

## HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 419

### Minutes of Meeting of Board of Directors November 14, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 419 (the "District") met in regular session, open to the public, on November 14, 2022, at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas 77056, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted members of said Board, as follows:

Robert G. Thomas, President  
Carissa Fabian, Vice President  
Samuel Goodspeed, Secretary  
Doug Woodall, Assistant Secretary  
Andrea Brazzale-Anderson, Assistant Secretary

and all of said persons were present, except Director Brazzale-Anderson, thus constituting a quorum.

Also present were Mike Fitzgerald and Ryan Derong of BGE, Inc. ("BGE"); Jordan Weyand of Municipal Accounts & Consulting, L.P. ("MA&C"); Stephanie Dorrrough of Wheeler & Associates, Inc. ("Wheeler"); Mackenzie Osborne of Inframark, LLC ("Inframark"); Barbara Nussa of Republic Services, Inc. ("Republic"); Dale Anzalone of Flock Safety ("Flock"); Dan Kolkhorst of The Howard Hughes Corporation, on behalf of Bridgeland Development, LP ("Developer"); Nikki Daphet, resident of the District; and Mitchell G. Page and Shelby Yllana 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 it.

#### **PUBLIC COMMENTS**

The Board considered public comments, noting there were no comments from the members of the public present, and continued to the next order of business.

#### **APPROVAL OF MINUTES**

The Board reviewed the draft minutes of its special meeting held on October 10, 2022. After discussion, Director Goodspeed moved that the minutes of the October 10, 2022 meeting be approved, as written. Director Fabian seconded said motion, which unanimously carried.

#### **TAX ASSESSOR COLLECTOR REPORT**

Ms. Dorrrough presented to and reviewed with the Board the Tax Assessor Collector Monthly Report for the month of October 2022, a copy of which is attached hereto as **Exhibit A**, including the disbursements presented for approval. After discussion, Director Goodspeed moved that the Tax Assessor Collector Monthly Report be approved, as presented, and the disbursements

listed therein be approved for payment. Director Fabian seconded the motion, which carried unanimously.

### **BOOKKEEPER'S REPORT**

Mr. Weyand presented to and reviewed with the Board the Bookkeeper's Report dated November 14, 2022, a copy of which is attached hereto as **Exhibit B**, including the disbursements presented for approval and the cash flow forecast for the District's operating account. After discussion, Director Goodspeed moved that the Bookkeeper's Report be approved, as presented, and the disbursements listed therein be approved for payment. Director Fabian seconded the motion, which carried unanimously.

Mr. Weyand advised that the annual energy reporting required by Chapter 2265 of the Texas Government Code will be presented at next month's Board meeting.

### **DELINQUENT TAX COLLECTIONS REPORT**

The Board deferred consideration of the delinquent tax collections report as it was noted that no report was received nor is due at this time from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys.

### **CONTINUING DISCLOSURE**

The Board considered the filing of the annual continuing disclosure report required relative to the District's outstanding bonds. In connection therewith, Mr. Page presented the Board with the Annual Report pursuant to SEC Rule 15c2-12 prepared and filed by McCall, Parkhurst & Horton, L.L.P. ("McCall"), the District's continuing disclosure counsel, a copy of which is attached hereto as **Exhibit C**. The Board acknowledged the filing of same.

### **OPERATOR'S REPORT**

Ms. Osborne presented to and reviewed with the Board an Operations and Maintenance Report for the month of October 2022, a copy of which is attached hereto as **Exhibit D**. She reported on the status of repairs and replacements made to the water and wastewater facilities, facility inspections, and the issuance of new residential and commercial taps. Ms. Osborne noted the disconnection date for non-payment is scheduled to occur just before Thanksgiving holiday, and inquired if the Board would like to reschedule the disconnection date until the Monday following Thanksgiving.

With regards to water smart measures for the District, Ms. Osborne presented to the Board for its approval a Resolution Approving Submittal of Water Smart Application, a copy of which is included with the Operator's Report. The Board then discussed the results of NatureFest, noting several residents visited the information booth and signed up for an EyeonWater.com account.

After discussion, Director Goodspeed moved that the Operations and Maintenance Report and the items reflected therein be approved, including (i) the forwarding of delinquent accounts to collections, as presented, (ii) the deferral of disconnection date to the Monday following Thanksgiving, and (iii) the adoption of the Resolution Approving Submittal of Water Smart Application. Director Woodall seconded said motion, which unanimously carried.

Director Goodspeed inquired about the condition of manholes in the District, noting several resident concerns have been raised. Ms. Osborne discussed investigative measures that can be taken and advised that Inframark could complete a manhole survey for an estimated cost of \$4,000. After discussion, Director Goodspeed moved that Inframark be authorized to complete a manhole survey in the amount proposed, and bring any repair recommendations to the Board at future meeting. Director Woodall seconded said motion, which unanimously carried.

### **RATE ORDER**

Mr. Page advised that a notice was received from the West Harris County Regional Water Authority regarding the increase in the groundwater reduction fees and surface water fees effective as of January 1, 2023, and an item will be placed on the December agenda to amend the Rate Order. The Board concurred with same.

