

MINUTES OF REGULAR MEETING  
ROLLING CREEK UTILITY DISTRICT  
HARRIS COUNTY, TEXAS

6 February 2019

STATE OF TEXAS  
COUNTY OF HARRIS

The Board of Directors (the "Board") of Rolling Creek Utility District (the "District") of Harris County, Texas, met in regular session, open to the public, on the 6th day of February, 2019, at the offices of Coats Rose, P.C., 9 Greenway Plaza, Suite 1000, Harris County, Texas, outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Brian Gardner	President
Adrian Shapiro	Vice President and Investment Officer
Gary Brown	Secretary/Treasurer
Kenneth B. Levenson	Assistant Secretary
Clay Deaton	Assistant Vice President and Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also present were Patricia Rodriguez of Bob Leared Interests, Inc. ("Leared"), representing Bob Leared, the District's Tax Assessor/Collector; Karrie Kay of Myrtle Cruz, Inc., the District's Bookkeeper; Patrick Newton, P.E., and John Alvarez, P.E., of LJA Engineering & Surveying, Inc., the District's Engineer; Mirna Bonilla-Odums representing Inframark LLC, the District's Operator; Kirti Patel representing Richfield Real Estate Corporation; Andrew Rue representing Woodmere Development Company, Ltd.; and Dick Yale and David Green of Coats Rose, P.C., the District's Attorney.

Director Gardner called the meeting to order.

### **Approval of Minutes**

The Board first considered approval of the minutes of the meeting of 8 January 2019. Upon a motion duly made and seconded, the Board voted unanimously to approve the minutes of the meeting of 8 January 2019, as written.

### **Harris County Contract Deputy Program / Security Patrol Report**

The Directors discussed matters relating to the Contract Deputy Program. Mr. Yale distributed to the Board copies of the Security Patrol Report for December 2018 as prepared by the Harris County Sheriff's Department. A copy of the Security Patrol Report is attached hereto as an exhibit to these minutes. Then, after review, upon

a motion duly made and seconded, the Board voted unanimously to accept the Security Patrol Report.

### **Sale of Series 2019 Bonds**

The Directors discussed matters relating to the sale of the District's \$6,595,000 Unlimited Tax Bonds, Series 2019 (the "Series 2019 Bonds"). Mr. Yale reported that the closing on the sale of the Series 2019 Bonds would take place on 7 February 2019. The Directors then executed certain documents relating to the closing on the sale of the Series 2019 Bonds as authorized at the Board's meeting on 8 January 2019.

Ms. Kay called the Board's attention a report (the "Proceeds Report") as prepared by the District's Bookkeeper regarding the disposition of the proceeds from the sale of the Series 2019 Bonds (the "Proceeds"). A copy of the Proceeds Report is included with the Bookkeeper's Report attached hereto as an exhibit to these minutes. The Board noted that \$6,380,662.50 had been deposited in the District's Capital Projects Account following the sale of the Series 2019 Bonds.

### **Disbursement of Funds from the Sale of Series 2019 Bonds**

The Board discussed matters pertaining to the disbursement of certain proceeds from the sale of the Series 2019 Bonds. Mr. Eyring submitted to and reviewed with the Board the draft Report on Applying Agreed-Upon Procedures to Construction, Engineering and Related Costs Reimbursable (the "Report") to: (1) Richfield Real Estate Corporation ("Richfield") pursuant to the Development and Financing Agreement dated 18 April 1997 between the District and Richfield; and (2) Woodmere Development Company, Ltd. ("Woodmere") pursuant to the Development and Financing Agreement dated 21 October 2016 between the District and Woodmere, said costs to be paid from the Proceeds.

