

MINUTES  
EMERALD FOREST UTILITY DISTRICT

March 13, 2025

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 13<sup>th</sup> day of March, 2025, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, 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 except Director Brooks, thus constituting a quorum.

Also present at the meeting were Danae DeHoyos of Touchstone District Services ("Touchstone"); Luly Stripling of District Data Services, Inc.; Erik Spencer of Vogler & Spencer Engineering, Inc. ("VSE"); Lonnie Lee of Regional Water Corporation ("RWC"); Debbie Arellano of Bob Leared Interests; and Katie Sherborne, Elizabeth Cone, 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 February 10, 2025, regular meeting, February 18, 2025, special meeting, and the February 25, 2025, special meeting. After review and discussion, Director Brooks moved to approve the minutes of the February 10, 2025, regular meeting, February 18, 2025, special meeting, and the February 25, 2025, special meeting, as submitted. Director Schmidt seconded the motion, which passed unanimously.

WEBSITE AND COMMUNICATION MATTERS

Ms. DeHoyos reviewed the website and communication report, a copy of which is attached.

## GARBAGE COLLECTION MATTERS

There was no discussion on this agenda item.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano presented the monthly tax report, a copy of which is attached. She stated that 97.1% of the District's 2024 taxes were collected as of February 28, 2025. Ms. Arellano then reviewed the District's delinquent tax roll.

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

## APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME

The Board considered approving the Annual Report updating the District's financial and operating data in accordance with the continuing disclosure agreements contained in the resolutions authorizing issuance of the District's bonds and SEC Rule 15c2-12. After review and discussion, Director High moved to approve the Annual Report and to authorize filing with the information depositories in accordance with the District's agreements in the resolutions authorizing issuance of the District's bonds and pursuant to SEC Rule 15c2-12. Director Kimball seconded the motion, which passed unanimously.

## ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

Ms. Sherborne reviewed the District's procedures for continuing disclosure compliance. She stated that no changes are required at this time.

## 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 101.2%.

The Board discussed the District's schedule for termination of delinquent accounts due to changing the District's regular meeting schedule. The Board concurred to change the termination date to the Tuesday following the regular meeting.

Mr. Lee reviewed a request from account no. 1-30-50080-00 requesting a payment plan for a high water and sewer bill from February, 2025, due to a leak.

Mr. Lee reviewed a request from account no. 1-30-08980-01 requesting a payment plan for a high water and sewer bill from February, 2025, due to a leaking water softener.

The Board discussed ways to increase resident participation in the smart meter online portal, EyeOnWater, including offering a \$10.00 one-time utility bill credit for customers who are signed up for an EyeOnWater account by a certain date.

After review and discussion, Director High moved to (1) approve the operator's report; (2) authorize RWC to offer a four-month payment plan for account no. 1-30-50080-00, plus the current month's bill as it becomes due and contingent upon signing up for EyeOnWater leak alerts; (3) credit the excess sewer charge for account no. 1-30-08980-01, and authorize RWC to offer a three-month payment plan, plus the current month's bill as it becomes due and contingent upon signing up for EyeOnWater leak alerts; and (4) authorize Touchstone and RWC to coordinate on a plan for the \$10.00 one-time utility bill credit to be presented to the Board for approval at the next regular meeting. 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 High 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.

#### ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

Ms. Sherborne discussed the District's Drought Contingency Plan and stated that no changes are recommended at this time.

## ENGINEERING TRANSITION MATTERS

### AUTHORIZE EXECUTION OF AGREEMENT WITH VSE FOR ENGINEERING SERVICES

The Board reviewed a Letter of Resignation terminating the Professional Engineering Services Agreement between Baxter & Woodman, Inc. ("B&W") and the District. Discussion ensued regarding the transition of engineering services for active projects. After review and discussion, Director Kimball moved to accept the resignation of B&W as District engineer. Director High seconded the motion, which passed unanimously.

The Board then reviewed the Agreement for Engineering Services between the District and VSE. After review and discussion, Director Kimball moved to approve the Agreement for Engineering Services between the District and VSE, subject to final review, and direct that the Agreement be filed appropriately and retained in the District's official records. Director High seconded the motion, which passed unanimously.

