

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 304
Minutes of Meeting of Board of Directors
May 16, 2024

The Board of Directors (the “Board”) of Harris County Municipal Utility District No. 304 (the “District”) held their regular meeting in accordance with the duly posted notice of meeting and the Texas Open Meetings Act. The roll was called of the duly constituted officers and members of said Board, as follows:

Ann-Toinette Johnson-Preston	-	President
Leonard Cummings, Jr.	-	Vice President
Rosalind Caesar	-	Secretary
Michael Garrett	-	Director
LaFrances Moses	-	Director

All of said persons were present, thus constituting a quorum.

Also present were Jared Bowlin, a representative of EHRA Engineering (the “District’s Engineer”); Yvonne Luevano, a representative of Wheeler & Associates, Inc. (the “District’s Tax Assessor”); Tony Bonaventure and Juan Rojas, representatives of Precision Utility Services, LLC (the “District’s Operator”); Nannette Ray and Terrance Ray, representatives of TNR Advisors & Management Consultants, LLC (the “District’s Bookkeeper”); Jonathan Roach, Ray Arce, and Jennifer Rodriguez, representatives of Roach & Associates, PLLC (the “District’s Attorney”); Officer Berkheimer and Officer Jones of the Harris County Precinct 4 Constables Office; Larry Gene Allen Sr, Geri Scott, and various residents, as noted on the sign-in sheet attached hereto as **Exhibit “A”**.

Director Johnson-Preston opened the meeting.

Director Garrett noted that after the May 15, 2024, special meeting, a notary swore in the new Directors, and they signed the necessary qualifying documents. Mr. Roach noted that the newly elected Directors had not yet presented all the required documents and advised that they would be properly qualified at the end of the meeting.

PUBLIC COMMENTS

Ms. Taylor Canvar introduced herself and noted she was representing the Association of Water Board of Directors (“AWBD”). She explained the resources AWBD offers Directors and their upcoming June Conference and encouraged them to attend.

Ms. Elise Byrd noted she was the Presiding Judge during the election and confirmed that the election was certified at the May 15, 2024, special meeting. She explained that the State’s website provides that a notary can conduct the Oath of Office and inquired why the new Directors were not seated yet.

Mrs. Charlene Johnson introduced herself and reminded everyone that she was running for the Texas House of Representatives District 139. She asked the residents for their support and explained some of her areas of interest and proposals.

Mr. Roach explained that Mr. Larry Allen and Ms. Geri Scott submitted the Oath of Office, the Certificate of Election, and the Official Bond but advised that they still needed the Statement of Officer according to Section 36.055 of the Texas Water Code. He then advised that he would provide the necessary qualification documents to the new Directors to sign and swear them in at the end of the meeting, as noted on the Agenda and as is standard practice in the industry.

Director Garrett noted he disagreed with Mr. Roach and demanded that the new Directors take their place on the Board immediately. He stated that the canvassing of the election and the Oath of Office must be done on the same day, and Director Moses agreed with him. Mr. Roach reminded him that everything is being done lawfully and that they would need to wait until the end of the meeting as provided on the agenda. Director Garrett continued to insist and scream at the Directors and the District's Attorney. After several warnings, Director Garrett was escorted out of the meeting. Director Moses noted it was an illegal meeting and stressed her opposition.

MINUTES OF PRIOR BOARD MEETING(S)

The Board considered the regular meeting minutes for March 21, 2024, and April 18, 2024, and the special meeting minutes for March 26, 2024, for approval. Director Caesar made a motion, seconded by Director Cummings, to approve the regular meeting minutes for March 21, 2024, and April 18, 2024, and the special meeting minutes for March 26, 2024. The motion passed (3-1), with Director Moses objecting, claiming it was an illegal action.

AUDIT REPORT

Mr. Applewhite presented the Annual Audit for the Fiscal Year End of 2023 to the Board. After review and discussion, Director Caesar moved to approve the Annual Audit for Fiscal Year 2023, subject to final review and incorporation of comments by the District's consultants. Director Cummings seconded the motion, which carried three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

BOOKKEEPER'S REPORT, INCLUDING TRANSITION MATTERS

Mrs. Ray presented the Bookkeeper's Report, attached hereto as **Exhibit "B."** Director Moses inquired about the District Attorney's invoice. Ms. Ray stated it was around \$80,000. Mr. Ray noted the amount was for over two months of work. Director Moses noted that all Mr. Roach was doing at the meeting was collecting his check so he could leave the District.

