# MINUTES HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468

#### March 2, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 468 (the "District") met in regular session, open to the public, in person, on the 2nd day of March 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Kenneth P. Carter

Lawrence Kupstas

Robert Moore

William T. Evans

Blair M. Frederick

President

Vice President

Secretary/Treasurer

Assistant Vice President

Assistant Secretary

and all the above were present, except Director Moore, thus constituting a quorum.

Also attending either in person or by teleconference were: Mary DuBois and Bear Oakley of Acclaim Energy Advisors; Cory Burton and Tam Trinh of Municipal Accounts Consulting, L.P.; Michael Murr of Murr Incorporated ("Murr"); Karen Sears of Storm Water Solutions, LLC ("SWS"); Scott Gray of Champions Hydro-Lawn, Inc. ("Champions"); Juan Montano of Inframark Water & Infrastructure Services ("Inframark"); Kelley Jurecek of Tax Tech, Inc.; Ethan Demary of BGE, Inc.; and Sandra Staine and Meagan Guilmenot of Allen Boone Humphries Robinson LLP.

#### PUBLIC COMMENT

Director Carter offered any members of the public attending the meeting the opportunity to make public comment. There being no members of the public requesting to make public comment, Director Carter moved to the next agenda item.

#### APPROVE MINUTES

The Board considered approving the minutes of the February 2, 2022, regular meeting. After review and discussion, Director Kupstas moved to approve the minutes of the February 2, 2022, regular meeting, as submitted. Director Frederick seconded the motion, which carried unanimously.

#### 2022 DIRECTORS ELECTION

Ms. Staine discussed procedures related to the 2022 Directors Election. She presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the three director positions for the May 7, 2022, Directors

Election. Following review and discussion, Director Kupstas moved to accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records. Director Frederick seconded the motion, which passed unanimously.

Ms. Staine presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, Larry Kupstas, Robert Moore, and Blair Frederick, are declared elected to office to serve from the May 7, 2022, election until the May 2, 2026, Directors Election. She reviewed the posting requirements for the Order Cancelling. Following review and discussion, Director Kupstas moved to adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records. Director Frederick seconded the motion, which passed unanimously.

Ms. Staine discussed that the Board had approved entering into a contract with the County to administer the District's 2022 Directors Election. After discussion, Director Kupstas moved to cancel the contract with the County for election services for the May 7, 2022 Directors Election. Director Frederick seconded the motion, which passed unanimously.

### DISTRICT SECURITY MATTERS

Director Frederick discussed office spaces for the Harris County Sheriff's Office, ("HCSO") within the District. Director Frederick reviewed and presented an exhibit of potential locations for the HSCO. Discussion ensued. After further discussion, Director Frederick stated he would obtain more information for the Board's review at the April meeting.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Trinh presented the bookkeeper's report, including the summary of investments, and reviewed the District's bills with the Board, a copy of which is attached. Upon a motion made by Director Frederick and seconded by Director Kupstas, the Board voted unanimously to approve the bookkeeper's report and pay the bills listed in the report.

# DISCUSS ISSUANCE OF REFUNDING BONDS AND AUTHORIZE APPROPRIATE ACTION INCLUDING DESIGNATION OF UNDERWRITER

There was no discussion on this agenda item.

# <u>DISCUSS TRANSITION OF VINTAGE ROYALE STREET LIGHTS TO DISTRICT AND AUTHORIZE APPROPRIATE ACTION</u>

Ms. DuBois updated the Board on the status of the Vintage Royale street lights transition to the District.

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Jurecek reviewed the tax assessor/collector's report, a copy of which is attached. She reported 98.39% of the 2021 tax levy had been collected as of March 2, 2022. Following review and discussion, Director Frederick moved to approve the tax assessor/collector's report and payment of the tax bills. Director Kupstas seconded the motion, which passed unanimously.

