

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

January 24, 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 special session open to the public, at 12:00 p.m., on Tuesday, January 24, 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, thus constituting a quorum.

Also in attendance were Jose Espinoza of Friendswood Development Company, a Developer of land in the District ("Developer"); Justin Graham of LJA Engineering, Inc., Engineer 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 12:00 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.

### **BOOKKEEPER'S REPORT**

The Board recognized Ms. Craig who presented the Bookkeeper's Report on behalf of L&S District Services for the Board's review and approval along with certain checks for payment.

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 ENGINEER'S REPORT**

The Board recognized Mr. Graham who presented the Engineer's Report.

Adopt Engineering Report and Plan for Water, Sewer, Drainage, Roads and Park and Recreational Facilities

Mr. Graham then reviewed and discussed the estimates of probable costs for the District's total bond issue requirement, a copy of which is attached hereto as Exhibit "B". He noted the total estimated bond issue requirements are \$157,700,000 in costs for the water, sewer and drainage facilities and organizational and administrative costs, \$58,500,000 for the construction of roads, and \$24,600,000 for improvements and maintenance of parks and recreational facilities. Ms. Craig presented an Order Adopting Engineering Report and Plan for Water, Sewer, Drainage, Roads and Park and Recreational Facilities (the "Order") for the Board's review and consideration, a copy of which is attached hereto as Exhibit "C".

After review and discussion, upon a motion by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to approve (i) the Engineering Report and (ii) the Order.

### **ATTORNEY'S REPORT**

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

Adopt Rate Order

Ms. Craig presented an Order Adopting Consolidated Rate Order and Regulations for the Board's consideration. She noted that the District now needs to adopt a Rate Order to be able to charge residents accordingly.

Adopt Order Calling Bond and Maintenance Tax Elections

The Board next considered adopting an Order Calling Bond and Maintenance Tax Elections to be held May 6, 2023. Craig reviewed and discussed the process of calling an election and establishes the boundaries of a District as a single election precinct and provides for the election to be conducted in accordance with the requirements of the Texas Election Code.

Enter into Election Services and Joint Election Agreement with Montgomery County ("Election Agreement")

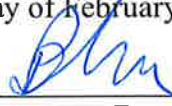
Ms. Craig requested the Board's authorization to enter into an election agreement with Montgomery County to conduct the May 6, 2023 Bond and Maintenance Tax Elections and to authorize appointing Coats Rose, P.C. as agent for the election.

Upon a motion by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to (i) adopt the Rate Order, (ii) adopt the Order Calling Bond and Maintenance Tax Elections and (iii) approve entering into an Election Agreement with Montgomery County and appoint Coats Rose, P.C. as agent for the election.

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 21st day of February, 2023.



Secretary, Board of Directors

(DISTRICT SEAL)

