

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Meeting of Board of Directors  
October 8, 2020

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 1904 NapleCHASE Crest Drive, Spring, Harris County, Texas in the District, on October 8, 2020 in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

Daniel M. Meacham, President  
Robert B. Schenck, Vice President  
James F. Messer, Secretary  
A. F. “Bud” Gessel, Assistant Secretary

and the following was absent:

Eric Langstaff, Director.

Also present were Michelle Blevins, Jeff Vogler, Mark Cervantes, Tammy Carby, Bill Russell, Mike Potter, Paulette Scott, Kayla Ray, Greg Lentz, Sergeant Brian Norton, Captain Vicente Medina, Lt. Juan Flores, Deputy Lindley, James Earlman, Chad Luellen, Debra Tellez, Jennifer B. Seipel, and Lori G. Aylett.

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

1. Under public comments, Debra Tellez approached the Board regarding a disruptive neighbor who frequently has loud parties that last late into the night. She asked the police officers present at the meeting as to what could be done about the situation. The officers encouraged her to report any problems to them, confirming that noise violations could be issued. Ms. Tellez thanked the Board and the officers for their time and assistance.

2. The Board considered the minutes of the meetings held on September 10, 2020. Upon motion duly made and seconded, the Board unanimously approved the minutes of the meeting as presented.

3. Harris County Precinct No. 4 Sergeant Brian Norton presented a law enforcement report, copy attached. He presented the following crime statistics: one burglary of a habitation, six vehicle thefts, six assaults, 32 calls for family disturbances, 40 alarms, three reported runaways, five burglaries of a motor vehicle, 11 other thefts, three sexual assaults, one juvenile disturbance, 55 suspicious vehicles, one phone harassment, zero thefts of a habitation, zero robberies, eight criminal mischief calls, 128 other disturbances, 24 suspicious persons, and 1,054 other calls. Upon unanimous vote, the Board approved the law enforcement report as presented.

4. Tammy Carby presented a tax assessor/collector’s report, copy attached. The District’s 2019 taxes are 99% collected. There were seven checks presented for the Board’s

approval. Ms. Carby discussed the tax roll and tax delinquencies in some detail. Upon unanimous vote, the Board approved the tax assessor/collector's report as presented.

5. The Board confirmed that the tax assessor/collector properly and timely advertised the District's proposed 2020 tax rate in the *Spring Observer*, and the President called the public hearing on the proposed tax rate open. After soliciting comments, the Board declared the public meeting closed. Upon motion duly made, seconded and unanimously carried, the Board voted to adopt the attached Order Setting Tax Rate, Approving Tax Roll, and Levying Debt Service Tax and Maintenance and Operation Tax for the Year 2020, which order levies a maintenance and operations tax rate of \$0.38 per \$100 assessed valuation and a debt service tax rate of \$0.51 per \$100 assessed valuation for a total combined tax levy of \$0.89 per \$100 assessed valuation for the 2020 tax year.

6. There was then presented the Amendment to Statement of Directors Furnishing Information Required by Section 49.455(b), Texas Water Code, as Amended. The attorney noted that the Amendment to Statement of Directors is filed in the real property records of Harris County and informs property owners in the District that they are located in a water district and what the current tax rate is. Upon motion duly made, seconded and unanimously carried, the Board voted to adopt the amendment as presented, authorized its execution by all directors present, and authorized the attorney to file the document as required by law.

7. Because the attorney has not received a proposal for renewal of the District's insurance, the Board tabled consideration of the item.

8. Greg Lentz presented a financial analysis and plan of financing for a proposed 2020 refunding bond issue. After brief discussion, the Board selected Robert W. Baird as the underwriter for the transaction. Mr. Lentz then showed representative bond issuance costs that demonstrated that the District could achieve significant present value savings over its existing debt service by refunding the bonds. The Board discussed specifics regarding issuance of the refunding bonds. Mr. Lentz presented for the Board's review and approval a Preliminary Official Statement for the District's Series 2020 Refunding Bonds, which included new language related to the COVID-19 pandemic. The Board reviewed and considered approval of this document, as well as authorizing issuance of a notice of refunding. After review of the draft Preliminary Official Statement, upon motion duly made, seconded and unanimously carried, the Board approved the Preliminary Official Statement and the attached Resolution authorizing the issuance and distribution of the Preliminary Official Statement and the provision of a notice of refunding.

