

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383

October 2, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 383 (the "District") met in regular session, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, on the 2nd day of October, 2024, and the roll was called of the members of the Board being present:

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|--------------------|--------------------------|
| John Porea | President |
| John J. Ryan | Vice President |
| Jeffrey Peters | Secretary |
| Jean M. Casagrande | Assistant Secretary |
| Jody Chouinard | Assistant Vice President |

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

Also attending the meeting in person or by teleconference were: Cindy Grimes of Municipal Accounts & Consulting, L.P. ("MAC"); James Parker of Pape-Dawson Engineers ("Pape-Dawson"); Kristy Hebert of Tax Tech, Inc. ("Tax Tech"); Christine Crowell of Masterson Advisors LLC ("Masterson"); Scott Shelnett of Municipal Operations & Consulting, Inc. ("MOC"); Adam Swonke of Gleannloch Landscaping & Maintenance Company ("GLAMCO"); Brandon West of Touchstone District Services ("Touchstone"); and Adisa Harrington and Whitney Lington of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Mr. Porea offered any members of the public attending the meeting the opportunity to make public comment.

There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

CONSENT AGENDA

The consultant reports were provided in advance of the meeting. Following review and discussion, Director Peters moved to approve the following items on the consent agenda: (1) the minutes of the September 4, 2024 regular meeting, as presented; (2) tax assessment and collection matters; (3) financial and bookkeeping matters; (4) operating matters; (5) channel and pond maintenance matters; (6) website and

communications matters; and (7) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

Ms. Harrington noted that the Arbitrage Rebate Report for the District's Series 2014 Refunding Bonds reflects that no arbitrage rebate or yield reduction payment is due to the Internal Revenue Service.

ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the consent agenda.

ADDITIONAL TAX MATTERS, INCLUDING CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Hebert requested approval of check no. 2280 payable to Auto Zone Texas, L.P. in the amount of \$1,693.39 not included in the tax assessor-collector's report.

Ms. Hebert reported that Tax Tech published a Notice of Public Hearing stating the District will consider levying a 2024 tax rate of \$0.545 at this meeting.

Ms. Harrington then opened the public hearing. No members of the public came forward to make comments. Ms. Harrington then closed the public hearing.

The Board considered adopting an Order Levying Taxes for 2024 reflecting a total tax rate of \$0.545 per \$100 of assessed valuation, comprised of \$0.37 for debt service and \$0.175 for operations and maintenance. The Board then reviewed an Amendment to Information Form reflecting the 2024 tax rate.

Following review and discussion, Director Peters moved to: (1) approve check no. 2280; (2) adopt the Order Levying Taxes as presented; (3) approve and authorize execution of the Amendment to Information Form; and (4) direct that the Order Levying Taxes and the Amendment to Information Form be filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously.

SERIES 2024 UNLIMITED TAX BONDS

Ms. Crotwell updated the Board on the bond sale for the Series 2024 Unlimited Tax Bonds.

The Board discussed scheduling a special meeting for the bond sale. Following review and discussion, Director Peters moved to schedule a special meeting on October 22, 2024 for the Series 2024 Unlimited Tax Bonds bond sale. Director Casagrande seconded the motion, which passed unanimously.

STORM WATER MANAGEMENT PLAN MATTERS, INCLUDING PROPOSALS FOR WORK

The Board reviewed the detention facility maintenance report prepared by Storm Water Solutions, LLC ("SWS"), a copy of which is attached.

ENGINEERING MATTERS

Mr. Parker reviewed the engineering report, a copy of which is attached.

Mr. Parker updated the Board on the revised path for the proposed waterline loop behind the CVS located on Champion Forest Drive. Mr. Parker requested an additional \$30,000.00 for the time and materials budget for the project due to additional costs associated with the revised path for the proposed waterline loop. Discussion ensued.

Mr. Parker updated the Board on construction of the detention pond located at Boudreaux Business Park and stated a Notice to Proceed will be issued on October 3. Discussion ensued regarding the UCL deposit for the project. The Board concurred for MAC to request an additional \$20,000.00 for the Boudreaux Business Park UCL deposit to cover District engineering fees associated with construction of the detention pond.

Mr. Parker updated the Board on the construction of the third water well. Discussion ensued regarding gas detected during the drilling of the pilot hole and monitoring gas levels in order to determine whether treatment is needed. Mr. Parker then recommended approval of the following Pay Estimates from W. W. Payton Corporation ("W.W. Payton"): (i) Pay Estimate No. 3 in the amount of \$567,000.00, with the District's share being \$309,071.70 and (ii) Pay Estimate No. 4 in the amount of \$246,600.00, with the District's share being \$134,421.66.

Mr. Parker updated the Board on requests for utility commitments, as reflected in the engineer's report. Discussion ensued regarding the Primrose UCL deposit.

Mr. Parker updated the Board on NewQuest's retail tract and recommended approval of four related easements: (i) Sanitary Sewer Easement for 0.1167 acres; (ii) Sanitary Sewer Easement for 0.0263 acres; (iii) Water Line Easement for 0.2289 acres; and (iv) Waterline Easement for 0.0811 acres.

