

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468

February 3, 2021

The Board of Directors (the “Board”) of Harris County Municipal Utility District No. 468 (the “District”) met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott’s emergency disaster declaration dated March 13, 2020, on the 3rd day of February, 2021, and the roll was called of the members of the Board being present by telephone:

Kenneth P. Carter	President
Lawrence Kupstas	Vice President
Robert Moore	Secretary/Treasurer
William T. Evans	Assistant Vice President
Blair M. Frederick	Assistant Secretary

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

Also attending the teleconference were Avik Bonnerjee of B&A Municipal Tax Service, LLC; Megan Feels of Vintage Royale Homeowners Association (the “HOA”); Alan McCormick, resident of the District; Cory Burton of Municipal Accounts & Consulting, L.P. (“MAC”); Darren Miller of Murr Incorporated; David Wood of Robert W. Baird & Co. Incorporated; Karen Sears of Storm Water Solutions, LLC (“SWS”); Juan Montano of Inframark Water & Infrastructure Services (“Inframark”); Anna Duarte of Tax Tech, Inc. (“Tax Tech”); Keli Schroeder of BGE, Inc. (“BGE”); Scott Gray of Champions Hydro-Lawn, Inc.; and Greer Pagan, Meagan Guilmenot, and Holly Huston of Allen Boone Humphries Robinson LLP (“ABHR”).

Mr. Pagan reviewed certain recommended protocols for conducting the District’s meeting via teleconference. He announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an “agenda packet” prior to the start of the meeting at <https://www.districtdirectory.org/agendapackets/hcmud468/>.

PUBLIC COMMENT

The Board offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

## SERIES 2021 UNLIMITED TAX BONDS

### APPROVE PRELIMINARY OFFICIAL STATEMENT FOR THE DISTRICT'S UNLIMITED TAX BONDS, SERIES 2021

Mr. Wood reviewed the Preliminary Official Statement and Official Notice of Sale for the Series 2021 Unlimited Tax Bonds (the "Series 2021 Bonds"), a copy of which is attached. After review and discussion, Director Carter moved to approve the Preliminary Official Statement and Official Notice of Sale, subject to final attorney and consultant review. Director Moore seconded the motion, which passed by unanimous vote.

### ENGAGE RATING COMPANY TO PERFORM CREDIT RATING ANALYSIS

Mr. Wood recommended engaging Moody's Investors Services to perform a credit rating analysis for the Series 2021 Bonds. After review and discussion, Director Moore moved to engage Moody's Investors Services to perform a credit rating analysis for the Series 2021 Bonds. Director Hedrick seconded the motion, which carried by unanimous vote.

### APPOINT PAYING AGENT/REGISTRAR

The Board considered appointing a Paying Agent/Registrar for the Series 2021 Bonds. Following review and discussion, Director Carter moved to appoint Amegy Bank, as Paying Agent/Registrar for the Series 2021 Bonds. Director Moore seconded the motion, which passed by unanimous vote.

### AUTHORIZE ADVERTISEMENT FOR SALE OF THE SERIES 2021 BONDS AND SCHEDULE BOND SALE

The Board considered scheduling the 2021 Bond Sale. After discussion, Director Carter moved to conduct the bond sale on March 3, 2021 and authorize advertisement for sale of the Series 2021 Bonds. Director Moore seconded the motion, which passed unanimously.

### AUTHORIZE AUDITOR TO PREPARE DEVELOPER REIMBURSEMENT REPORT

The Board considered authorizing McGrath & Co., PLLC ("McGrath") to prepare a developer reimbursement report for the sale of the District's Series 2021 Unlimited Tax Bonds. After review and discussion, Director Carter moved to authorize McGrath to prepare the developer reimbursement report for the Bonds. Director Moore seconded the motion, which carried by unanimous vote.

## APPROVE MINUTES

The Board considered approving the minutes of the January 6, 2021, regular meeting. After review and discussion, Director Kupstas moved to approve the minutes of the January 6, 2021, regular meeting. Director Carter seconded the motion, which carried unanimously.

## DISTRICT SECURITY MATTERS

The Board reviewed the security report from the Harris County Sheriff's Office, a copy of which is attached.

## DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

The Board considered authorizing attendance at the summer conference Association of Water Board Directors. After discussion, Director Kupstas moved to authorize attendance of any interested Directors at the summer conference. Director Moore seconded the motion, which carried unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Mr. Burton presented the bookkeeper's report, the summary of investments report, and he reviewed the District's bills with the Board, a copy of which is attached. Upon a motion made by Director Carter and seconded by Director Evans, the Board voted unanimously to approve the bookkeeper's report and pay the bills listed in the report.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Duarte reviewed the tax assessor/collector's report, a copy of which is attached. She reported that 30.16% of the 2020 tax levy had been collected as of January 31, 2021. Discussion ensued regarding pending litigation refunds. Following review and discussion, Director Kupstas moved to approve the tax assessor/collector's report and payment of the tax bills. Director Carter seconded the motion, which passed unanimously.

## ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adopting a Resolution Concerning Exemptions from Taxation. Mr. Pagan reviewed the optional exemptions, including a general residential homestead exemption, and a homestead exemption for disabled persons or persons over 65 years of age. After review and discussion, Director Carter moved to adopt a Resolution Concerning Exemptions from Taxation, reflecting that the Board of Directors grants a \$20,000 homestead exemption for disabled persons or persons over 65 years of age, grants a general homestead exemption of 20% of the appraised value of residence

homesteads, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Moore seconded the motion, which passed by unanimous vote.

#### REVIEW SALES TAX TRACKING REPORT

Mr. Bonnerjee reviewed with the Board a Sales Tax Permit Audit, a copy of which is attached.

#### ENGINEERING MATTERS

Ms. Schroeder reviewed a report on engineering matters within the District, a copy of which is attached.

Ms. Schroeder updated the Board regarding the status of design for the Chasewood Waterline Loop repair.

Ms. Schroeder updated the Board regarding the status of construction of Outfall Repair along Cypress Creek. She requested Board approval of a materials testing proposal from Ninyo & Moore in the amount of \$10,700.

Ms. Schroeder requested Board approval of the following easements to serve the Chasewood Waterline Loop: (1) 0.051-acre Waterline Easement from Welltower OM Group LLC; and (2) 0.1724-acre Waterline Easement from GPM Land Company RLLLP.

Ms. Schroeder requested Board authorization for BGE to conduct the annual capacity allocation audit.

Following review and discussion, Director Carter moved to (1) approve the engineer's report; (2) approve the materials testing proposal from Ninyo & Moore in the amount of \$10,700 for the Outfall Repair along Cypress Creek; (3) approve and authorize execution of a 0.051-acre Waterline Easement from Welltower OM Group LLC to serve the Chasewood Waterline Loop repairs; (4) approve and authorize execution of a 0.1724-acre Waterline Easement from GPM Land Company RLLLP to serve the Chasewood Waterline Loop repairs; and (5) authorize BGE to conduct the annual capacity allocation audit and present the findings at a future Board meeting. Director Frederick seconded the motion, which passed by a unanimous vote.

#### MAINTENANCE OF DETENTION POND

Ms. Sears reviewed a report on maintenance of the Vintage Royale Drainage Facilities by SWS, a copy of which is attached.

Ms. Feels addressed the Board regarding the status of the District's request to deed the Vintage Royale Well (the "Well") from the HOA to the District so that the District can continue to cover not only pond maintenance but permitting and water cost as well. She

noted that due to certain HOA by-laws, the conveyance may be unable to be completed as requested. Discussion ensued regarding alternative options to allow the District to continue covering the Well under their current permitting. The Board concurred to discuss further at the next meeting.

Mr. Gray reviewed a report on maintenance of the Vintage Southeast Detention Pond by Champions, a copy of which is attached.

#### PARK AND RECREATIONAL FACILITIES

Mr. Miller presented and reviewed a landscape architect's report, a copy of which is attached. Discussion ensued regarding the status of phase 1 of the District connectivity project.

#### DEVELOPMENT IN THE DISTRICT

There was no discussion regarding development within the District.

#### OPERATION OF DISTRICT FACILITIES

Mr. Montano presented the monthly operator's report, a copy of which is attached, and discussed repairs and maintenance in the District. He stated that the District's water accountability for the month was 103.34%. Mr. Montano requested Board approval to submit four accounts to collections in the amount of \$688.96. Following review and discussion, Director Frederick moved to (1) approve the operator's report; and (2) submit 4 accounts to collections in the amount of \$688.96, as requested. Director Carter seconded the motion, which passed unanimously.

#### CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Montano presented a list of delinquent customers and reported 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. Following review and discussion, Director Frederick moved to authorize termination of delinquent accounts 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. The motion was seconded by Director Carter and passed by unanimous vote.

#### AMEND RATE ORDER

There was no discussion on this matter.

The Board concurred to conduct the next regular meeting on March 3, 2021, at 11:30 a.m.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

/s/ Robert Moore  
Secretary, Board of Directors



(SEAL)

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Preliminary Official Statement.....	2
Security report .....	3
Bookkeepers Report.....	3
Tax assessor/collector's report .....	3
Sales Tax Permit Audit.....	4
Engineer's report.....	4
SWS report .....	4
Champions report .....	5
Landscape Architect's Report .....	5
Operator's report.....	5