

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

April 26, 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, April 26, 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 Brian Gibson and Jose Espinoza of Friendswood Development Company, a Developer of land in the District ("Developer"); Officer Robert Bymaster of Roman Forest Police Department; David Smalling of Robert W. Baird & Co., Financial Advisor for the District; Shane Stuckey of Stuckey's; Justin Graham of LJA Engineering, Inc., Engineer for the District; Rhonda Gideon of Assessments of the Southwest, Tax Assessor-Collector for the District; Michelle Giacona of H2O Innovation, Operators for the District; Debra Loggins of L&S District Services, LLC, Bookkeeper for the District; Melissa Vasquez of FORVIS, Auditor 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.

### **APPROVE MINUTES OF THE MEETING**

The Board considered approving the minutes of the meeting held on February 22, 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 February 22, 2023 meeting as presented.

### **MASTER DISTRICT BUSINESS**

#### **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 "B".

#### **Adopt budget for fiscal year end May 31, 2024**

Ms. Loggins presented a draft budget for fiscal year end May 31, 2024 for the Board's review and consideration, a copy of which is included in the Bookkeeper's Report.

Upon a motion brought by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve (i) the Bookkeeper's Report and payment of District bills and (ii) adopt the budget for fiscal year end May 31, 2024.

#### **HEAR OPERATOR'S REPORT**

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

Upon a motion by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to approve the Operator's Report as presented and the action items listed therein.

### **HEAR ENGINEER'S REPORT**

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

After review and discussion, upon a motion by Director Patterson, seconded by Director Prause, 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 "E".

#### **Consider terminating Maintenance Agreement with Stuckey's**

Next, the Board discussed terminating its Maintenance Agreement with Stuckey's for detention/drainage maintenance. The Board discussed several maintenance issues.

Mr. Graham noted that he has received bids and discussed with the Board. He informed the Board that the low bidder was GSI.

After discussion and the question being put to the Board, upon a motion by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to (i) terminate the District's Maintenance Agreement with Stuckey's for detention/drainage maintenance and (ii) accept the bid from GSI for maintenance.

### **DISTRICT BUSINESS**

### **HEAR ROMAN FOREST POLICE DEPARTMENT REPORT**

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

## **ENGAGE AUDITOR TO PREPARE FISCAL YEAR END MAY 31, 2023 AUDIT**

The Board recognized Ms. Vasquez who presented an engagement letter for the Board's review and consideration authorizing preparation of the District's audit for fiscal year ending May 31, 2023. A copy of the engagement letter is attached hereto as Exhibit "G". A

After consideration, upon a motion duly made by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to engage the Auditor to prepare the District's audit for fiscal year ending May 31, 2023.

## **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.

### **Adopt budget for fiscal year end May 31, 2024**

Ms. Loggins presented a draft budget for fiscal year end May 31, 2024 for the Board's review and consideration, a copy of which is included in the Bookkeeper's Report.

Upon a motion brought by Director Patterson, seconded by Director Mashburn, the Board voted unanimously to approve (i) the Bookkeeper's Report and payment of District bills and (ii) adopt budget for fiscal year end May 31, 2024.

## **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 "H".

### **Ratify Resolution Requesting Estimate of Value from Montgomery County Appraisal District**

Consideration was given to ratify the approval of the Resolution Requesting Estimate of Value from Montgomery County Appraisal District.

Upon a motion by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to: (i) approve the Tax Assessor-Collector's Report and payment of the bills listed therein; and (ii) ratify the approval of the Resolution Requesting Estimate of Value from Montgomery County Appraisal District.

### **HEAR OPERATOR'S REPORT**

The Board recognized Ms. Giacona who presented the Operator Report, a copy of which included in Exhibit "C". No action was taken.

### **HEAR ENGINEER'S REPORT**

The Board recognized Mr. Graham who presented and reviewed the Engineer's Report, a copy of which is included in Exhibit "D".

#### **Ratify approval of Resolution Adopting Rules for Electronic Submission of Bids**

Consideration was given to ratify the approval of the Resolution Adopting Rules for Electronic Submission of Bids.

After review and discussion, upon a motion by Director Patterson, seconded by Director Prause, the Board voted unanimously to approve (i) the Engineer's Report and the action items listed therein and (ii) ratifying the approval of the Resolution Adopting Rules for Electronic Submission of Bids.

### **HEAR DEVELOPER'S REPORT**

The Board recognized Mr. Espinoza who provided updates on development in the District.

#### **Accept Gift Deed for detention and green spaces**

Next, Mr. Espinoza asked the Board's approval to accept the gift deed for detention and green spaces.

Upon a motion duly made by Director Patterson, seconded by Director Kijewski, the Board voted unanimously to approve the gift deed for detention and green spaces.

**ATTORNEY'S REPORT**

The Board next recognized Ms. Craig who presented the Attorney's Report. No action was taken.

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 28th day of June, 2023.



Secretary, Board of Directors

(DISTRICT SEAL)