### AUTHORIZE EXECUTION OF LETTER TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY ("EPA") DESIGNATING THE ENGINEER TO BE THE DISTRICT'S AGENT

Ms. Sherborne reviewed letters to the TCEQ and the EPA designating the District's engineer, VSE, as the District's agent in dealing with the two agencies. After review and discussion, Director Kimball moved to approve and authorize execution of the letters to the EPA and TCEQ and direct that the letters be filed appropriately and retained in the District's official records. Director High seconded the motion which passed by unanimous vote.

### ADOPT RESOLUTION CHANGING DISTRICT OFFICE AND ESTABLISHING ADDITIONAL OUT-OF-DISTRICT MEETING PLACE

The Board considered adopting a Resolution Changing District Office and Establishing Additional Out-of-District Meeting Place. After discussion, Director Kimball moved to adopt the Resolution Changing District Office and Establishing Out-of-District Meeting Place which establishes the offices of VSE, 777 North Eldridge Parkway, Suite 500, Houston, TX 77079, as an additional meeting place and as a District office for purposes of receiving bids and administering construction contracts and direct that the Resolution be filed appropriately and retained in the District's official records. Director High seconded the motion, which was approved by unanimous vote.

### AUTHORIZE EXECUTION OF DISTRICT REGISTRATION FORM

The Board considered authorizing filing of an updated district registration form with the TCEQ, reflecting the change in engineer. Following review and discussion, Director Kimball moved to authorize filing of the updated district registration form with the TCEQ and direct that the form be filed appropriately and retained in the district's official records. Director High seconded the motion, which passed by unanimous vote.

### AUTHORIZE UPDATE OF EMERGENCY PREPAREDNESS PLAN

The Board considered authorizing VSE to update the District's Emergency Preparedness Plan to reflect the change in engineer. After review and discussion, Director Kimball moved to authorize VSE to update the District's Emergency Preparedness Plan. Director High seconded the motion, which passed unanimously.

### UPDATE OF CRITICAL LOAD SPREADSHEET

The Board considered authorizing the filing of an updated Critical Load Spreadsheet for the District's facilities, reflecting the change in engineer. After review and discussion, Director Kimball moved to authorize filing of the updated Critical Load Spreadsheet and direct that the Spreadsheet be filed appropriately and retained in the District's official records. Director High seconded the motion, which passed unanimously.

## ENGINEERING MATTERS

Mr. Spencer reviewed the engineer's report, a copy of which is attached.

### FEASIBILITY STUDIES, PLAN REVIEWS, AND SERVICE REQUESTS

Mr. Spencer updated the Board on the status of the pending plan reviews and service requests, as reflected in his report.

Mr. Spencer stated that VSE received a utility service request from Wadhwa and Associates, Inc., the engineer for a proposed townhome development at 10660 Woodedge Drive. He stated that he informed the engineer of the District's feasibility study process, including the required deposit. Mr. Spencer stated that VSE will proceed with the feasibility study once the deposit is received.

### UPDATE REGARDING EXCEPTION REQUESTS FROM TCEQ AND COMPLIANCE WITH ENFORCEMENT ORDER

Mr. Spencer reported that the TCEQ plan review section conditionally

approved the exception requests, subject to twelve months of bacteriological monitoring of raw water samples for the water well. He stated that after the required monitoring is complete, the TCEQ will evaluate the results and, if appropriate, issue a final approval. Discussion ensued regarding the monitoring requirements.

#### WASTEWATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT

Mr. Spencer updated the Board on the status of design of the wastewater treatment plant generator replacement project.

#### GREEN CREEK LIFT STATION GENERATOR REPLACEMENT PROJECT

Mr. Spencer updated the Board on the status of design of the Green Creek lift station generator replacement project.

#### FUTURE CAPITAL PROJECTS AND FUNDING FOR SAME

The Board discussed the capital projects included on the District's Capital Improvement Plan for the 2025 year, including the water plant no. 3 generator replacement project. After discussion, Director Schmidt moved to authorize VSE to proceed with design of the water plant no. 3 generator replacement project. Director High seconded the motion, which passed unanimously.

#### DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

#### OTHER ENGINEERING MATTERS

Mr. Spencer updated the Board on VSE's coordination with the three businesses on FM 1960 on connecting to the District's utility system.

#### UPDATE ON BOND APPLICATION

Mr. Spencer reported that the District's bond application was submitted to the TCEQ on March 7, 2025.

#### ATTORNEY'S REPORT

There was no discussion on this agenda item.

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

  
Asst. Secretary, Board of Directors

(SEAL)



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