Mr. Eyring reviewed Schedule A of the Report in depth with the Board. The Directors noted that according to the draft Report the amount to be reimbursed to Richfield totaled \$4,282,035.80 and the amount to be reimbursed to Woodmere totaled \$1,669,660.46 (collectively, the "Reimbursements"). A discussion ensued regarding the Reimbursements. Mr. Eyring stated that there was developer interest due to Richfield in the amount of \$33,679.90 that exceeded the amount approved by the Texas Commission on Environmental Quality (the "Commission") in connection with the sale of the Series 2019 Bonds. He remarked that the outstanding developer interest due to Richfield could be reimbursed from the future sale of bonds by the District. Mr. Yale pointed out to the Board that (1) certain legal fees incurred by the District in connection with the development of Grand Oaks Subdivision, Sections 2, 10, and 11, had exceeded the developer deposit placed by Richfield by \$17,475.55; and (2) certain legal and engineering fees incurred by the District in connection with the development of Grand Oaks Subdivision, Sections 5 and 6, had exceeded the developer deposit placed by Woodmere by \$3,989.11 (collectively, the "Excess Fees"). Mr. Yale explained that the District's cost for Excess Fees could be withheld from the Reimbursements due to

Richfield and Woodmere. Accordingly, he continued, the Reimbursement due to Richfield would total \$4,264,560.25 and the Reimbursement due to Woodmere would total \$1,665,671.35. After discussion, the Directors agreed to withhold the Excess Fees from the Reimbursements as recommended by the District's Attorney. Mr. Eyring stated that he would revise the Report to reflect the withholding of the Excess Fees as described above.

Mr. Yale then submitted for the Board's review and approval (1) the Utility Conveyance Agreement between the District and Richfield regarding the water, sanitary sewer, and drainage facilities to serve Grand Oaks Subdivision, Sections 2, 10, and 11; and (2) the Utility Conveyance Agreement between the District and Woodmere regarding the water, sanitary sewer, and drainage facilities to serve Grand Oaks Subdivision, Sections 5 and 6.

After review, upon a motion duly made and seconded, the Board voted unanimously to (1) approve the Report, as amended; (2) approve the Utility Conveyance Agreement between the District and Richfield; (3) approve the Utility Conveyance Agreement between the District and Woodmere; (4) authorize the payment of the Reimbursement to Richfield as described above, subject to execution of the Utility Conveyance Agreement by Richfield and approval by the Commission; and (5) authorize the payment of the Reimbursement to Woodmere as described above, subject to execution of the Utility Conveyance Agreement by Woodmere and approval by the Commission. Copies of the executed Utility Conveyance Agreements are attached hereto as exhibits to these minutes.

A copy of the final Report is attached hereto as an exhibit to these minutes and is also on file in the permanent records of the District.

### **Amendment to Information Form**

Then Mr. Yale submitted an Amendment to the District's Information Form (the "Amendment"). He explained that the Amendment states the aggregate initial principal amount of all bonds and refunding bonds payable in whole or in part from taxes that have been previously issued by the District, including the District's Series 2019 Bonds (the sale of which was completed on 7 February 2019). Mr. Yale went on to say that the Amendment will be filed with the Commission and in the Official Public Records of Real Property of Harris County, Texas. After discussion, upon a motion duly made and seconded, the Board voted unanimously to approve the Amendment and to authorize filing of same. A copy of the Amendment as approved is attached hereto and shall be considered part of these minutes.

### **Tax Assessor/Collector's Report**

Next, Ms. Rodriguez submitted the Tax Assessor/Collector's Report for the Board's consideration. She summarized the activity in the District's Tax Account and noted that Leared was requesting approval for four checks written on the District's tax

account, said checks including the transfer to the District's Operating Fund of \$844.46 in penalties and interest assessed on delinquent taxes paid to the District, and two transfers by wire as follows: \$185,793.54 in revenues from the tax for maintenance and operations to the District's Operating Fund and \$330,000.00 to the District's Debt Service Fund. Ms. Rodriguez also noted that the District's 2018 tax levy was 96.9% collected. She called the Board's attention to the list of Top Delinquent Taxpayers, a copy of which is included in the Tax Assessor/Collector's Report.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to accept the Report of the Tax Assessor/Collector and to authorize disbursement of the sums from the District's Tax Account as listed therein. A copy of the Report of the Tax Assessor/Collector is attached to and shall be considered to be part of these minutes.

