

# HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 249

## Minutes of Meeting of Board of Directors

June 20, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 249 (the "District") met at the Board's regular meeting place on June 20, 2024, 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

and all of said persons were present, except Director Hodge, thus constituting a quorum.

Also present were: Mario Garcia of Municipal Operations & Consulting, Inc. ("MOC"); Carol Morrison of Municipal Accounts & Consulting, L.P. ("MAC"); Odett Newman of Bob Leared Interests, Inc. ("BLI"); John Davis and Jacob Floyd of Langford Engineering, Inc. ("Langford"); Michael Murr of Murr Incorporated ("MI"); JC Reno of Storm Water Solutions, LP ("SWS"); Angie Hartwell of Touchstone District Services, LLC ("Touchstone"); Cindy Adamek, a resident of the District; and Rick L. Barker 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.

### **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 May 16, 2024. Director Adamek noted a revision to said draft minutes. After discussion of the draft minutes presented, Director Guillory moved that said minutes be approved, as revised. Director Adamek seconded the motion, which carried unanimously.

### **DISTRICT SECURITY**

The Board next considered the report regarding District security matters. Mr. Barker presented the Harris County Sheriff's Office ("HCSO") security patrol report for May 2024, a copy of which report is attached hereto as **Exhibit A**.

The Board next discussed approval of the Interlocal Agreement for Law Enforcement Services between Harris County and the District for security patrol services beginning October 1, 2024, to September 30, 2025. Following discussion, Director Adamek moved that the Interlocal Agreement for Law Enforcement Services by and between Harris County and the District be approved, and that the President be authorized to execute and the Secretary to attest same on behalf of the Board and District. Director Guillory seconded the motion, which unanimously carried.

### **TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. Newman next presented to and reviewed with the Board the Tax Assessor-Collector's Report for the month of May 2024, a copy of which report is attached hereto as **Exhibit B**. After discussion, Director Guillory moved that the tax assessor-collector report be approved and the checks identified therein be approved for payment from the District's tax account. Director Adamek seconded said motion, which carried unanimously.

### **DELINQUENT TAX REPORT**

Mr. Barker next presented to and reviewed with the Board the Delinquent Tax Report, dated June 20, 2024, prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collection attorneys, a copy of which report is attached hereto as **Exhibit C**. He noted that no action was being requested at this time in connection with the accounts listed in the report.

### **BOOKKEEPER'S REPORT**

Ms. Collins next presented to and reviewed with the Board the Bookkeeper's Report, dated June 20, 2024, a copy of which report is attached hereto as **Exhibit D**. After discussion, it was moved by Director Guillory 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.

Ms. Collins updated the Board regarding the status of a check that MAC reported at the May meeting was fraudulently cashed in the fall of 2023. Ms. Collins reported that MAC is still investigating the matter, but that MAC has resolved the District's obligations to the payee. After discussion, the Board concurred that no further action by the Board was necessary at this time.

Ms. Collins next updated the Board regarding a request recently received from the HCSO regarding disputes about prior payments made by the District for security services. Ms. Collins informed the Board that MAC is in communication with the HCSO regarding resolution of the matter at this time.

## **LANDSCAPING WITHIN THE DISTRICT**

The Board next discussed landscaping within the District. In connection therewith, Mr. Murr presented a verbal status report on various landscaping projects within the District. It was noted that no action was being requested of the Board at this time.

## **STORM WATER MANAGEMENT PROGRAM REPORT**

Mr. Reno presented to and reviewed with the Board a Storm Water Management Program Report in connection with the District's detention and drainage facilities for June 2024 prepared by SWS; a copy of said report is attached hereto as **Exhibit E**. He noted that no Board action is being requested at this time in connection with the report.

## **ENGINEERING REPORT**

Mr. Floyd next presented to and reviewed with the Board the Engineering Report, dated June 20, 2024, a copy of which report is attached hereto as **Exhibit F**, relative to the status of various projects within the District.

Mr. Floyd next requested that the Board consider authorizing Langford to advertise for bids for the Wastewater Treatment Plant Bar Screen Improvements project and presented to and reviewed with the Board a preliminary cost estimate, a copy of which is included with **Exhibit F**. After discussion, Director Guillory moved that (i) the preliminary cost estimate be approved and (ii) Langford be authorized to advertise for bids for the project. Director Adamek seconded the motion, which carried unanimously.

Ms. Newman exited the meeting at this time.

## **OPERATOR'S REPORT**

The Board next considered the Operator's Report. Mr. Garcia presented to and reviewed in detail with the Board a written Operations Report prepared by MOC, dated as of May 2024; a copy of the report is attached hereto as **Exhibit G**. The report included the recommendation that two accounts in the total amount of \$255.03 be deemed uncollectible. After discussion, Director Guillory moved that the recommendation of MOC to deem such accounts uncollectible be approved. Director Adamek seconded the motion, which carried unanimously.

