

MINUTES
NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT

November 20, 2023

The Board of Directors (the "Board") of Nottingham Country Municipal Utility District (the "District") met in regular session, open to the public, on the 20th day of November, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

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| Ronald E. Hudson | President |
| Vaughan Brown | Vice President |
| Alan Wiggins | Secretary |
| Wade K. Skelton | Assistant Vice President |
| Dennis Moon | Assistant Secretary |

and all of the above were present, thus constituting a quorum.

Also attending the meeting were Jay Bennett of L5E, LLC, dba 5 ("5"); Vanessa Herrera of Municipal Accounts & Consulting, L.P.; Kelley Jurecek of Tax Tech, Inc.; Corey Andujar of Si Environmental, LLC ("Si"); Lindsey Whatley of IDS Engineering Group ("IDS"); Jacob Van Sant of Van Sant Landscape Management ("Van Sant"); Stephanie Lee of KGA/DeForest Design; and Duggan Baker and Caroline Jones of Allen Boone Humphries Robinson, LLP ("ABHR").

PUBLIC COMMENT

Director Hudson offered any members of the public attending the meeting the opportunity to make public comment.

Mr. Bennett gave a presentation providing information regarding his company, electricity market trends, energy charges, rate analysis information, Emergency Demand Response programs, and backup generator optimization. Mr. Bennett stated that 5 would provide an energy physical at no cost to the District. A copy of the presentation is attached. The Board concurred to discuss the matter further under power contract matters.

Director Hudson then moved to the next agenda item.

MINUTES OF PRIOR MEETING

The Board considered approval of the minutes of the District's regular meeting held on October 16, 2023. Following review and discussion by the Board, Director Brown

moved to approve the minutes of the October 16, 2023, regular meeting, as discussed. Director Skelton seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY (THE "AUTHORITY")
MATTERS

Mr. Baker reviewed with the Board a Notice of Withdrawal of Stage 1 Drought Conditions from the Authority, a copy of which is attached. Mr. Baker stated that the Authority withdrew its implementation of Stage 1 of its Drought Contingency Plan ("DCP") effective November 8, 2023.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Herrera presented and reviewed the bookkeeper's report, including the budget comparison, schedule of investments, certificates of deposit expired and renewed, and checks presented for approval. After review and discussion, Director Wiggins moved to (1) approve the bookkeeper's report; and (2) authorize payment of the bills. Director Moon seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Jurecek distributed and reviewed the tax assessor/collector's report, including a list of checks presented for approval, a copy of which is attached. She noted 1.27% of the 2023 taxes have been collected as of the meeting date. After review and discussion, Director Wiggins moved to (1) approve the tax assessor/collector's report; and (2) authorize payment of the checks drawn on the District's tax account. Director Skelton seconded the motion, which passed unanimously.

ADOPT RESOLUTION CASTING BALLOT FOR ELECTION OF A PERSON TO THE
BOARD OF DIRECTORS OF HARRIS CENTRAL APPRAISAL DISTRICT

Mr. Baker presented a Resolution Casting Ballot for Election of a Person to the Board of Directors of Harris Central Appraisal District. After review and discussion, Director Brown moved to cast the District's one vote for Jonathan Cowen. Director Skelton seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Andujar reviewed the operations report, a copy of which is attached. He generally reviewed operations and maintenance for the month. Mr. Andujar reported 99.89% water accountability for the prior month. He reported that there were no violations at the wastewater treatment plant and no new commercial connections.

Mr. Andujar stated that Si is investigating increased water usage at Greenbelt Park. Discussion ensued.

Director Hudson asked Mr. Andujar to provide the Board with the results of the well production tests.

CUSTOMER CORRESPONDENCE

There was no discussion regarding this agenda matter.

ANNUAL INSPECTION FOR SYSTEM-WIDE LEAK DETECTION

There was no discussion regarding this agenda matter.

Mr. Andujar reported that Si performed multiple excavations and repairs of tap lines, hauled debris and landscaping, and replaced concrete in the District from the damage to District facilities caused by Ezee Fiber, a contractor installing fiber optic lines, while boring for fiber optic lines.

The Board further discussed water accountability. Director Wiggins asked Mr. Andujar if smart meters improved water accountability. Mr. Andujar explained that smart meters do not generally improve water accountability, however, smart meters can help residents monitor their water usage. Director Brown asked Mr. Andujar to investigate water accountability to calculate a rough estimate of what each 1% of water accountability generates for the District.

