

MINUTES OF MEETING
OF
BOARD OF DIRECTORS

STATE OF TEXAS §

COUNTY OF EL PASO §

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 10 §

The Board of Directors of Paseo del Este Municipal Utility District No. 10 of El Paso County met in regular session, open to the public, on November 5, 2024, at its meeting place within the District at the offices of Inframark, LLC, 13034 Eastlake Boulevard, Suites D-E, El Paso, Texas and via means of telephone conference number and Zoom Videoconference. The roll was called of the directors of the Board, to-wit:

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|-----------------|---------------------|
| Luis Ortega | President |
| Greg Spence | Vice President |
| Ysrael Valencia | Secretary |
| George Mendez | Assistant Secretary |
| Vacant | Assistant Secretary |

All of said persons were present thus constituting a quorum. Also present and in attendance was Margaret Livingston, General Manager, and Erika Duran of the Paseo Del Este Municipal Utility Districts; and Frank Ortiz of TRE & Associates.

Nadia Ganser of TRE & Associates; Todd Burrer and Mark Yentzen of Inframark; Kayla Marshall, of Gordon, Davis, Johnson & Shane, P.C.; Casey Cooper and Geoff Kirshbaum of Terrill & Waldrop; Isaias Moreno of Municipal Accounts and Consulting, L.P.; and Ty Embrey and Joe Jimenez, paralegal, of Lloyd Gosselink Rochelle & Townsend, P.C. participated in the meeting via Zoom Videoconference.

1. The first item on the agenda was the review and approval of the minutes of the Board meeting of September 27, 2024. Upon a motion by Director Ortega and a second by Director Mendez the minutes of said meeting were unanimously approved.

2. The next item before the Board was to discuss, consider and take action regarding the appointment of a new District Board Member. Mr. Embrey provided the Board with an update regarding the appointment of a new District Board Member and, after further discussion, informed the Board that no action was required by the Board. No action was taken by the Board.

3. The next item before the Board was to consider public comments. No persons presented themselves to speak at the meeting or via telephone conference or Zoom Videoconference. There was no action required by the Board on this agenda item. No action was taken by the Board.

4. The next item before the Board was to consider the report from the Chief Operating Officer regarding the following items:

- a. \$6,255,000 Contract Tax Revenue Bonds;
- b. PSB Litigation;
- c. Inframark contract; and,
- d. Other matters.

Ms. Livingston provided the following updates to the Board.

- a. \$6,255,000 Contract Tax Revenue Bonds – Ms. Livingston provided the Board a brief update on the upcoming sale of tax revenue bonds.
- b. PSB Litigation – Ms. Livingston did not provide any information on the PSB litigation.
- c. Inframark contract – Ms. Livingston did not provide any information on the Inframark Contract.
- d. Other Matters – Ms. Livingston provided an update on the landscape improvements within the District and the Paseo del Este community and construction schedule for new building.

5. Upon announcement of Director Ortega, the Board of Directors of Paseo del Este Municipal Utility District No. 10 met in executive session at approximately 1:20 p.m., on November 5, 2024, at its meeting place within the District at the offices of Inframark, LLC, 13034 Eastlake Boulevard, Suites D-E, El Paso, Texas.

The executive session was called pursuant to Section 551.071 of the Texas Government Code (Texas Open Meetings Act) to confer with District's General Counsel for purpose of providing legal advice and consultation on pending and threatened litigation and any other matter where the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas require a private consultation with an attorney, including the Inframark Contract.

The Board did not take a vote, order, decision or other action in the executive session. The executive session adjourned at approximately 1:43 p.m., on November 5, 2024.

6. The next item before the Board was to discuss and take action on any matter discussed in Executive Session under Agenda Item No. 5. The Board discussed the status of professional services agreement with Inframark. Mr. Embrey recommended that the Board approve the termination date of October 31, 2024 of the professional services agreement with Inframark.

Upon a motion by Director Ortega and a second by Director Spence the Board approved the termination date of October 31, 2024 of the professional services agreement with Inframark and directed Mr. Embrey to take all steps necessary to terminate the professional services agreement with Inframark and finalize the necessary termination document for the Board's approval and execution at its December 3rd agenda meeting.

7. The next item before the Board was to consider the operator's report. Ms. Duran next presented the operator's report, a copy of which is attached as **Exhibit "A"**. Ms. Duran reported that as of the end of September the District had 1,248 total connections, and that one new connection was added during the current month. Ms. Duran provided the Board with a brief summary of the activities for September on the following: (1) an update of activities and improvements to the District's distribution system; (2) an update on the population and occupancy rates during the current month; (3) an update on the number of delinquent accounts during the current month; and, (4) an update on the latest construction and maintenance activity within the Paseo del Este community and growth trends for the Paseo del Este MUD No. 10.

8. Mr. Ortiz next presented the engineer's report and updated the Board on the status of development activity within the District and the Paseo del Este community.

9. There was no developer's report.

10. The Board next considered the bookkeeper's report, a copy of which is attached as **Exhibit "B"**. Mr. Moreno provided the Board with a list of disbursements and balances, and presented a list of bills for payment for the Board's review and approval, including the following supplemental check: Supplemental Check No. 5307 in the amount of \$1,500.00 payable to Hilltop Securities.

Upon a motion by Director Spence and a second by Director Valencia, the Board unanimously approved the bookkeeper's report with the list of disbursements and balances and the list of bills presented for payment, including the following supplemental check: Supplemental Check No. 5307 in the amount of \$1,500.00 payable to Hilltop Securities.

11. There was no general counsel's report.

12. There being no further business before the Board, it was moved by Director Spence and seconded by Director Mendez to adjourn the meeting, which motion carried unanimously.

Passed and approved this 3rd day of December, 2024.


Secretary, Board of Directors

(DISTRICT SEAL)

