

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468

March 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 March, 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, except Director Carter thus, constituting a quorum.

Also attending the teleconference were Mary Dubois of Acclaim Energy Advisors (“Acclaim”); Cory Burton of Municipal Accounts & Consulting, L.P. (“MAC”); Darren Miller and Michael Murr of Murr Incorporated; Jan Bartholomew and Austin Ficken of Robert W. Baird & Co. Incorporated (“Baird”); Karen Sears of Storm Water Solutions, LLC (“SWS”); Randy Corson of Mischer Investments, LP; 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, Holly Huston, and Meagan Guilmenot 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.

Ms. Dubois discussed a municipal utility district aggregate electricity pool for electricity service. She stated that if the Board was interested in discussing this matter further this topic can be added to an agenda for a future discussion.

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

### REVIEW BIDS AND RECOMMEND AWARD OF THE BONDS

Ms. Bartholomew presented and reviewed the bids received for the sale of the District's \$5,760,000, Series 2021 Unlimited Tax Bonds (the "Bonds"). A summary of the bids received for the Bonds is attached. She stated that the low bid submitted by UMB Bank, N.A. ("UMB") with a net effective interest rate of 2.080806% was reviewed and all numbers checked, and everything was found to be correct and consistent with the conditions in the Notice of Sale. Ms. Bartholomew recommended that the District accept the bid from UMB for the Bonds as submitted. Following review and discussion, Director Frederick made a motion to award the sale of the Bonds to UMB with a net effective interest rate of 2.080806%. Director Evans seconded the motion, which carried unanimously.

### ADOPT RESOLUTION AUTHORIZING ISSUANCE OF THE BONDS

The Board next considered adopting the Resolution Authorizing the Issuance of the District's \$5,760,000 Bonds, Series 2021 (the "Resolution"). Mr. Pagan presented and reviewed the proposed Resolution with the Board which included explanation that the documents set forth the terms and provisions of issuance and delivery of the Bonds, the payment of principal and interest over the life of the Bonds, and certain District covenants regarding continuing disclosure and the tax-exempt status of the Bonds. Following review and discussion, Director Frederick made a motion to adopt the Resolution. Director Evans seconded the motion, which carried unanimously.

### APPROVE PAYING AGENT/REGISTRAR AGREEMENT

The Board next considered execution of the Paying Agent/Registrar Agreement with Amegy Bank. Mr. Pagan reviewed the agreement and the provisions by which the paying agent/registrar will handle registration, transfer, and payment of the District's Bonds. Following review and discussion, Director Frederick made a motion to approve the Paying Agent/Registrar Agreement. Director Evans seconded the motion, which carried unanimously.

### APPROVE OFFICIAL STATEMENT

The Board next considered approving the Official Statement for the Bonds. Mr. Pagan explained that the Preliminary Official Statement would be revised to reflect the terms of this sale, including the purchaser, interest rates, and debt service requirements. Following review and discussion, Director Frederick made

a motion to approve the Official Statement. Director Evans seconded the motion, which carried unanimously.

#### EXECUTION OF CERTIFICATES REGARDING PROVISION OF FINANCIAL ADVICE

Mr. Pagan presented and reviewed the Certificate Regarding Provision of Financial Advice certifying that ABHR has not provided financial advice to the Board concerning the issuance of the Bonds and that the Board has relied on the municipal advisor Baird, for financial advice. Following review and discussion, Director Frederick made a motion to approve the Certificate Regarding Provision of Financial Advice. Director Evans seconded the motion, which carried unanimously.

#### AUTHORIZE EXECUTION OF DOCUMENTS RELATED TO BONDS

Mr. Pagan next explained that there will be various documents related to delivery of the Bonds requiring execution by the directors prior to closing. He requested that the Board authorize the Board of Directors to execute documents necessary in connection with the transaction and authorize the District's attorney and financial advisor to take all necessary action to deliver the Bonds to the purchaser.

Following review and discussion, Director Frederick made a motion to authorize execution of documents related to the sale and delivery of the Bonds and authorize the District's attorney and financial advisor to take all necessary action to deliver the Bonds. Director Evans seconded the motion, which carried unanimously.

#### APPROVAL OF ATTORNEY GENERAL PAYMENT

The Board considered authorizing ABHR to submit a wire on the District's behalf to the Attorney General of Texas for review of the Refunding Bond transcript.

Following review and discussion, Director Frederick moved to authorize ABHR to submit a wire on the District's behalf to the Attorney General of Texas for review of the Refunding Bond transcript. Director Evans seconded the motion, which carried unanimously.