### **Aerial Photograph of the District**

Ms. Rodriguez then presented the Board with an aerial photograph of the District as authorized at the Board's meeting on 7 November 2018. The Directors expressed their desire to have an aerial image of the District (the "Image") posted on the District's internet website (the "Website"). Mr. Newton stated that the District's Engineer would prepare the Image for posting on the Website.

### **Resolution Concerning Tax Exemptions for 2019**

Next, the Board considered the 2019 residence homestead exemptions for the District. Mr. Yale reported that for 2018, the Board granted a \$10,000.00 exemption for individuals who are disabled or sixty-five years of age or older but no general residential homestead exemption. He stated that allowing the general residential homestead exemption was generally not recommended for a water district that does not have a significant portion of its assessed valuation from commercial property. After discussion, upon a motion duly made and seconded, the Board voted unanimously to grant the following exemptions for 2019 and to adopt a RESOLUTION CONCERNING EXEMPTION OF RESIDENCE HOMESTEADS FROM TAXATION: (1) \$10,000.00 exemption for individuals who are disabled or sixty-five years of age or older; and (2) no general residential homestead exemption. A copy of the Resolution is attached hereto and shall be considered to be part of these minutes.

### **Agreement for Delinquent Tax Collection Services**

Mr. Yale then explained that the Board could impose a statutory charge (the "Collection Charge") of 20% on all 2018 taxes, penalties, and interest delinquent on 1 July 2019 for real property (and on 1 April 2019 for personal property), said Collection Charge to be used to finance the costs of collection of the delinquent taxes. In order to do so, he continued, the Board must first confirm its agreement (the "Agreement") for delinquent tax attorney services with Perdue, Brandon, Fielder, Collins & Mott, L.L.P. He explained further that under the Agreement, the amount paid by the District to the

District's Delinquent Tax Attorney for the collection of delinquent 2018 taxes would be equal to the additional collection charge as approved by the Board on all 2018 taxes, penalties, and interest delinquent on the applicable dates, up to the statutory maximum of 20%, pursuant to Sections 33.07, 33.08, and 33.11 of the Texas Tax Code. After discussion, upon a motion duly made and seconded, the Board voted unanimously to confirm its Agreement with the District's Delinquent Tax Attorney.

### **Collection Charge on all Delinquent 2018 Taxes, Penalties, and Interest**

Consideration was then given to imposing the Collection Charge as described above. After discussion, upon a motion duly made and seconded, the Board voted unanimously to impose a 20% Collection Charge on all 2018 taxes, penalties, and interest that are due and remain delinquent as of the applicable dates, pursuant to Sections 33.07, 33.08, and 33.11 of the Texas Tax Code. A copy of the CERTIFICATE OF BOARD ACTION related to this matter is attached hereto as an exhibit to these minutes.

### **Bookkeeper's Report**

Next, Ms. Kay distributed the Bookkeeper's Report for the Board's review. She listed the balances in each of the District's accounts and noted investments in each account. Ms. Kay reviewed the activity in each account. She called the Board's attention to the District's bills and the checks prepared in payment thereof. Ms. Kay pointed out to the Board that surplus construction funds totaling \$299,000.00 had been transferred from the District's Capital Projects Fund to the District's Operating Fund to help finance the costs of the relocation of the District's 12-inch water line and 10-inch sanitary sewer force main that are mounted on the side of the Clay Road Bridge over Bear Creek in the District, as authorized at the Board's meeting on 6 June 2018.

The Directors then reviewed: (1) the Operating Budget for the fiscal year ending 31 July 2019; (2) the Summary of Costs relating to the District's Series 2019 Bonds; (3) the Budget Comparison for December 2018; (4) the Cash Flow Comparison table; (5) a table listing the District's power consumption and the amount billed to the District for electric service; and (6) the Investment Report, copies of which are included with the Bookkeeper's Report.

