

MINUTES OF MEETING
OF THE
BOARD OF DIRECTORS

October 25, 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, October 25, 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: Norma Davila, a resident of the District; Jose Espinoza of Friendswood Development Company, a Developer of land in the District; Nancy Clark; Debra Loggins of L&S District Services, LLC, Bookkeeper for the District; Michelle Giacona of H2O Innovation, Operator for the District; Justin Graham of LJA Engineering, Engineer for the District; Rhonda Gideon of Assessments of the Southwest, Tax Assessor-Collector for the District; Kyle Franklin of Growth Services, Inc.; 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.

APPOINT NEW MEMBER TO THE BOARD OF DIRECTORS

The Board recognized Ms. Walker, who stated that she is interested in being appointed as a member of the Board of Directors. Ms. Craig stated that Ms. Walker is qualified to be a director under Texas law since she is a property owner within the District.

After consideration, Director Patterson moved to appoint Ms. Walker as a member of the Board of Directors. Director Mashburn seconded the motion, which was unanimously approved by the Board.

Ms. Walker then took the Oath of Office, which was administered by Ms. Craig.

RECONSTITUTE BOARD OF DIRECTORS

Ms. Craig stated that upon any change in the make-up of the Board, the Board should consider appointing the new officers to a position on the Board. Whereupon, a motion was made by Director Patterson, seconded by Director Mashburn and unanimously approved by the Board, to reconstitute the Board as follows:

- | | | |
|-------------------|---|---------------------|
| John Patterson | - | President |
| Larry Kijewski | - | Vice President |
| B. Layne Mashburn | - | Secretary |
| Charles Prause | - | Assistant Secretary |
| Nancy Walker | - | Assistant Secretary |

AUTHORIZE FILING OF AMENDED DISTRICT REGISTRATION FORM

Ms. Craig reminded the Board that the Texas Water Code provides that the District Registration Form filed with the Texas Commission on Environmental Quality ("TCEQ") be

kept up to date with the names, offices, terms of office, addresses and telephone numbers of the Directors and updated anytime a new Director is appointed or elected. Upon a motion made by Director Patterson, seconded by Director Mashburn, the Board, by unanimous vote, authorized the Attorney to update the District Registration Form.

CONDUCT PUBLIC HEARING ON 2023 TAX RATE

The Board then opened the public hearing on the tax rate for 2023 at 1:01 p.m. and confirmed that the notice of such hearing was published according to applicable law. It was noted that no members of the public were in attendance to address the matter of the tax rate.

After indicating no comments were presented relating to the proposed 2023 tax rate and upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to close the public hearing at 1:02 p.m.

ADOPT ORDER SETTING 2023 TAX RATE

The Board then considered adopting an Order Setting Tax Rate and Levy for 2023 (the "Order"). Ms. Craig discussed the Financial Advisor's recommended tax rate presented at the previous meeting. A copy of the Order is attached hereto as Exhibit "B". After a full discussion and consideration, upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to set the 2023 tax rate at a total of \$1.30 per \$100 of assessed valuation, comprised of \$0.84 per \$100 of assessed valuation for maintenance and operations purposes and a contract tax of \$0.46 per \$100 of assessed valuation and adopt the Order.

AMEND NOTICE TO SELLERS AND PURCHASERS

The Board next considered amending the Notice to Sellers and Purchasers (the "Notice") to reflect the tax rate, a copy of which is attached hereto as Exhibit "C". After consideration, upon a motion made by Director Patterson, seconded by Director Mashburn, the Board voted

unanimously to (i) amend the Notice to reflect the adopted tax rate and (ii) authorize filing of the same in Montgomery County real property records.

CONSIDER APPROVING MINUTES OF THE MEETING HELD ON SEPTEMBER 14, 2023

The Board considered approving the minutes of the meeting held on September 14, 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 September 14, 2023 meeting as presented.

HEAR ROMAN FOREST POLICE DEPARTMENT REPORT

No report was presented.

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 "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 brought by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Tax Assessor-Collector Report.

HEAR OPERATOR'S REPORT

The Board recognized Ms. Giacona who presented and reviewed the Operator's Report, a copy of which are attached hereto as Exhibit "F".

Upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Operator's Report.

HEAR ENGINEER'S REPORT

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

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

HEAR REGIONAL DETENTION/DRAINAGE MAINTENANCE REPORT

The Board recognized Mr. Franklin who presented and reviewed the Regional Detention/Drainage Maintenance Report, a copy of which is attached hereto as Exhibit "H". Mr. Franklin provided updates on maintenance in the District.

Next, Mr. Franklin presented proposals for landscape improvements in Areas 4 and 8 for the Board's review and consideration, copies of which are attached hereto as Exhibit "I".

Upon a motion by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve (i) the Regional Detention/Drainage Maintenance Report and (ii) the proposals for landscape improvements in Areas 4 and 8.

ATTORNEY'S REPORT

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

Consider approving Amendment to Master District Contract


The Board considered amending the Master District Contract to provide for the establishment of a contract tax debt service reserve.

After review and discussion, upon a motion duly made by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve the Amendment to Master District Contract.

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 5th day of December, 2023.



Secretary, Board of Directors

(DISTRICT SEAL)