After some discussion, Director Caesar made a motion, seconded by Director Cummings, to approve the Bookkeeper's Report, and to authorize the District's Bookkeeper to deduct the IRS penalty of \$2,200 from Ms. Doyle's last check. The motion passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

TAX ASSESSOR'S REPORT, INCLUDING DELINQUENCIES

Ms. Luevano presented and reviewed the Tax Assessor's Report; a copy is attached as Exhibit "C". After no further discussion, Director Caesar motioned to approve the Tax Assessor's Report, including payment of invoices. The motion was seconded by Director Cummings and passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

SECURITY REPORT

There was nothing to report.

ENGINEER'S REPORT

Mr. Bowlin presented the Engineer's Report; a copy is attached as Exhibit "D", discussing the following:

- a. Water Distribution Improvements, noting the construction drawings have been submitted to the City of Houston, Harris County Engineering, and Harris County Flood Control District ("HCFCD") and asked the Board for authorization to advertise the water line extension drawings.
- b. Water Plant Improvements, noting the pre-construction meeting was held on March 20th and the Notice to Proceed was set for March 25th.
- c. SilverChase Meadows Park Project, noting Wild Magnolia Landscaping, LLC ("WML") has substantially completed the park, adequate vegetation, and punch list items. Mr. Bowlin advised that a reinspection was held on March 26th and yielded minor deficiencies.
- d. District Trails, noting the trails will be reinspected upon completion of the land transaction and the owner is closing out tax statements.
- e. Wastewater Treatment Plant ("WWTP") Access Road Repair, noting construction drawings were submitted to Harris County and HCFCD for review, and the comments they sent back to the District's Engineer are currently being reviewed and addressed. Mr. Bowlin asked for Board authorization to advertise the project.
- f. Proposed WWTP Expansion Project, noting the project is currently underway and the permit will require a major amendment, which is about a nine-month process with the Texas Commission on Environmental Quality ("TCEQ"). Mr. Bowlin noted the construction drawings can be created parallel to submitting the permit and once construction begins, the plant will take approximately 1 year to complete. He noted the existing permit is being renewed and is currently being publicly advertised.
- g. April Wing Drive, noting construction drawings were received for the development of nine lots in Silverglen West and comments have been received and were provided. Mr. Bowlin noted an updated set of construction drawings has been submitted for review, with additional comments being provided.

- h. Other District Matters, noting the District's Engineer received a request for capacity for a food truck park. Mr. Bowlin explained that the proposed food truck park would be located north of Spears Road, east of Walters Road, and asked for Board authorization to review the request for capacity.

After no further discussion, Director Cummings made a motion, seconded by Director Caesar to (1) authorize the advertisement of the water line extension drawings; (2) authorize the advertisement of the WWTP Access Road project; (3) authorize the District's Engineer to review the new food truck's request for capacity; and (4) approve the Engineer's Report. The motion passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

OPERATOR'S REPORT

Mr. Bonaventure presented the Operator's Report, attached hereto as **Exhibit "E"**, including updates on repairs and other action items. After no further discussion, Director Cummings made a motion, seconded by Director Caesar, to approve the Operator's Report and all actions contained therein. The motion passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

DETENTION AND DRAINAGE FACILITIES REPORT

This item was not discussed.

ADMINISTRATION BUILDING AND RECREATIONAL FACILITIES REPORT

There was nothing new to discuss.

EXECUTIVE SESSION

Directors Johnson-Preston, Caesar, and Cummings entered into executive session at 6:38 p.m. with legal counsel.

RECONVENE IN OPEN SESSION AND AUTHORIZE ANY ACTION RESULTING FROM EXECUTIVE SESSION

The Board reconvened into open session at 6:48 p.m. Director Cummings made a motion to grant service awards to some of the former Directors and consultants as discussed in executive session. The motion was seconded by Director Caesar and passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action.

ATTORNEY'S REPORT

Mr. Roach noted they received a Receipt and Release agreement from Central Harris County Regional Water Authority regarding the reimbursement, which the Board will need to sign. He noted that the final reimbursement is \$284,507.45 and will be issued to the District in the next 30 days.