The Board then completed the review of the District's bills. Upon a motion duly made and seconded, the Board voted unanimously to approve the Bookkeeper's Report and to authorize payment of the District's bills. A copy of the Bookkeeper's Report is attached to and shall be considered to be part of these minutes.

### **Solid Waste Collection Report**

Mr. Yale distributed copies of the Monthly Account Summary for the District's solid waste collection service (the "Service") for January 2019 on behalf of Best Trash, LLC ("Best Trash"), the District's Solid Waste Collector. A copy of the Monthly Account

Summary is attached hereto as an exhibit to these minutes. The Directors expressed their desire to list on the Website the dates in calendar year 2019 in which the Service would not occur because of holidays (the "Holiday Schedule"). Mr. Yale stated that the District's Attorney would obtain the Holiday Schedule from Best Trash and forward same to Off Cinco, the District's Webmaster, for posting on the Website.

After review, upon a motion duly made and seconded, the Board voted unanimously to accept the Solid Waste Collection Report.

### **West Harris County Regional Water Authority**

Director Gardner reported on recent activities of the West Harris County Regional Water Authority.

### **District Website**

Next, the Directors discussed matters relating to the operation of the Website. Mr. Yale reviewed with the Board an electronic mail message from Off Cinco stating that as of 26 January 2019 there were 45 individuals who had registered through the Website to receive alerts and other messages from the District by electronic mail. A copy of the electronic mail message is attached hereto.

### **Bear Creek Desilting Project / Harris County**

The Board then discussed matters relating to the request from Lecon, Inc., for vehicular access to Bear Creek through the District's sanitary sewer lift station site located at 3910 Barker-Cypress Road in connection with Harris County's project to dredge and remove silt from Bear Creek. Mr. Yale recalled that the District's Attorney had revised the proposed Interlocal Agreement between the District and the Harris County Flood Control District (the "HCFCD") for Temporary Right of Entry and Construction Easement (the "Interlocal Agreement") pursuant to comments received on 5 December 2018 from Laura Cahill, Assistant Harris County Attorney, which comments were discussed at the Board's meeting on 5 December 2018. Mr. Yale stated that pursuant to further discussions with Ms. Cahill, the District's Attorney had prepared a Temporary Right of Entry and Construction Easement (the "Construction Easement") to be submitted to the HCFCD along with the Interlocal Agreement. Mr. Yale reviewed with the Board the Construction Easement. He called the Board's attention to Section 7 of the Construction Easement, which states that the Construction Easement was subject to and contingent upon Harris County executing the Interlocal Agreement. After discussion, upon a motion duly made and seconded, the Board voted unanimously to authorize execution of the Construction Easement. A copy of the executed Construction Easement is attached hereto as an exhibit to these minutes.

## **Amend Rate Order**

Consideration was then given to amending the District's Consolidated Rate Order (the "Rate Order") with respect to the rate charged to the District's customers for sanitary sewer service (the "Sewer Rate"). The Directors discussed revising the Sewer Rate to reflect the annual adjustment of the rates charged by Best Trash for the Service, which became effective 1 January 2019. After discussion, during which Director Levenson stated that he would abstain, the Board voted 4 to 0 in favor of taking no action at this time with regard to amending the Rate Order. The Directors agreed to revisit this matter at the Board's meeting on 6 November 2019.

## **Renewal of Insurance Coverage**

Next, the Board discussed matters relating to the renewal of the District's insurance policies (the "Insurance Policies"). Mr. Yale informed the Board that the current policy term for the Insurance Policies being provided through HARCO Insurance Services ("HARCO") would expire on 1 May 2019. After discussion, the Board directed the District's Attorney to solicit proposals for the renewal of the Insurance Policies from HARCO and Arthur J. Gallagher & Co.

## **Engineer's Report**

Next, Mr. Alvarez reviewed the Engineer's Report with the Board. A copy of the Engineer's Report is attached hereto as an exhibit to these minutes.