Following review and discussion, Director Brown moved to approve the operator's report. Director Moon seconded the motion, which passed unanimously.

CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Andujar presented to the Board a list of delinquent customers and reported that the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. After review and discussion, Director Brown moved to terminate services for the customers on the list in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Moon seconded the motion, which passed unanimously.

ENGINEERING AND CAPITAL IMPROVEMENT PROJECTS

Ms. Whatley reviewed the engineer's report, a copy of which is attached.

WATER PLANT AND WELL NO. 1 FLOOD MITIGATION

Ms. Whatley stated that Envibe, Inc. ("Envibe") completed vibration tests on the four booster pumps at the Water Plant. Ms. Whatley stated that Envibe reported medium alert level on pump 1 and high alert level on pump 2. Ms. Whatley stated that after Envibe reviewed the results of the vibration tests, it appeared that the vibrations were on the motors only, and not the pumps. Ms. Whatley stated that the operator is coordinating with Envibe and the contractor, W.W. Payton, Corp., to complete some additional testing and complete any required balancing on-site.

WASTEWATER TREATMENT PLANT ("WWTP") IMPROVEMENTS

Ms. Whatley updated the Board regarding the driveway improvements at the WWTP.

SANITARY SEWER REHABILITATION PROGRAM

Ms. Whatley stated that the operator has completed the cleaning and televising of the large diameter line segments and manhole inspections and is processing the data.

DISTRICT CAPITAL IMPROVEMENT PLAN ("CIP") BUDGET UPDATE

Ms. Whatley had no updates regarding this agenda matter.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Ms. Whatley stated that the IDS GIS team is coordinating the ESRI user licenses.

PROPOSALS FOR REHABILITATION OF DISTRICT FACILITIES AND ENGINEERING WORK, INCLUDING STORM WATER CHANNEL IMPROVEMENTS

There was no discussion on this matter.

DEVELOPMENT IN THE DISTRICT

There was no discussion on this matter.

DEEDS, EASEMENTS, CONSENTS TO ENCROACHMENTS, REQUESTS FOR SERVICE OR UTILITY COMMITMENT LETTERS

There was no discussion on this matter.

UPDATE ON FACILITY ASSESSMENT TO EVALUATE IMPLEMENTATION OF FLOOD MITIGATION MEASURES

WWTP FLOOD MITIGATION

Ms. Whatley updated the Board regarding the WWTP Flood Mitigation project.

Ms. Whatley reviewed and recommended approval of Pay Estimate No. 10 in the amount of \$174,572.10, payable to District and McDonald Municipal and Industrial ("DMMI").

WELL NO. 2 FLOOD MITIGATION

Ms. Whatley stated that the plans have been returned from the Harris County Engineering Department and the Harris County Flood Control District with minor comments. Ms. Whatley stated that IDS is reviewing the plans internally and with the operator.

WELL NO. 3 FLOOD MITIGATION

Ms. Whatley stated that design is in progress.

OFFSITE LIFT STATION FLOOD MITIGATION

There was no discussion on this matter.

HARRIS COUNTY PRECINCT 4 ("PRECINCT 4") ROADWAY AND TRAIL IMPROVEMENT PROJECTS

Mr. Baker updated the Board regarding the Roadway and Trail Improvements Project.

EMERGENCY INTERCONNECT AGREEMENTS ("I/C AGREEMENTS") WITH HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 81 ("HARRIS MUD 81") AND MEMORIAL MUNICIPAL UTILITY DISTRICT ("MEMORIAL MUD")

Mr. Baker stated that comments have been received from Harris MUD 81's attorney and that the I/C Agreements should be ready for the Board's execution, subject to further confirmation by Memorial MUD.

SECURITY MONITORING EQUIPMENT AT PLANT AND WELL SITES

Ms. Whatley stated that IDS received a proposal from Today's Integration for upgrades to the existing security system. Ms. Whatley stated that the cost for a new system at all the District's facilities was \$97,584.46, \$5,880.00 for annual

monitoring, and \$9,758.45 for annual service after the two-year warranty period ends. Ms. Whatley stated that IDS is reviewing the proposal and will coordinate details and terms of the agreement with the operator and ABHR. Ms. Whatley stated that IDS will present the final proposal at the next Operations Committee meeting.

Ms. Whatley stated that Baird Gilroy & Dixon is verifying that their insurance policy for cyber liability meets the District's requirements.