Then, Mr. Roach expressed his concerns about the validity of the Board going forward, and noted he and his staff love the community and have put a lot of time and effort into the District. Mr. Roach then advised that this would be the firm's last meeting and presented the firm's official resignation to the Board. Director Johnson-Preston thanked Mr. Roach and his staff for all they have done for the District since 2021. She stated that the Board has experienced a great deal of turnover with consultants since 2021, which has made it difficult to rebuild the District. Director Johnson-Preston further noted that Mr. Roach has done a lot for the District and has spent a lot of time and effort, sometimes on calls until 3:00 a.m., trying to plan the best course of action for the District.

Next, Director Johnson-Preston stated that it had been a pleasure to serve on the Board for 19 years, Director Cummings for 30 years, and Director Caesar for 4. She thanked the residents and the consultants and noted that they would now transfer the responsibilities to the new Board the right way. She stressed that the Board has responsibilities, not power. Director Cummings thanked the residents and noted he hopes the Board continues to do the right thing. He advised that he would be praying for the Board and that he wants the new Board to succeed.

2024 DIRECTORS ELECTION INCLUDING TRANSITION MATTERS, VERIFICATION OF QUALIFICATIONS, ACCEPTANCE OF AFFIDAVITS/STATEMENTS OF ELECTED OFFICERS, BONDS, OATHS OF OFFICE, ELECTIONS NOT TO DISCLOSE, AND TRAINING REQUIREMENTS

Mr. Roach provided the additional qualification documents, including the Statement of Officer, to Mr. Larry Gene Allen Sr and Ms. Geri Scott for their review and signature. He also provided them with the Open Meetings Act and Public Information Act training documents, and explained that they would need to complete the training courses and submit a Certificate of Completion for each to legal counsel. Next, the Board considered the acceptance of the Statement of Elected Officer, Official Bond, and Oath of Office (the "Qualified Documents") for Mr. Larry Gene Allen Sr, and Ms. Geri Scott respectively. After verification of proper execution, it was moved by Director Cummings, seconded by Director Caesar, that the Board accept the Qualified Documents and declare Mr. Allen and Ms. Scott to be duly elected and qualified Directors of the District. The motion passed three-to-one (3-1), with Director Moses objecting, claiming it was an illegal action. Then, Mr. Roach reminded the Board that the third candidate, Ms. Sharon Mayo, was not present and, therefore, had not been properly sworn in as a Director. He advised that this would have to be done at a future meeting so that Ms. Mayo could be properly sworn in and qualified as a Director.

REVIEW OFFICER POSITIONS

The Board then considered restructuring the Board Officer positions. After no further discussion, Director Moses moved, seconded by Director Scott, to seat Director Allen as President, and Director Moses as Vice President. The motion passed unanimously. Then Director Moses made a motion, seconded by Director Allen, to seat Director Scott as Secretary and Director Mayo as Assistant Secretary upon completing her Qualified Documents. The motion passed unanimously.

AMENDMENT TO DISTRICT REGISTRATION FORM ("DRF")

Mr. Roach advised the Board of the requirements to amend the DRF, noting the new Directors' terms and contact information. Director Moses made a motion to authorize the

amendment and filing of the same with the TCEQ. The motion was seconded by Director Allen and passed unanimously.

PENDING BUSINESS, MATTERS FOR FUTURE AGENDAS, AND SCHEDULE FOR UPCOMING MEETINGS INCLUDING REMOTE OPTIONS

Director Moses noted they would hold a special meeting on May 22, 2024, at 6:00 p.m. Then, Director Moses made a motion, seconded by Director Allen, for the former Directors who registered for the June 2024 AWBD Conference to reimburse the District for all expenses. The motion passed unanimously. Then, Director Moses made a motion for Director Scott and Director Allen to sign the previously approved checks. Mr. Roach noted she could not make that motion, that the previous Board had already approved the checks and would be signed as previously coordinated by the District's Bookkeeper.

After no further discussion, Director Moses made a motion, seconded by Director Scott, to adjourn the meeting. The motion passed unanimously.

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Approved this 20th day of June 2024.

/s/ Gerrie Scott
Secretary, Board of Directors



LIST OF EXHIBITS

- Exhibit A - Sign-in Sheet
- Exhibit B - Bookkeeper's Report
- Exhibit C - Tax Assessor's Report
- Exhibit D - Engineer's Report
- Exhibit E - Operator's Report