## **Wastewater Treatment Plant / Expansion**

The Board discussed the contract between the District and T&C Construction, Ltd. (called "T&C") for the construction of the 200,000 gallons-per-day package plant Train 3 Section (the "Expansion") of the District's Wastewater Treatment Plant (the "Plant"). Mr. Alvarez presented the Board with the Notification of Completion/Phase of Wastewater Treatment Facility form (the "Notification Form") in connection with the Expansion project and the District's wastewater discharge permit. He explained that the Notification Form would be filed with the Commission. After discussion, upon a motion duly made and seconded, the Board voted unanimously to authorize Director Gardner to execute the Notification Form and to authorize the District's Engineer to file same with the Commission. A copy of the executed Notification Form is attached hereto as an exhibit to these minutes.

## **Amesbury Park Subdivision / Storm Sewer Outfall / Proposed Flap Gate**

Next, the Board discussed the contract with Division III + Constructors, Inc. ("Division III") to construct a flap gate on the storm sewer outfall through which storm water drains from Amesbury Park Subdivision into Bear Creek (the "Flap Gate Project"). Mr. Alvarez reported that Division III had completed the installation of the temporary access road and had begun work on the headwall portion of the Flap Gate Project.

According to Division III, he told the Board, the Flap Gate Project would be substantially complete within 30 to 45 days.

### **Water, Sanitary Sewer, and Drainage Facilities to Serve Grand Oaks Subdivision, Section 6**

The Directors then discussed the contract between Woodmere and Clearwater Utilities, Inc. ("Clearwater") for the construction of water, sanitary sewer, and drainage facilities to serve Grand Oaks Subdivision, Section 6. Mr. Alvarez reported that the paving contractor had commenced work on the extension of Cypress Bay Drive into Grand Oaks Subdivision, Section 6 (the "Roadway Extension") that crosses a pipeline easement. He stated that the residents on the affected portion of Cypress Bay Drive will be notified by letter regarding the construction activity in connection with the Roadway Extension and will be provided with contact information for the contractor and the District's Engineer.

### **Clearing and Grubbing / Sections 7, 8, and 9 Grand Oaks Subdivision**

Mr. Alvarez stated that he had nothing new to report with regard to the contract between Woodmere and Crostex Construction, Inc. for the clearing and grubbing of Sections 7, 8, and 9 of Grand Oaks Subdivision.

### **Water, Sanitary Sewer, and Drainage Facilities to Serve Grand Oaks Subdivision, Section 8**

The Board then discussed the contract between Woodmere and Clearwater for the construction of water, sanitary sewer, and drainage facilities to serve Grand Oaks Subdivision, Section 8 (the "Section 8 Utilities"). Mr. Alvarez reported that Clearwater planned to mobilize soon on the Section 8 Utilities project.

Mr. Yale submitted for the Board's review a memorandum from the District's Attorney regarding the bonds and insurance submitted by Clearwater in connection with the Section 8 Utilities project. A copy of the memorandum is attached hereto as an exhibit to these minutes. Mr. Yale remarked that the bonds and insurance submitted by Clearwater were found to be in order.

Mr. Yale then informed the Board that Woodmere had requested a letter from the District (the "SWQ Letter") to the Harris County Engineering Department (the "Engineering Department") stating that the District would assume responsibility for the management of the Stormwater Quality Features in Grand Oaks Subdivision, Section 8. He explained that the SWQ Letter was required by the Engineering Department in connection with its review of the plans for the construction of the Section 8 Utilities. Mr. Yale then submitted for the Board's review and approval the SWQ Letter and the Permittee Certification of Stormwater Quality Management Requirements form (the "Permittee Certification Form") for Grand Oaks Subdivision, Section 8, as prepared by the District's Attorney. After discussion, upon a motion duly made and seconded, the

Board voted unanimously to authorize Director Gardner to execute the SWQ Letter and the Permittee Certification Form. Copies of the executed SWQ Letter and the Permittee Certification Form are attached hereto and shall be considered to be part of these minutes.