Mr. Garcia next presented to and reviewed with the Board two proposals from NTS Pumps, Motors and Controls ("NTS"), copies of which proposals are included with **Exhibit G**, to repair RAS Pump No. 2 at a cost of \$5,932.00 and RAS Pump No. 5 at a cost of \$6,216.00 at District's wastewater treatment plant. After discussion on the matter, Director Guillory moved that the Board approve both NTS' proposals as discussed. Director Adamek seconded the motion, which carried unanimously.

Mr. Garcia next requested that the Board consider authorizing MOC to collect water samples and have them tested for the constituents to be reported in next year's Consumer Confidence Report at an estimate cost of \$1,800.00. After discussion, Director Guillory moved that MOC be authorize to collect and test said water samples, as requested. Director Adamek seconded the motion, which carried unanimously.

Mr. Garcia next informed the Board that MAC recently notified MOC of a billing error and noted that MOC is correcting the issue and will be issuing the District a credit on the next invoice.

### **AUTHORIZE SUBMISSION OF UPDATED INFORMATION RELATED TO CRITICAL LOAD STATUS**

The Board next considered authorizing submission of updated contact and/or descriptive information to all applicable governmental agencies regarding District facilities that qualify for critical load status. After discussion, Director Guillory moved that MOC be authorized to submit said information on the District's behalf. Director Adamek seconded the motion, which carried unanimously.

### **COMMUNICATIONS REPORT**

The Board next discussed District communications. Ms. Hartwell presented to and reviewed with the Board a Monthly Communications Report prepared by Touchstone District Services, a copy of which report is attached hereto as **Exhibit H**. A discussion then ensued regarding (i) a Hurricane Readiness article and (ii) a HCSO Vacation Watch article and the posting of same on the District's website. After discussion, the Board concurred that Touchstone be authorized to post both articles on the District's website.

### **REPRESENTATION AGREEMENT WITH THE J. BEARD REAL ESTATE COMPANY, LP**

Mr. Barker presented to and reviewed with the Board a Representation Agreement between the District and The J. Beard Real Estate Company, LP relative to any future property acquisitions. After discussion, Director Guillory moved that said Representation Agreement be approved and that the President be authorized to execute same on behalf of the Board and the District. Director Adamek seconded the motion, which carried unanimously.

### **ATTORNEY'S REPORT**

Mr. Barker next presented and reviewed with the Board a copy of an Annual Maintenance for Arbitrage Analysis Report dated May 22, 2024 (the "Arbitrage Maintenance Report"), prepared by Municipal Risk Management Group, L.L.C. ("MRMG") in connection with the District's outstanding bond issues, a copy of which is attached hereto as **Exhibit I**. Mr. Barker advised the Board that federal tax laws require the issuers of tax-exempt bonds to perform periodic reviews of their bond issues to monitor compliance with various regulations, including that the proceeds of the bonds not be invested at yields "materially higher" than the

yield on the bonds themselves. He noted that, due to the current high interest climate, MRMG is recommending that the District perform an interim report for (i) its \$3,425,00 Unlimited Tax Refunding Bonds, Series 2021 for the period ending June 8, 2024 and (ii) its \$2,475,000 Unlimited Tax Bonds, Series 2021A for the period ending November 23, 2024, as described further in the Arbitrage Maintenance Report. Mr. Barker then presented to and reviewed with the Board an engagement letter received from Arbitrage Compliance Specialists, Inc. ("ACS") to prepare said interim reports and advised that the fee said interim reports is \$2,050.00 each. After discussion, Director Guillory moved that (i) the engagement letter be approved and that ACS be engaged to prepare said interim reports for the bond issues described above as recommended by MRMG and (ii) the TEC Form 1295 submitted by ACS relative to the engagement letter be accepted by the District and that SPH be authorized to acknowledge the District's receipt of same with the TEC. Director Adamek seconded the motion, which carried unanimously.

#### **AUTHORIZATION OF COMPLETION, EXECUTION AND FILING OF VOTING SYSTEM ANNUAL FILING FORM**

Mr. Barker next advised that, pursuant to Section 123.061 of the Texas Election Code, each political subdivision in the State of Texas is required to complete and file a Voting System Annual Filing Form (the "Form") with the Secretary of State's Office. After discussion on the Form, Director Guillory moved that same be approved and that SPH be authorized to file the Form with the Secretary of State's Office, as required by law. Director Adamek seconded said motion, which unanimously carried.

#### **ISSUANCE OF UTILITY COMMITMENTS**

The Board considered the issuance of utility commitments. In connection therewith, Mr. Barker reminded the Board that a request had been received from Harris County Emergency Services District No. 7 ("ESD 7") in connection with the provision of service to and possible annexation of an approximately 63-acre tract of land located adjacent to the District's eastern boundary. Mr. Barker then reminded the Board that it previously authorized SPH to prepare the necessary documentation related to the proposed annexation and noted that said documentation is in the process of being prepared at this time.

#### **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 Palermo, seconded by Director Guillory and carried unanimously, the meeting was adjourned.



*Norman P. Adams*  
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 Detention and Drainage Facilities Report
- Exhibit F Engineering Report
- Exhibit G Operator's Report
- Exhibit H Monthly Communications Report
- Exhibit I Annual Maintenance for Arbitrage Analysis Report