#### EXECUTION OF AMENDMENT TO INFORMATION FORM

Mr. Pagan reviewed an Amendment to the District's Information Form, which he stated reflects the updated total amount of bonds sold by the District and will be filed with the TCEQ and recorded in the official property records of the Harris County Clerk. Following review and discussion, Director Frederick made a motion to approve the Amendment to the Information Form and direct that it be filed with the TCEQ and the official property records of the Harris County Clerk. Director Evans seconded the motion, which carried unanimously.

## APPROVE MINUTES

The Board considered approving the minutes of the February 3, 2021, regular meeting. After review and discussion, Director Kupstas moved to approve the minutes of the February 3, 2021, regular meeting. Director Frederick 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.

## 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 Moore and seconded by Director Frederick, 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 94.48% of the 2020 tax levy had been collected as of February 28, 2021. Following review and discussion, Director Kupstas moved to approve the tax assessor/collector's report and payment of the tax bills. Director Frederick seconded the motion, which passed unanimously.

## 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.

Ms. Schroeder updated the Board regarding the of the capacity allocation audit.

Following review and discussion, Director Frederick moved to approve the engineer's report. Director Moore 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.

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

#### DEVELOPMENT IN THE DISTRICT

Mr. Corson updated the Board regarding Development within the District.

#### DISTRICT WEBSITE

There was no discussion on this agenda item.

#### PARK AND RECREATIONAL FACILITIES

Mr. Miller presented and reviewed a landscape architect's report, a copy of which is attached.

Mr. Miller updated the Board regarding the additional District Wayfinding projects. He stated the preliminary cost estimate for the demolition of existing and installation of additional wayfinding signs is \$122,500. Discussion ensued.

Mr. Miller updated the Board regarding the status of phase 1 of the District connectivity project.

Following review and discussion, Director Kupstas moved to (1) approve the landscape architects report; and (2) authorize design of plans and specifications for the District's Wayfinding signs. Director Frederick seconded the motion, which passed by a unanimous vote.

#### APPROVE AND AUTHORIZE OPERATOR TO FILE WATER LOSS AUDIT

The Board concurred to discuss further at the next meeting.

#### ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

The Board concurred to discuss further at the next meeting.

#### REVIEW WATER CONSERVATION PLAN; APPROVE ANNUAL REPORT AND WATER CONSERVATION IMPLEMENTATION REPORT

The Board concurred to discuss further at the next meeting.

#### 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 99.15%. Mr. Montano then updated the Board regarding the status of the District's facilities following the recent winter storm. He then requested Board consideration for the following items for the District's Water plant: (1) authorize repairs to the Cla-Val damaged by the recent winter storm in the amount of \$3,500; (2) authorize Inframark to conduct repairs to the chlorine room damaged in a car accident; and (3) authorize Inframark to conduct an evaluation of the water plant to mitigate issues as a result of future extreme weather events.

Mr. Montano requested Board approval to submit one account to collections in the amount of \$122.57.

Following review and discussion, Director Kupstas moved to (1) approve the operator's report; (2) authorize repairs to the Cla-Val damaged by the recent winter storm in the amount of \$3,500; (3) authorize Inframark to conduct repairs to the chlorine room damaged in a car accident; (4) authorize Inframark to conduct an evaluation of the water plant to mitigate issues that may occur due extreme weather events; and (5) authorize submittal of one account to collections. Director Frederick seconded the motion, which passed unanimously.

#### CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Pagan reported that that the Texas Public Utility Commission ("PUC") adopted an order restricting retail public utilities from terminating service for nonpayment and/or charging penalties and interest for late payments, as a result of the recent winter freeze event (the "Order"). He stated that the Order does not apply directly to municipal utility districts ("MUDs"), but the PUC has requested MUDs voluntarily comply with the Order. Following discussion, Director Kupstas moved to suspend service disconnections and waive new late payment charges for utility service to delinquent accounts for the current billing cycle. Director Frederick seconded the motion, which passed by a unanimous vote.

#### AMEND RATE ORDER

There was no discussion on this matter.

#### WINTER STORM RECOVERY

The Board concurred to defer discussion on this agenda item.

#### RESOLUTION ADOPTING POLICY AND PROCEDURES FOR FEBRUARY 2021 FREEZE EVENT LEAK ADJUSTMENT CREDITS

The Board concurred to defer discussion on this agenda item.

The Board concurred to conduct the next regular meeting on April 7, 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

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Secretary, Board of Directors



(SEAL)

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