

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 249

Minutes of Meeting of Board of Directors
November 19, 2020

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 249 (the "District") met in regular session, open to the public on November 19, 2020, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Ralph V. Palermo, President
Willie Hodge, Vice President
Norman Adamek, Secretary
Michael Guillory, Assistant Secretary
Diana Moore, Assistant Secretary

all of whom participated in the meeting via telephone conference call, thus constituting a quorum. Director Moore joined the meeting after the call to order, as noted below.

Also attending the meeting via telephone conference call were: John Davis of Langford Engineering, Inc. ("Langford"); Eric Thiry of Environmental Development Partners, L.L.C. ("EDP"); Jordan Weyand of Municipal Accounts & Consulting, L.P. ("MAC"); Odett McMullen of Bob Leared Interests, Inc. ("BLI"); Michael Willett of Touchstone District Services, LLC ("Touchstone"); Michael Murr of Murr Incorporated ("MI"); Cindy Adamek, a resident of the District; and Christopher Skinner and Maranda Lawson of Schwartz, Page & Harding, L.L.P. ("SPH").

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

**EXPLANATION OF TELEPHONE CONFERENCE CALL MEETING PROCEDURES
AND CALL TO ORDER**

Mr. Skinner explained to the Board the procedures to be used during the telephone conference call meeting. In connection therewith, he informed the participants that the meeting would be recorded, and requested that each participant clearly state his or her name before speaking, including when making or seconding a motion. Mr. Skinner further explained that he would conduct a roll call vote for all motions and that Board members should wait to vote on a motion until his or her name has been called. Similarly, Mr. Skinner stated that a full roll call of all participants would be conducted at the start of each telephone conference call meeting for attendance purposes.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. There being no public comments presented, the Board continued to the next item of business.

MINUTES

The Board next reviewed the draft minutes of its meeting held on October 15, 2020. After discussion of the minutes presented, Director Guillory moved that said minutes be approved, as written. Director Adamek seconded said motion, which carried unanimously.

DISTRICT SECURITY

The Board next considered the report regarding District security matters. Mr. Skinner discussed the Harris County Sheriff's Office ("HCSO") security patrol report for October 2020, a copy of which report is attached hereto as **Exhibit A**.

Director Adamek next informed the Board that Sergeant Albert "Neal" Ashworth, who is the District's new coordinator filling Sergeant Schlowinski's position, attended the Spring Lakes Homeowners Association meeting yesterday. He additionally informed the Board that he spoke to Sergeant Ashworth regarding the possibility of the District hiring additional deputies under its contract with HCSO and noted that Sergeant Ashworth advised that he would examine available HCSO resources that could be committed and respond to Director Adamek.

Director Moore joined the meeting during the discussion of security matters.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. McMullen next presented to and reviewed with the Board the Tax Assessor-Collector's Report for the month of September 2020, a copy of which report is attached hereto as **Exhibit B**. After discussion of the report presented, Director Guillory moved that the Tax Assessor-Collector's Report be approved and that the disbursements identified in said report be authorized for payment from the District's tax account. Director Adamek seconded said motion, which unanimously carried.

Ms. McMullen next inquired whether the Board would be interested in a new aerial photo of the District at an estimated cost of \$950.00. After discussion, the Board concurred to defer having a new aerial photo of the District produced at this time.

DELINQUENT TAX REPORT

Mr. Skinner next presented to and reviewed with the Board the Delinquent Tax Report, dated November 19, 2020, prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collection attorneys; a copy of the report is attached hereto as **Exhibit C**. Mr. Skinner noted that no Board action was necessary in connection with any of the accounts reflected in the report.

BOOKKEEPER'S REPORT

Mr. Weyand next presented to and reviewed with the Board the Bookkeeper's Report, dated November 19, 2020, a copy of which report is attached hereto as **Exhibit D**. After discussion, it was moved by Director Moore that the Bookkeeper's Report be approved and that the disbursements identified therein be authorized for payment. Director Adamek seconded the motion, which carried unanimously.

Mr. Weyand next presented to and reviewed with the Board the draft budget for the District's fiscal year ending December 31, 2021, a copy of which draft budget is included with **Exhibit D**. He requested that the Board and consultants review the draft budget, provide any comments they may have on the budget, and return same to MAC, in order that the District's proposed budget for 2021 can be finalized, and presented for review and approval at the Board's December meeting.

STATUS OF ARBITRAGE REBATE REPORT

The Board next considered the status of the 10th-Year Arbitrage Rebate Report for the District's Series 2010 Unlimited Tax Refunding Bonds being prepared by Arbitrage Compliance Specialists ("ACS"). Mr. Skinner informed the Board that ACS has completed said report and presented to and reviewed same with the Board; a copy of such report is attached hereto as **Exhibit E**. Mr. Skinner noted that said report indicates that no arbitrage rebate payment or filing requirements due at this time.

LANDSCAPING WITHIN THE DISTRICT

The Board next discussed landscaping within the District. In connection therewith, Mr. Murr presented to the Board a Progress Report-Landscape Projects prepared by MI, a copy of which report is attached hereto as **Exhibit F**.