### **5.32-Acre Tract on Clay Road / Harris County / Bear Creek Community Center**

Next, the Board discussed proposed development by Harris County of the Bear Creek Community Center (the "Community Center") on two tracts in the District totaling approximately 5.32 acres that are located on Clay Road, west of the Westlake RV Resort. Mr. Alvarez reported that the District's Engineer had received the proposed plans for the Community Center for review on 5 February 2019.

### **Request for Service / JTR Constructors, Inc.**

Mr. Alvarez stated that he had nothing new to report in connection with the request from JTR Constructors, Inc., for water and sanitary sewer service to a tract located at 18484 Clay Road in the District.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to accept the Engineer's Report.

### **Operations Report**

Ms. Bonilla-Odums distributed the Operations Report for the Board's consideration. She reported that the District had produced 157,000 gallons of water from its own wells and had purchased 9,590,000 gallons of water from the Authority during the period ending 7 January 2019, with an accountability rate of 98.4%. Ms. Bonilla-Odums reported that the District has 1,275 active connections. She informed the Board that seven residential connections were installed during January 2019. She noted that the Plant operated with its average level of flow at 62% of its rated capacity during the reporting period.

Ms. Bonilla-Odums then reviewed with the Board (1) the Major Expenses Maintenance Summary for the District's water distribution and sanitary sewer systems; and (2) the Major Sewer Plant Maintenance Summary for the Plant for January 2019, copies of which are included with the Operations Report.

After discussion, upon a motion duly made and seconded, the Board voted unanimously to approve the Operations Report. A copy of the Operations Report is attached to these minutes as an exhibit.

## **Wastewater Treatment Plant / Autosampler System**

Ms. Bonilla-Odums reported on the installation of the autosampler system at the Plant (the "Autosampler") as authorized at the Board's meeting on 8 January 2019. She informed the Board that installation of the Autosampler was nearing completion.

## **Wastewater Treatment Plant / Train 1 Digester Basin**

The Board discussed the condition of the Plant. Ms. Bonilla-Odums reported that corrosion on the walls of the digester basin in the Train 1 section of the Plant (the "Train 1 Digester Basin") had resulted in the unauthorized discharge of wastewater on the Plant site. She recommended the removal of the existing sludge decant line in the Plant and the replacement of same with three separate sludge decant lines (collectively, the "Decant Line Replacement") so that the District's Operator could isolate the digester basins at the Plant as needed. Ms. Bonilla-Odums stated that T&C had submitted a proposal in the amount of \$9,975 to (1) perform the Decant Line Replacement; and (2) repair the walls of the Train 1 Digester Basin (the "Digester Basin Repairs").

After discussion, upon a motion duly made and seconded, the Board voted unanimously to accept the proposal and authorize the District's Operator to notify T&C to proceed with the Decant Line Replacement and the Digester Basin Repairs.

## **Request for Reimbursement**

Ms. Bonilla-Odums reported that the District's Operator had received a request from District customer Brandon Evans for reimbursement from the District of expenses incurred in connection with an apparent sanitary sewer overflow at his residence at 18318 Langsbury Drive. She stated that Mr. Evans was seeking reimbursement from the District in the amount of \$1,919 in connection with plumber and repair costs. Ms. Bonilla-Odums stated that a televised inspection of the District's sanitary sewer line along Langsbury Drive (the "Sewer Line") indicated a certain amount of tree root infiltration in the Sewer Line. However, she continued, the wastewater flow through the Sewer Line was not impeded and the tree root infiltration therein did not affect the wastewater flow from the sanitary sewer service line connecting with the residence. She added that the District's Operator removed the tree roots from the Sewer Line to prevent possible future problems with the wastewater flow. Ms. Bonilla-Odums explained that the sanitary sewer problems in the residence were caused by tree root infiltration in the sanitary sewer service line rather than in the Sewer Line. The Board observed that the condition of the sanitary sewer service line was the responsibility of the District customer, and accordingly declined to take any action on this matter.

