILITY AVAILABILITY REQUESTS

Ms. Grant updated the Board on the status of the pending plan reviews, service requests, and feasibility studies, as reflected in her report.

Ms. Grant stated that B&W received a revised site plan and building layouts for the three existing buildings on the 1.345-acre Kensinger Donnelly tract, which B&W is reviewing.

Ms. Grant stated that B&W provided the final feasibility study for the proposed multi-family development located at 10514 Woodedge Drive to the owner's representative on June 29, 2023, and stated the District agreed to provide water and sewer service to the tract contingent upon annexation of the tract into the boundaries of the District. She stated that B&W has not received confirmation that the owner is amenable to the terms of the feasibility study.

Ms. Grant stated that the B&W received the required development information for the proposed gas station development located on a 0.7-acre tract at the northeast corner of Jones Road and Woodedge Drive, so B&W will proceed with preparation of the feasibility study.

CYPRESS GLEN SANITARY SEWER REPAIR PROJECT

Ms. Grant updated the Board on the status of the sanitary sewer and manhole rehabilitation project for Cypress Glen, as reflected in her report.

UPDATES TO EMERGENCY PREPAREDNESS PLAN ("EPP") AND EMERGENCY RESPONSE PLAN ("ERP")

Ms. Grant stated that B&W is working on updates to the District's EPP and ERP to reflect the changes in chemical treatment at the water plants.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

OTHER ENGINEERING MATTERS

In response to an inquiry at the previous Board meeting, Ms. Grant explained the construction history behind the 8" and 12" water lines running parallel on the north side of Woodedge Drive. She stated that B&W is investigating why the 8" water line was not abandoned as originally intended.

Ms. Grant stated that B&W provided a draft facilities repair/rehabilitation list to RWC for review on July 7, 2023. She stated that B&W will schedule a meeting with Directors Dillard and High once B&W receives comments to the list.

ACCEPT WAIVER OF SPECIAL APPRAISAL

There was no discussion on this agenda item.

APPROVE THIRD ADDENDUM TO WATER SUPPLY AND WASTE DISPOSAL CONTRACT WITH CY-FAIR ISD

There was no discussion on this agenda item.

ATTORNEY'S REPORT

There was no discussion on this agenda item.

TEXAS PUBLIC INFORMATION ACT REQUESTS

There was no discussion on this agenda item.

CONVENE IN EXECUTIVE SESSION TO CONSULT WITH ATTORNEY, PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board did not convene in Executive Session.

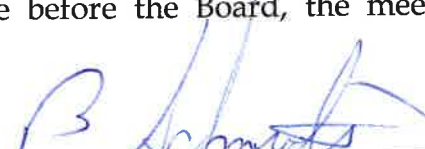
REPORT REGARDING LEGISLATIVE MATTERS

Ms. Sherborne reviewed a report prepared by ABHR regarding legislative matters pertaining to the 88th Regular Session of the Texas Legislature.

There being no further matters to come before the Board, the meeting was adjourned.

(SEAL)




Secretary, Board of Directors

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