Following review and discussion, Director Brown moved to (1) approve the engineer's report; and (2) approve Pay Estimate No. 10 in the amount of \$174,572.10, payable to DMMI. Director Skelton seconded the motion, which passed unanimously.

GREENBELT PARK AND GREENBELT NORWALK ("THE GREENBELTS")

LANDSCAPE MAINTENANCE REPORT

Director Brown generally reported on matters related to the Greenbelts.

Mr. Van Sant reviewed a Park Maintenance Report from Van Sant, a copy of which is attached, and updated the Board regarding ongoing park maintenance.

Mr. Van Sant stated that he is updating a proposal to maintain the mow strip areas at the District's facilities and will present it to the Board at the December meeting.

PROPOSALS FOR ADDITIONAL PARK MAINTENANCE

There was no discussion regarding this agenda item.

LONG-TERM PARK AND RECREATIONAL FACILITY PLANNING MATTERS

There was no discussion regarding this agenda item.

LANDSCAPE ARCHITECT'S REPORT

Ms. Lee presented and reviewed the Landscape Architect's report, a copy of which is attached.

Ms. Lee updated the Board regarding the Fitness Station Amenity Enhancements project and confirmed that the contractor is working on height adjustments and taller options at the chinning bar stations.

Ms. Lee stated that direction from Precinct 4 on the Places 4 People Trails Project is pending.

After review and discussion, Director Wiggins moved to approve the Landscape Architect's report. Director Moon seconded the motion, which passed unanimously.

PARK USE AGREEMENTS

There was no discussion regarding this agenda item.

PUBLIC POWER POOL ("PPP") TECHNICAL COMMITTEE

Director Hudson updated the Board regarding this agenda item.

The Board further discussed the services offered by 5. Mr. Bennett stated that the services provided by 5 do not change or modify the District's current electricity contract. He requested execution of a Letter of Authorization ("LOA") to obtain the District's electricity usage and smart meter data to perform an energy physical that may identify energy savings for the District at no charge. Discussion ensued regarding backup generator optimization for the District's diesel generators. Following review and discussion, Director Wiggins moved to authorize ABHR to execute the LOA. Director Moon seconded the motion, which passed unanimously.

APPLICATIONS FOR PRECINCT 4'S PLACES 4 PEOPLE: 2023 CALL FOR PROJECTS

There was no further discussion regarding this agenda item.

EMERGENCY NOTIFICATION SYSTEM

There was no discussion regarding this agenda item.

DISTRICT TECHNOLOGY AND INFORMATION MANAGEMENT MATTERS

There was no discussion regarding this agenda item.

WEBSITE MATTERS

Mr. Baker requested the Board's approval of outstanding amounts owed by the District to The Texas Network ("TTN") in the total amount of \$5,326.75 for hosting and management of the District's website from January 2018 through December 2023 (such amounts, the "Outstanding Amounts"). Mr. Baker explained that TTN had been sending invoices to the incorrect bookkeeping contact. After the District's payment of the Outstanding Amounts, Mr. Baker stated that TTN will invoice the District on an annual basis, beginning with a rate of \$1,020.00 for calendar year 2024. Mr. Baker stated that TTN will add a park use calendar to the website for no additional cost. Discussion ensued regarding updating the District's website. Director Wiggins asked ABHR to display the website on the conference room monitor at the December meeting for review. After

review and discussion, the Board deferred payment of the Outstanding Amounts until its receipt of formal invoices documenting the Historic Amounts from TTN ahead of the December meeting.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER

The Board convened in executive session at 12:36 p.m. pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with Mr. Baker to discuss pending or contemplated litigation, or a settlement offer. All attendees left the meeting except for the Board members, Mr. Andujar, Mr. Baker, and Ms. Jones.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in open session at 12:46 p.m. Following review and discussion, Director Brown moved to authorize ABHR and Si to take all actions necessary to notify the appropriate parties that the District requests exclusion from settlement agreements reached with respect to (i) Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2:18-mn-2873-RMG (D.S.C.), this document relates to: City of Camden, et al., v. 3M Company, No. 2:23-cv-03147-RMG; and (ii) Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2:18- mn-2873 (D.S.C.), this document relates to: City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al., No. 2:23-cv-03230-RMG. Director Wiggins seconded the motion, which passed unanimously.

MEETING SCHEDULE

After review and discussion, the Board concurred to hold its next regular meeting on December 18, 2023, at 11:30 a.m., at the offices of ABHR.

There being no further business to come before the Board, the meeting was adjourned.




Secretary, Board of Directors

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