

BAKER ROAD MUNICIPAL UTILITY DISTRICT

Minutes of Meeting of Board of Directors

November 1, 2022

The Board of Directors ("Board") of Baker Road Municipal Utility District ("District") met in regular session at the Board's regular meeting place on November 1, 2022, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Frederick Wolfe, President
George Heck, Vice President
Johnny Zummo, Secretary
Ronald Leftwich, Assistant Secretary
Juan Campo, Assistant Secretary

and all of said persons were present, except Directors Zummo and Leftwich, thus constituting a quorum.

Also present were: Brenda Landin of H2O Innovation Operation and Maintenance, LLC ("H2O"); Macky McIntyre and Patrick Kohleffel of Lake Pro, Inc. ("Lake Pro"); Miranda Burks of Wheeler & Associates, Inc. ("Wheeler"); Todd Elston of R.G. Miller Engineers, Inc. ("RG Miller"); Michele LaCour of Inframark ("Inframark"); and Eric Lai and Sabrina Johnston of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order, and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

Mr. Lai noted that the first item of business was to open the meeting for public comments. There being no comments received from the public, the Board continued to the next item of business.

APPROVAL OF MINUTES

The Board reviewed the minutes of its meeting held on October 4, 2022. After discussion of the minutes presented, Director Heck moved that such minutes be approved, as written. Director Campo seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

The Board considered the Bookkeeper's Report dated November 1, 2022. Ms. LaCour reviewed with the Board a Cash Balance Report, Payment Register and Summary of Revenues, Expenditures and Changes in Fund Balances, all as prepared by Inframark and copies of which are attached hereto as **Exhibit A**, including the checks presented for payment from the District's

general operating fund. Ms. LaCour presented two (2) additional disbursements for the Board's approval to Cavallo and GFL Environmental in the amounts of \$2,761.55 and \$6,890.59, respectively. It was then moved by Director Heck that said report be approved and that the checks identified therein be approved for payment from the general operating fund, including the two (2) additional disbursements to Cavallo and GFL in the amounts of \$2,761.55 and \$6,890.59. Director Campo seconded said motion, which carried unanimously.

A discussion then ensued regarding the status of transfer of the District's records from Municipal Accounts & Consulting, LP to Inframark. Ms. LaCour noted that Inframark is still in the process of rolling over the District's records.

LAKE MAINTENANCE

A discussion next ensued regarding maintenance of the District's lakes. In connection therewith, Mr. McIntyre updated the Board regarding the status of maintenance of the District's fountains.

Mr. McIntyre next informed the Board that Lake Pro is requesting a \$200.00 per month increase for its maintenance services. After discussion, Director Wolfe moved that Lake Pro's request for a \$200 per month increase be approved. Director Heck seconded the motion, which carried unanimously.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Burks presented the Tax Assessor-Collector's Report prepared by Wheeler for the month of October 2022, including the checks presented for payment. A copy of the report is attached hereto as **Exhibit B**. After discussion on the matter, Director Wolfe moved that the Tax Assessor-Collector's Report be approved, and that payment of the checks listed in the report be authorized from the District's tax account. Director Heck seconded the motion, which unanimously carried.

DELINQUENT TAX COLLECTION ATTORNEY'S REPORT

Mr. Lai presented to and reviewed with the Board a Delinquent Tax Report, dated November 1, 2022, prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue"), the District's delinquent tax collection attorneys, a copy of which is attached hereto as **Exhibit C**. Mr. Lai noted that no action is required from the Board at this time relative to the account(s) listed on the Report.

PROPOSED PICKLEBALL COURTS

Relative to the proposed construction of pickleball courts on the pipeline easement, Mr. Lai reminded the Board that, as previously authorized, SPH prepared and forwarded a draft agreement for the surface use of District property for recreational purposes. Mr. Lai noted that the agreement would be effective once the terms were accepted and the agreement was executed by Windsor Park Lakes Homeowners Association.

Ms. Burks, Mr. McIntyre and Mr. Kohleffel exited the meeting at this time.

OPERATOR'S REPORT

The Board considered the operator's report. Mr. Rankin presented a written Operations Report for the month of October 2022, prepared by H2O, a copy of which is attached hereto as **Exhibit D**. It was noted that no repairs were being recommended at this time.

AMENDMENT OF DISTRICT RATE ORDER

The Board next considered amending the District's Rate Order in connection with the City of Houston (the "City") groundwater reduction plan fee. Mr. Lai reminded the Board that, pursuant to the City of Houston Water Supply and Groundwater Reduction Plan Wholesale Agreement, Green Trails Municipal Utility District ("Green Trails") and the District pay the City a groundwater reduction plan fee equal to 30% of the City's surface water rate ("GRP Fee") for each 1,000 gallons of water pumped from the joint water plant. Mr. Lai advised the Board that the District currently charges \$1.50 per 1,000 gallons of water to District residents in order to account for the cost of said pumpage fees. After discussion, it was moved by Director Heck, seconded by Director Wolfe, and carried unanimously that the District's Rate Order be amended to increase the pumpage fee from \$1.50 to \$1.70 for each 1,000 gallons of water billed to each District customer to account for the GRP fee increase, with said amended Rate Order to become effective November 1, 2022, that any and all rate orders heretofore adopted by the Board be revoked, and that the amended Rate Order be passed and adopted as of that date.

ENGINEER'S REPORT

Mr. Elson informed the Board that he had nothing new to report at this time.

DRAINAGE CHANNEL MAINTENANCE

A discussion ensued regarding maintenance of the drainage channel. No action was taken by the Board.

STATUS OF LAWSUIT AGAINST U.S. ARMY CORPS OF ENGINEER

Mr. Lai updated the Board regarding the status of the lawsuit against the U.S. Army Corps of Engineers and noted damages for real property, personal property, displacement costs, and interest had been awarded to the plaintiff.

ISSUANCE OF UTILITY COMMITMENTS

The Board next deferred action regarding the issuance of utility commitments, as no requests for same had been received by the District.

EMINENT DOMAIN REPORT

Mr. Lai reminded the Board that, pursuant to Section 2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He explained that the report contains the District's contact information, as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Heck, seconded by Director Campo, and unanimously carried that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District.

ATTORNEY'S REPORT

Mr. Lai informed the Board that he had nothing more of a legal nature to report at this time.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Heck, seconded by Director Campo, and unanimously carried, the meeting was adjourned.



Secretary John Zuzama

LIST OF ATTACHMENTS TO MINUTES

Exhibit A – Bookkeeper's Report

Exhibit B – Tax Assessor-Collector's Report

Exhibit C – Delinquent Tax Report

Exhibit D – Operator's Report