## **Termination of Service**

Ms. Bonilla-Odums then requested that the Board authorize termination of services to the accounts delinquent in the payment of invoices from the District for water and sewer services. A copy of the Termination Letter list is included with the Operations

Report. Ms. Bonilla-Odums said that all of the accounts on the list had been provided with the required notifications pursuant to the District's Consolidated Rate Order. She noted that 71 letters had been sent out with a due date of 13 February 2019. The Board observed that there were no persons present to protest their billings from the District. Upon a motion duly made and seconded, the Board voted unanimously to authorize termination of services to the accounts that remain unpaid on the deadline date.

### **Collections Accounts Listing**

Ms. Bonilla-Odums reviewed with the Board the Collection Accounts Listing dated 23 January 2019 regarding the delinquent utility service accounts to be turned over to a collection agency. A copy of the Collection Accounts Listing is included with the Operations Report. The Board noted that there was one delinquent service account in the amount of \$163.04 in the Collection Accounts Listing. After review, upon a motion duly made and seconded, the Board voted unanimously to direct the District's Operator to engage a collection agency to pursue collection of the amount owed to the District by the delinquent utility service account listed in the Collection Accounts Listing.

### **Developer's Report**

Next, Mr. Rue presented a brief report on development in Grand Oaks Subdivision ("Grand Oaks"). He informed the Board that during January 2019 there were five sales and six closings in Grand Oaks. Then, after discussion, upon a motion duly made and seconded, the Board voted unanimously to accept the Developer's Report.

### **Attorney's Report**

Mr. Yale presented the Attorney's Report.

### **Order Calling Directors Election**

Mr. Yale then distributed a draft ORDER CALLING DIRECTORS ELECTION FOR A MUNICIPAL UTILITY DISTRICT. He explained that the Board was required to adopt the Order prior to 15 February 2019 pursuant to the requirements of the Texas Election Code. He told the Board that the deadline for submission of an application for a position on the ballot was 5:00 p.m. on 15 February 2019 and that the deadline for filing as a write-in candidate was 5:00 p.m. on 19 February 2019. If there are no contested positions after 19 February 2019, then the Board can cancel the Directors Election, Mr. Yale continued. He added that the Order Calling Directors Election would have to be completed if the District was required to hold the election.

After review, upon a motion duly made and seconded, the Board voted unanimously to adopt the Order Calling Directors Election, subject to completion if the election is required. A copy of the Order Calling Directors Election thus adopted is attached to these minutes as an exhibit.

## Continuing Disclosure

Finally, Mr. Yale reported that the District's Attorney had submitted the necessary materials to fulfill the continuing disclosure requirements of the Securities and Exchange Commission ("SEC") pursuant to SEC Rule 15c2-12 prior to the deadline of 31 January 2019.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to accept the Attorney's Report.

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



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Secretary, Board of Directors

Rolling Creek Utility District  
Meeting of 6 February 2019  
Attachments

1. Security Patrol Report;
2. Utility Conveyance Agreement / Richfield Real Estate Corporation;
3. Utility Conveyance Agreement / Woodmere Development Co., Ltd.;
4. Report on Applying Agreed-Upon Procedures;
5. Amendment to the District's Information Form;
6. Tax Assessor/Collector's Report;
7. RESOLUTION CONCERNING EXEMPTION OF RESIDENCE HOMESTEADS FROM TAXATION;
8. CERTIFICATE OF BOARD ACTION / imposing 20% Collection Charge on all 2018 taxes, penalties, and interest that are due and remain delinquent as of the applicable dates;
9. Bookkeeper's Report;
10. Best Trash Monthly Account Summary;
11. Email from Off Cinco;
12. Temporary Right of Entry and Construction Easement;
13. Engineer's Report;
14. Notification of Completion/Phase of Wastewater Treatment Facility for WWTP Train 3 expansion;
15. Coats Rose memo / bonds and insurance on contract with Clearwater Utilities;
16. Letter from Rolling Creek UD / management of storm water quality features in Section 8 of Grand Oaks Subdivision;
17. Permittee Certification of Stormwater Quality Management Requirements form;
18. Operator's Report; and
19. ORDER CALLING DIRECTORS ELECTION FOR A MUNICIPAL UTILITY DISTRICT (draft).