Mr. Parker updated the Board on the request from A-Beautiful Pools ("A-Beautiful") for District service for two equivalent single-family connections ("ESFCs"). Discussion ensued.

Mr. Parker updated the Board on the joint Capital Improvement Plan ("CIP") with Harris County Municipal Utility District No. 367 ("MUD 367").

Mr. Parker discussed repairs identified during the biannual audit report of District facilities prepare by SWS. Mr. Parker presented a proposal from Double Eagle Erosion Solutions ("Double Eagle") in the amount of \$23,285.00 for the repairs.

Mr. Parker updated the Board on a request from NewQuest for the District to accept and maintain the detention pond located at Boudreaux Road and the Grand Parkway. Discussion ensued regarding associated costs and maintenance of the detention pond.

Mr. Parker updated the Board on nutria in District facilities. Discussion ensued regarding A All Animal Control ("AAAC") invoices and summary of services performed during AAAC's site visits.

The Board discussed the fountains located at Dove Manor pond and Northlake pond and needed repairs for the fountains.

Mr. Parker updated the Board on Harris County's plans to realign Boudreaux Boulevard. Mr. Parker discussed potential agreements that would be needed between the District and Harris County in connection to the project.

Following review and discussion, and based on the District engineer's recommendation, Director Peters moved to: (1) approve the engineer's report; (2) approve an additional \$30,000.00 for the time and materials budget for the proposed waterline loop; (3) approve Pay Estimate No. 3 from W.W. Payton in the amount of \$567,000.00, with the District's share being \$309,071.70 for the construction of the third water well; (4) approve Pay Estimate No. 4 from W. W. Payton in the amount of \$246,600.00, with the District's share being \$134,421.66 for the construction of the third water well; (5) approve four easements in connection to NewQuest's retail tract: (i) Sanitary Sewer Easement for 0.1167 acres; (ii) Sanitary Sewer Easement for 0.0263 acres; (iii) Water Line Easement for 0.2289 acres; and (iv) Waterline Easement for 0.0811 acres; and (6) approve the proposal from Double Eagle in the amount of \$23,285.00 for the repairs found during the biannual audit report of District facilities prepare by SWS, subject to finalization of the related documentation. Director Casagrande seconded the motion, which passed unanimously.

ADDITIONAL BOOKKEEPING MATTERS

The Board reviewed the EVO report and the District's ten-year budget forecast prepared by Municipal Financial Services, a copy of which is attached. The Board concurred to discuss the EVO report further at the special meeting scheduled for October 22, 2024, and to consider amending the District's budget at the November meeting.

ADDITIONAL OPERATING MATTERS

Mr. Shelnutt discussed check no. 10157 payable to Primrose School of Tomball in the amount of \$5,141.70, for tap fee reimbursements. Discussion ensued.

Mr. Shelnutt presented a list of delinquent customers to the Board and reported the customers on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Mr. Shelnutt requested Board authorization to write off one delinquent utility account totaling \$14.84 and send the account to a collection agency.

Mr. Shelnutt stated the refrigerated sampler at the wastewater treatment plant needs to be replaced. Mr. Shelnutt stated the approximate cost for a new refrigerated sampler is \$13,800.00, plus installation. Discussion ensued.

Mr. Shelnutt stated the ConVault diesel tank at the wastewater treatment plant needs to be cleaned. Mr. Shelnutt stated the cost to clean the ConVault diesel tank would be \$15,500.00. Discussion ensued.

Mr. Shelnutt stated an inventory of all District water lines for lead and copper has been completed and a summary report will be submitted to the Environmental Protection Agency ("EPA"). Discussion ensued regarding the inventory and related public notice requirements. Following discussion, the Board concurred for MOC to include an insert in the water bill regarding the summary report of the lead and copper inventory of District water lines and to post the following notice to the public as part of these minutes as well as on the District's website:

HC MUD 383 has completed the Lead & Copper Inventory as required by the EPA. Through records research and field investigation of the distribution system, it has been determined that the system has no lead service lines or galvanized requiring replacement service lines. The system has been determined as a non-lead community. If you would like a copy of the Lead & Copper Inventory, please submit your request to HAR383@txdistricts.info.

Following review and discussion, Director Peters moved to: (1) authorize termination of delinquent accounts, in accordance with the District's Rate Order, and direct that the delinquent customer list be filed appropriately and retained in the District's official records; (2) authorize MOC to write off one delinquent utility account totaling \$14.84 and send the account to a collection agency; (3) authorize MOC to purchase a new refrigerated sampler for the wastewater treatment plant, in the amount of \$13,800.00 plus installation costs; (4) authorize MOC to clean the ConVault diesel tank at the wastewater treatment plant in the amount of \$15,500.00; and (5) approve the District's inventory, make a copy of the inventory available by request submitted to HAR383@txdistricts.info, and post notice of the availability of the inventory in these minutes, as stated above, on the District's website, and in the message box on the District's next water bill. Director Casagrande seconded the motion, which passed unanimously.

The minutes from the most recent Operations Subcommittee meeting were provided to the Directors prior to the meeting and are attached.

