

MINUTES OF MEETING
OF THE
BOARD OF DIRECTORS

June 28, 2023

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY COUNTY §

EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 §

The Board of Directors (the "Board") of East Montgomery County Municipal Utility District No. 5 (the "District") met in regular session open to the public, at 1:00 p.m., on Wednesday, June 28, 2023, at 9 Greenway Plaza, Suite 1000, Houston, Texas 77046, a designated meeting place outside the boundaries of the District; and by telephone conference; whereupon, the roll was called of the members of the Board of Directors, to-wit:

John Patterson	-	President
L.J. (Larry) Kijewski	-	Vice President
B. Layne Mashburn	-	Secretary
Charles L. Prause	-	Assistant Secretary
Vacant	-	Assistant Secretary

All members of the Board of Directors were in attendance, except Director Kijewski, thus constituting a quorum.

Also in attendance were Jose Espinoza of Friendswood Development Company, a Developer of land in the District ("Developer"); Police Chief Stephen Carlisle of Roman Forest Police Department; Shane Stuckey of Stuckey's; Cole Carraway and Vince Salazar of LJA Engineering, Inc., Engineer for the District; Rhonda Gideon of Assessments of the Southwest, Tax Assessor-Collector for the District; Michelle Giacona and J.Q. Baker of H2O Innovation, Operators for the District; Debra Loggins of L&S District Services, LLC, Bookkeeper for the District; and Mallory Craig, attorney, and Monica Britton, paralegal, of Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel.

Whereupon, the meeting was called to order at 1:00 p.m. Copies of the notices of the meeting are attached hereto as Exhibit "A".

HEAR FROM THE PUBLIC

No members of the public were present.

ACCEPT OATHS OF OFFICE AND STATEMENT OF APPOINTED OFFICERS

Ms. Craig noted that Director Mashburn and Director Prause were unopposed in the Director's election called for May 6, 2023 and therefore acknowledge their appointment as Directors of the District by executing their Oaths of Office and Statements of Office.

After discussion and the question being put to the Board, upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to accept the Oaths and Statements of Director Mashburn and Director Prause.

RECONSTITUTE OFFICER POSITIONS AND APPROVE AMENDED DISTRICT REGISTRATION FORM

Ms. Craig noted that the Board should consider reconstituting the officer positions after Director Mashburn and Director Prause were unopposed in the Director's election on May 6, 2023 and authorize filing of an amended District Registration Form with the Texas Commission on Environmental Quality ("TCEQ").

Upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to (i) authorize filing of the amended District Registration Form with the TCEQ and (ii) reconstitute the Board as follows:

- John Patterson - President
- L.J. (Larry) Kijewski - Vice President
- B. Layne Mashburn - Secretary
- Charles Prause - Assistant Secretary
- Vacant - Assistant Secretary

APPROVE MINUTES OF THE MEETING

The Board considered approving the minutes of the meetings held on April 26, 2023 and May 10, 2023, which were previously distributed to the Board. After discussion and consideration, upon a motion made by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the minutes of the April 26, 2023 and May 10, 2023 meetings as presented.

HEAR ROMAN FOREST POLICE DEPARTMENT REPORT

The Board recognized Chief Carlise who presented the Roman Forest Police Department Report, a copy of which is attached hereto as Exhibit "B". No action was taken.

BOOKKEEPER'S REPORT

The Board recognized Ms. Loggins who presented the Bookkeeper's Report for the Board's review and approval along with certain checks for payment, a copy of which is attached hereto as Exhibit "C".

Ms. Loggins next presented and outlined unclaimed property provisions. She stated that although the District has no unclaimed property for the period of March 2, 2021 to March 1, 2022, she is required to provide a statement to the District. A copy of the unclaimed property provision is attached hereto as Exhibit "D".

Upon a motion brought by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Bookkeeper's Report and payment of District bills.

HEAR TAX ASSESSOR-COLLECTOR'S REPORT

The Board recognized Ms. Gideon who reviewed and presented the Tax Assessor-Collector's Report, a copy of which is attached hereto as Exhibit "E".

Upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Tax Assessor-Collector's Report and payment of the bills listed therein.

HEAR OPERATOR'S REPORT

The Board recognized Ms. Giacona who presented and reviewed the Operator's Reports for the months of May and June, copies of which are attached hereto as Exhibit "F".

Approve agreements with Chase for electronic billing and payment processing

Next, Ms. Giacona presented an Agreement with Chase Bank for electronic billing and payment processing for the Board's review and consideration.

Upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve (i) the Operator's Report as presented and the action items listed therein and (ii) the agreement with Chase Bank for electronic billing and payment processing.

HEAR ENGINEER'S REPORT

The Board recognized Mr. Carraway who presented the Engineer's Report, a copy of which is attached hereto as Exhibit "G".

After review and discussion, upon a motion by Director Mashburn, seconded by Director Patterson, the Board voted unanimously to approve the Engineering Report and the action items listed therein.

HEAR DETENTION/DRAINAGE MAINTENANCE REPORT

The Board recognized Mr. Stuckey who presented and reviewed the Stuckey's Report, a copy of which is attached hereto as Exhibit "H".

Consider approving Maintenance Services Agreement

Next, the Board considered approving a Maintenance Services Agreement with Stuckey's for maintenance of the tributary.

After discussion and the question being put to the Board, upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve (i) the Detention/Drainage Maintenance Report and (ii) approve the Maintenance Services Agreement with Stuckey's for tributary maintenance, subject to final review and comments.

HEAR DEVELOPER'S REPORT

The Board recognized Mr. Espinoza who provided updates on development in the District. No action was taken.

ATTORNEY'S REPORT

The Board next recognized Ms. Craig who presented the Attorney's Report.

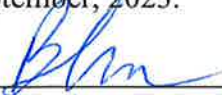
Consider adopting Resolution Regarding Fees of Office

Ms. Craig next presented a Resolution Regarding Fees of Office (the "Resolution") for the Board's consideration and approval. Ms. Craig explained that House Bill 2815, as approved by the 88th Texas Legislature, Regular Session, 2023, amends Section 49.060 Texas Government Code, which allows directors of the District to be paid a fee of office in an amount equal to the amount set by the Texas Ethics Commission for members of the Texas Legislature. The current rate is \$221 per day and the annual limit remains \$7,200. Ms. Craig reminded the Board that per diems are payable to each director attending a District meeting or performing a function related to his or her service as a director. A copy of the Resolution is attached hereto as Exhibit "I". Upon a motion made by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Resolution.

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

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PASSED, APPROVED AND ADOPTED, this 14th day of September, 2023.



Secretary, Board of Directors

(DISTRICT SEAL)