#### **ENGINEERING MATTERS**

- Mr. Demary a report on engineering matters within the District, a copy of which is attached.
- Mr. Demary updated the Board regarding the status of the construction for the Chasewood Waterline Loop.
- Mr. Demary the Board on the status of the annexation as it relates to landscaping requirements and tree preservation.
  - Mr. Demary updated the Board on the status of the capacity allocation audit.

Following review and discussion, Director Frederick moved to approve the engineer's report. Director Kupstas seconded the motion, which passed by 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. Sears presented SWS's proposal for a revised maintenance schedule for the Vintage Park.
- Ms. Staine presented two proposals from Lake Management Services ("LMS") for the replacement of the pressure tank at Vintage Royale in the amount of \$1,952.86 and to repair the light set on the middle Otterbine fountain in the amount of \$644.69.
- Mr. Gray reviewed reports on maintenance of the Vintage Southeast Detention Pond by Champions, copies of which are attached.

Following review and discussion, Director Frederick moved to (1) approve the proposals from LMS; and (2) approve SWS's proposal for a revised maintenance schedule. Director Kupstas seconded the motion, which passed by unanimous vote.

### PARK AND RECREATIONAL FACILITIES

Mr. Murr reviewed the landscape architect's report, a copy of which is attached.

Mr. Murr updated the Board on the status of the Vintage Royale Sidewalks project. The Board discussed funding for the project. After review and discussion, Director Frederick moved to authorize Murr to prepare plans and specifications and authorize advertisement for bids for the Vintage Royale Sidewalks project. Director Kupstas seconded the motion, which passed unanimously.

Mr. Murr updated the Board on the status of the District Connectivity, Phase I Sidewalk project.

#### DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

#### DISTRICT WEBSITE

There was no discussion on this agenda item.

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

Mr. Montano discussed the Water Loss Audit with the Board. After review and discussion, the Board concurred to approve the Water Loss Audit, direct that the audit be filed appropriately and retained in the District's official records, and authorize the District's operator to submit the audit to the appropriate government agencies.

#### CONDUCT ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

Ms. Staine reported that the District is required to review the District's Drought Contingency Plan annually. Mr. Montano confirmed that no changes need to be made at this time.

# WATER CONSERVATION PLAN

Mr. Montano reviewed the Water Conservation Plan Annual Report with the Board. After review and discussion, Director Frederick moved to approve the Water Conservation Annual Report, direct that the report be filed appropriately and retained in the District's official records, and authorize the District's Operator to submit the report

to the appropriate government agencies. Director Kupstas seconded the motion, which passed by unanimous vote.

# CRITICAL LOAD SPREADSHEET

The Board reviewed the District's critical load spreadsheet, which had been previously provided to the District's operator, engineer, and bookkeeper for review. A copy of the critical load spreadsheet is attached. Mr. Montano noted that the critical load information on the District's facilities is required to be reviewed at least annually and provided to certain entities, which include the District's electricity provider, the Public Utility Commission, and other governmental entities.

# EMERGENCY PREPAREDNESS PLAN ("EPP")

Mr. Demary updated the Board regarding the EPP.

#### 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 112.32%.

Mr. Montano requested the Board's authorization to conduct a survey of the sanitary sewer manholes within the District in the estimated amount of \$6,000.

Following review and discussion, Director Kupstas moved to (1) approve the operator's report; and (2) authorize Inframark to perform the sanitary sewer manhole survey. Director Frederick 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 of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Mr. Montano requested the Board's authorization to turn off services of eight delinquent accounts if balances are not paid by March 14, 2022.

Following review and discussion, Director Kupstas 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. Director Frederick seconded the motion, which passed by unanimous vote.

# AMEND RATE ORDER

There was no discussion on this agenda item.

The Board concurred to conduct the next regular meeting in person on April 6, 2022, at 11:30 a.m.

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

(SEAL)



/s/Robert Moore Secretary, Board of Directors

# LIST OF ATTACHMENTS TO MINUTES

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