The Board next reviewed a proposed bond order for the Series 2020 Refunding Bonds. This document would establish among other things the terms for sale of the bonds, the pledge of tax revenues for payment of the bonds, the tax exemption on interest on the bonds, and post-issuance compliance procedures to maintain the bonds' tax-exempt status. This document would delegate authority to District officers and establish the parameters under which the refunding bonds would be sold. To that extent, and in accordance with the analysis prepared by the District's financial advisor, the Board directed that the bond order reflect the following parameter: the minimum present value savings as a result of the issuance of the refunding bonds may not be less than 4.5%. The bond order should delegate to the President, Vice President and

Secretary of the Board of Directors the authority to act on behalf of the District in the issuance, sale, approval and delivery of the Series 2020 Refunding Bonds, and to carry out all necessary acts and procedures including, but not limited to, entering into a bond purchase agreement, a paying agent/registrar agreement, and an escrow deposit agreement, and approving the Official Statement for the refunding bonds and any supplements thereto, with such officers to evidence their actions taken under such delegation of authority by execution of an Approval Certificate. After further review of the bond order, upon motion duly made, seconded and unanimously carried, the Board voted unanimously to adopt the attached Bond Order for the Series 2020 Refunding Bonds. Further, the Board unanimously authorized execution of an Approval Certificate evidencing the above actions and the sale of the Series 2020 Refunding Bonds, if completed within the above-established parameter.

9. Jeff Vogler and Mark Cervantes presented the engineer's report, copy attached. With regard to the Breckenridge West development, the engineer presented bids for Section 10 utilities and recommended award of the contract to Crostex Construction in the amount of \$690,000.00.

With regard to the trails between Hardy Toll Road and Herman Little Park, the engineer noted that an interlocal agreement between the District and Harris County is being prepared.

Turning to District plant projects, the engineer noted that bidding is underway for recoating of Water Plant Nos. 1, 2 and 4.

The engineer presented Pay Application No. 19 in the amount of \$57,227.43 to A&M Contractors for construction of the Timer Lane Community Center. Upon unanimous vote, the pay application was approved as presented.

With regard to the Cypress Creek Park trail from the Cypress Creek Bridge to the Cypress Creek pedestrian bridge, the engineer presented and recommended payment of Pay Application No. 3 in the amount of \$41,310.00 to Division III.

As for Breckenridge West, Section 4, the engineer presented Pay Application No. 3 and Final in the amount of \$13,802.56 to Fellers & Clark and recommended concurrence in its payment by the developer.

As for Breckenridge West, Section 7, the engineer presented Pay Application No. 7 in the amount of \$71,097.08 to Fellers & Clark and recommended concurrence in its payment by the developer.

As for Breckenridge West, Section 8, the engineer presented Pay Application No. 1 in the amount of \$822,142.19 to Dimas and recommended concurrence in its payment by the developer.

As for Breckenridge West, Section 9, the engineer presented and recommended Board concurrence in its payment by the developer of Pay Application No. 1 in the amount of \$912,994.94 to C.E. Barker.

As for Highland Glen, Section 5, the engineer presented and recommended Board concurrence in its payment by the developer of Pay Application No. 4 and Final in the amount of \$90,027.75 to Hyland Construction.

The engineer discussed a potential request for out-of-district service by Lindsey Construction. The Board agreed to discuss the matter if and when a formal request is made.

After discussion, upon unanimous vote, the Board approved the engineer's report as presented.

10. The Board then acknowledged that the firm name of its engineer recently had changed to Vogler & Spencer. The engineer noted that the District's contract with his firm would remain in place and unchanged.

11. The Board then discussed and unanimously approved submission of the Application and Order Authorizing Application for Approval of Texas Commission on Environmental Quality of Director's Engineering Project and Insurance of Bonds.

12. Bill Russell presented a bookkeeper's report, copy attached. Upon unanimous vote, the Board approved the bookkeeper's report as presented and authorized payment of the checks listed thereon.

13. Mike Potter presented an operator's report, copy attached. The District served 6,623 connections and had water accountability of 92.08%. Michelle Blevins noted that the District sent out 1,142 late notices and made zero disconnections.

Mike Potter reported that twenty bacteriological samples were taken, and all were acceptable. Mr. Potter reported on routine maintenance at all water plants and facilities. Mr. Potter noted that there were no E. Coli violations at the District's wastewater treatment plant.

Lastly, the operator noted that the name of his firm would be changing to H2O Innovations.

Upon unanimous vote, the Board approved the operator's report as presented.

14. The Board then discussed an unauthorized sanitary sewer connection at 2310 and 2314 Deasa Drive. The operator noted that sanitary sewer house line located at 2314 Deasa Drive is connected to and utilizing a portion of the sanitary sewer house line located at 2310 Deasa Drive, which ultimately connects to a District-owned line. Because this connection of house lines between the two residences constitutes an unauthorized plumbing practice, the Board requested the attorneys to send a letter to the residences requesting that it immediately be removed.

15. There was no report from Champions Hydro-Lawn.

16. There were no hearings on violations of District rules and damage to District property.

17. Director Gessel presented a report on the District's parks and recreational facilities, copy attached. Construction continues on the Veterans Memorial, with the Board specifically discussing a dispute between the architect and the contractor regarding the concrete wall constructed at the Veteran's Memorial. The Board elected to take no action at this time. The Board discussed holding an open house at the community center on December 14, 2020.

18. There were no Eagle Scout projects for the Board's consideration.

19. There were no rewards for citizen information.

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

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Secretary