The Board concurred not to amend the District's Rate Order at this time.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS ON DISTRICT MATTERS

Director Chouinard updated the Board on a recent Girl Scout water conservation project.

The Board discussed publication options for District information and potentially using the Stable Magazine to share District information. Director Chouinard stated she will coordinate with Touchstone regarding options for sharing District information. The Board then discussed costs associated with the publication of District information. Discussed ensued regarding potential topics for publication. The Board requested for MOC to no longer include District information inserts in water bills.

ATTORNEY'S REPORT

Ms. Harrington stated MUD 367 discussed potentially amending the Master Amenities Donation and Maintenance Agreement between the District, MUD 367 and Gleannloch Farms Community Association. Discussion ensued.

The Board reviewed the action list.

ADDITIONAL CHANNEL AND POND MAINTENANCE

Mr. Swonke discussed the removal of tree roots located along Crescent Clover pond. The Board concurred for GLAMCO to remove tree roots located along Crescent Clover pond in an amount not to exceed \$5,000.00. Mr. Swonke then updated the Board

regarding the fall fertilization.

Following review and discussion, Director Peters moved to authorize GLAMCO to remove tree roots located along Crescent Clover pond in an amount not to exceed \$5,000.00. Director Casagrande seconded the motion, which passed unanimously.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

(SEAL)




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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ACTION LIST

| Action Item/Date Assigned | Status/Comments |
|--|--|
| Tax Tech | |
| MAC/MFS | |
| Request additional deposit from Boudreaux Business Park for District engineering fees associated with construction of detention pond (10/2/24) | |
| MOC | |
| Include insert in water bill regarding lead and copper inventory (10/2/24) | |
| Sanitary Sewer Inspection Program (8/7/24) | Phase III video inspection to be redone by MagnaFlow Phase IV smoke testing to begin 8/9/24 |
| Prepare PFAS report for Board (7/3/24) | 8/7/24 - PFAS testing scheduled for April 2025 and October 2025 |
| Pape-Dawson | |
| Monitor gas levels at water well no. 3 (10/2/24) | |
| Notify resident that the area behind their house is not District property and advise the resident to seek approval from the HOA and pipeline company to use the area in connection with installation of a swimming pool (9/4/24) | |
| Coordinate with SWS to update SWS bi-annual report to identify whether the District or MUD 367 is responsible for each recommended repair (8/7/24) | |
| Follow up with A-Beautiful to discuss the various fees and costs that would be associated with providing service to A-Beautiful (8/7/24) | |
| Inspect the District's interceptors and prepare an inventory identifying the repairs needed and their respective priority (6/5/24) | |
| Coordinate with Harris County regarding Boudreaux Road realignment project and possible Interlocal Agreement (3/6/24) | |
| Update CIP to include project costs and split project costs (3/6/24) | Ongoing. Latest draft presented at the October 22, 2024 special meeting. Time and materials budgets proposed September 4, 2024 for WP, WWTP and LS projects |

| Action Item/Date Assigned | Status/Comments |
|--|--|
| Schedule facilities tour (3/6/24) | |
| Coordinate with GLAMCO to prepare an inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24) | |
| Obtain documentation/information needed to evaluate NewQuest's request for reimbursement of detention pond construction costs (11/1/23) | Site visit conducted with GLAMCO (12/6/23) Pape-Dawson is reviewing the documentation |
| Review and, where applicable, reclassify engineering fees relating to Jiffy Lube, Digestive Center and First Hartford (10/4/23) | |
| GLAMCO | |
| Remove tree roots along Crescent Clover pond (10/2/24) | |
| Shovel dirt off of Crescent Clover pond sidewalk (9/4/24) | |
| Present proposal for removal of additional tree roots around Crescent Clover pond (7/3/24) | At the 10/2/24 meeting, the Board authorized GLAMCO to remove tree roots at a cost not to exceed \$5,000 |
| Coordinate with Costello to prepare inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24) | |
| Lake Pro | |
| Storm Water Solutions | |
| Update bi-annual report to reflect whether the District or MUD 367 is responsible for each recommended repair (8/7/24) | |
| Directors | |
| Director Chouinard to coordinate with Touchstone regarding preparation and distribution of District information (9/4/24) | |
| KGA/DeForest | |
| Touchstone | |
| Coordinate with Director Chouinard regarding preparation and distribution of District information (9/4/24) | |

| Action Item/Date Assigned | Status/Comments |
|---|--|
| ABHR | |
| Finalize water line and sanitary sewer easements for NewQuest retail tract (10/2/24) | |
| Follow up with TxDOT regarding sound wall located along SH 99 next to North Lake subdivision (8/7/24) | |
| Finalize CTE for Boudreaux Business Park (6/5/24) | Access and Maintenance easement and sanitary sewer easement sent for signature 8/7/24. |
| Review amounts owed by Enclave of GFPB and Jiffy Lube and coordinate with the bookkeeper regarding collection options(4/3/24) | |
| If appropriate, prepare interlocal agreement with District and Harris County - Boudreaux Boulevard realignment project (3/6/24) | |
| Public Power Pool (P3) | |
| McCall Gibson | |