Mr. Murr next discussed with the Board the clearing of trees associated with the Lone Star College ("LSC") development. In connection therewith, Mr. Murr informed the Board that, as previously authorized, MI has prepared a landscaping design plan and presented to and reviewed a copy of same with the Board; a copy of such landscaping design plan is included with **Exhibit F**. Mr. Murr then informed the Board that the District has received approximately 250 trees from Trees of Houston, many of which will be used in the LSC landscaping project. Mr. Murr then requested that the Board consider authorizing Langford to send the landscaping design plan to the appropriate representative of LSC and inquire if LSC is amenable to moving forward with said plan. After a lengthy discussion on the matter, the Board concurred that Mr. Davis be authorized to send the landscaping design plan to the appropriate representative of LSC and determine if LSC is amenable to moving forward with same.

DETENTION AND DRAINAGE FACILITIES REPORT

The Board deferred consideration of a Drainage Facilities Report after noting that a representative of Storm Water Solutions, LP was not present at the meeting.

ENGINEERING REPORT

Mr. Davis next presented to and reviewed with the Board the Engineering Report, dated November 19, 2020, a copy of which report is attached hereto as **Exhibit G**, relative to the status of various projects within the District.

Mr. Davis reminded the Board that on October 9, 2020 Splashtown ("Splashtown") opened the emergency water interconnect with the District due to a water well failure. Mr. Skinner then informed the Board that, as previously authorized, SPH prepared and forwarded correspondence to Splashtown relaying the District's various concerns and requesting clarification on the long-term plans for resolution of the issue. In connection therewith, Mr. Davis informed the Board that correspondence was received from Splashtown requesting that the Board consider granting Splashtown an extension on providing water through the emergency water interconnection until February 8, 2021, while Splashtown makes repairs to its ground storage tank and water well. After a lengthy discussion on the matter, the Board concurred that Mr. Davis be authorized to prepare and forward correspondence to Splashtown advising that the District is willing to grant the requested extension for water service through the emergency water interconnect, subject to Splashtown providing Mr. Davis with their historical water usage for the last two years.

DRAINAGE EASEMENT LOCATED ON HOMEOWNERS ASSOCIATION'S PROPERTY

A discussion next ensued regarding the Harris County drainage easement extending into the District's Water Plant No. 2 site. In connection therewith, Mr. Davis reminded the Board that Langford was able to obtain documentation confirming that said easement belongs to the County. He then presented to and reviewed an exhibit prepared by Langford and noted that said easement extends approximately halfway across the District's Water Plant No. 2 site. No action was taken by the Board at this time.

PROPOSED BOND ISSUE

Mr. Davis informed the Board that, as previously authorized, Langford is in the process of preparing the a Bond Application Report for the proposed Series 2021 bond issue.

INTERLOCAL AGREEMENT (REMOVAL OF BERM)

The Board deferred the approval and execution of an Interlocal Agreement among the District, Harris County Water Control and Improvement District No. 110 and Harris County Flood Control District for the removal of the berm between detention basins at this time.

ISSUANCE OF UTILITY COMMITMENTS

Mr. Davis reminded the Board that, as discussed at the last meeting, Langford received a formal request from the owner of a 1.09 acre tract of land located on the south side of Spring Cypress for water and sanitary sewer service for a proposed motel or carwash development, as well as the possible annexation of the property into the boundaries of the District. Mr. Davis also stated that the owner submitted a \$5,000 deposit to cover any related District costs. Mr. Davis noted further that, at its last meeting, the Board denied such request. In connection therewith, Mr. Davis informed the Board that he advised the property owner that the District has denied the request and that the owner would need to pick-up the voided check, and noted that the property owner has not yet picked up the check.

OPERATIONS AND MAINTENANCE REPORT

The Board next considered the Operations and Maintenance Report. Mr. Thiry presented to and reviewed in detail with the Board a written Operator's Report prepared by EDP, dated as of November 19, 2020; a copy of the report is attached hereto as **Exhibit H**. It was noted that no action was being requested at this time with respect to the items listed in the Report.

COMMUNICATIONS

The Board next discussed District communications. Mr. Willett presented to and reviewed with the Board a Communications Meeting Report, a copy of which report is attached hereto as **Exhibit I**.

ATTORNEY'S REPORT

Mr. Skinner next presented to the Board a disclosure provided by Masterson Advisors LLC relative to MSRB Rule G-10, a copy of which is attached hereto as **Exhibit J**.

EMINENT DOMAIN REPORT

Mr. Skinner reminded the Board that, pursuant to Section 2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He explained that the report contains the District's contact information as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Guillory, seconded by Director Adamek and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District.

CLOSED SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 AND/OR SECTION 551.072

The Board deferred convening in Closed Session at this time.

ADJOURN

There being no further business to come before the Board, upon motion duly made by Director Guillory, seconded by Director Hodge and carried unanimously, the meeting was adjourned.


Secretary



LIST OF ATTACHMENTS TO MINUTES

- Exhibit A – Security Report
- Exhibit B – Tax Assessor-Collector's Report
- Exhibit C – Delinquent Tax Report
- Exhibit D – Bookkeeper's Report
- Exhibit E – 10 Year Arbitrage Rebate Report for Series 2010 Bonds
- Exhibit F – Progress Report-Landscape Projects
- Exhibit G – Engineer's Report
- Exhibit H – Operator's Report
- Exhibit I – Communications Meeting Report
- Exhibit J – Disclosure regarding MSRB Rule G-10