### **ENGINEER'S REPORT**

Mr. Fitzgerald presented the Engineer's Report dated November 14, 2022, a copy of which is attached hereto as **Exhibit E**, and presented the pay estimate included therein. Mr. Page then presented to the Board a Storm Sewer Easement to serve the Bridgeland Creek Parkway Utility Extension project. Mr. Fitzgerald next advised that two proposals were received for the recoating of Creekside Bridge. After discussion, Director Goodspeed moved that (i) the Engineer's Report and the actions recommended therein be approved, as presented, (ii) the Easement be approved for acceptance, as presented, and the President be authorized to execute same on behalf of the Board and the District, and (iii) BGE obtain an additional proposal for the bridge recoating for review at a future Board meeting. Director Fabian seconded said motion, which unanimously carried.

Mr. Fitzgerald then presented a pricing schedule for completion of the televising of the sanitary sewer lines in the District, noting the pricing is broken out over a period of five years. A copy of the televising pricing is included with the Engineer's Report. After review and discussion, Director Fabian moved that the pricing as proposed, be accepted, and BGE and Inframark commence the televising project as set forth in the pricing schedule. Director Goodspeed seconded said motion, which unanimously carried.

Mr. Fitzgerald then presented cost information to the Board regarding the creation of median breaks along North Bridgeland Lake Parkway, and the proposed areas for same. The Board discussed the mechanisms available to the District for funding the project and alternative solutions, the Board then concurred that BGE be authorized to further discuss the use of a geogrid or flattened curb with Harris County.

## **GARBAGE AND RECYCLING COLLECTION SERVICES**

Ms. Nussa provided the Board with new resident information forms that will be posted to the District's website and Bridgeland Life website. She noted that Inframark Customer Service and builders will be provided the information forms for their use. After discussion, Director Goodspeed moved that the information be provided, as discussed. Director Fabian seconded said motion, which unanimously carried.

Director Goodspeed noted that a smart phone compatible calendar file has been generated by Republic that can be provided to District residents to add to their calendar.

## **SECURITY MATTERS**

The Board discussed security measures for the District and recognized Mr. Anzalone. Mr. Anzalone presented to the Board a proposed deployment plan for a camera and license plate reader system that could be implemented along the perimeter of the District, noting the proposed deployment plan attached hereto as **Exhibit F**. He advised on the process for data collection and dissemination, and noted that participation is on a subscription basis. The Board raised concerns regarding confidentiality of data and accuracy of identification of vehicles. Mr. Page suggested that the other utility districts in Bridgeland be provided an opportunity to review the proposed program and determine participation in same. After discussion the Board concurred that SPH be authorized to obtain a form of contract from Flock Safety, and further review confidentiality measures and participation in the program by the other utility districts in Bridgeland.

## **DISCUSSION OF POLICIES AND PROCEDURES FOR RESIDENT COMMUNICATIONS**

Mr. Page advised the Board that a landing page for all Bridgeland districts is under development, and regular committee meetings will need to commence to discuss the landing page and proposed Bridgeland communication smart phone application for residents. The Board considered membership on the communications supercommittee. After discussion, Director Fabian moved that she and Director Goodspeed be included on the committee in substitution for Director Brazzale-Anderson, and that SPH provide information to Off Cinco and Melissa Hargrove to include the directors on the distribution lists.

## **WEBSITE UPDATES**

The Board noted that it had no updates to the District's website at this time.

## **DEVELOPER'S REPORT**

The Board then considered the Developer's Report. Mr. Kolkhorst presented to the Board the monthly home inventory report as prepared by Bridgeland Development, LP, a copy of which report is attached hereto as **Exhibit G**.

## **EMINENT DOMAIN**

Mr. Page advised the Board that 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”). After discussion, it was moved by Director Goodspeed, seconded by Director Fabian and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller on behalf of the District prior to February 1, 2023.

### **G-10 DISCLOSURE**

Mr. Lentz presented to the Board the annual MSRB G-10 Disclosure provided by Masterson, a copy of which is attached as **Exhibit H**. The Board acknowledged receipt of same.

### **ATTORNEY'S REPORT**

Mr. Page presented to the Board a proposal for an aerial fly over of the Bridgeland development to gather data and photographs for, among other purposes, assisting in the evaluation of Harris County Appraisal District's assessment of land values as of January 1, 2023. Mr. Page advised that the District's share of the costs would be approximately \$813.80 if all developing districts within the Bridgeland community participate. A copy of the Trace Air proposal is attached hereto as **Exhibit I**. He then advised that a Letter Agreement among all participants would be presented at the December Board meeting for approval. After discussion, the Board concurred that (i) the proposal from Trace Air be approved, and (ii) the Letter Agreement be prepared for consideration at the December Board meeting.

### **CLOSED SESSION**

The President noted that the Board would need to enter into Closed Session at 12:56 pm. Those in attendance other than Directors Fabian, Woodall, Goodspeed and Thomas, and Mr. Page and, Ms. Yllana exited the meeting.

### **RECONVENE**

The Board reconvened in Open Session at 1:23 pm and no action resulted from discussion during Closed Session.

### **MATTERS FOR FUTURE AGENDAS**

The Board noted that it had no other matters for future agendas other than the items already discussed.

### **ADJOURNMENT**

There being no further business to come before the Board, on motion made by Director Fabian, seconded by Director Thomas, and unanimously carried, the meeting was adjourned.

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Secretary

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LIST OF ATTACHMENTS TO MINUTES

- Exhibit A – Tax Assessor-Collector Report
- Exhibit B – Bookkeeper's Report
- Exhibit C – Continuing Disclosure Report
- Exhibit D – Operator's Report
- Exhibit E – Engineer's Report
- Exhibit F – Deployment Plan
- Exhibit G – Inventory Report
- Exhibit H – G 10 Disclosure
- Exhibit I – TraceAir Proposal

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