

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 359

April 3, 2024

The Board of Directors (the “Board”) of Harris County Municipal Utility District No. 359 (the “District”) met in regular session at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Blanco Conference Room, Houston, Texas 77027, outside the boundaries of the District, on the 3rd day of April, 2024, and the roll was called of the members of the Board being present:

Neil Daniels	President
Marilyn Keys	Vice President
Hubert Pierre	Secretary
David Keller	Assistant Vice President
Mike Berry	Assistant Secretary

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

Also attending the meeting were: Glenn Woodson of Storm Maintenance & Monitoring (“Storm”); Emma Highberger of Wheeler & Associates, Inc. (“Wheeler”); Kathy Kaufman, representing the Shadowlake Homeowners Association (the “HOA”); Matt Carpenter of IDS Engineering (“IDS”); Brenda Garcia of Municipal Accounts & Consulting, L.P.; and Andrew Vaughan, Maricela Guerrero, and Alyssa Peruchini of Allen Boone Humphries Robinson LLP (“ABHR”).

PUBLIC COMMENT

Ms. Kaufman inquired about one of the pumps in Shadowlake that feeds to two additional upper ponds and reconnection of same. Ms. Swink responded to Ms. Kaufman.

PRESIDENT’S COMMENTS

There was no discussion on this agenda item.

APPROVAL OF THE MINUTES

The Board considered approving the minutes of the March 6, 2024, regular meeting. Following review and discussion, Director Berry moved to approve the minutes, as revised. Director Keller seconded the motion, which carried unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Highberger presented and reviewed the District's monthly tax report and delinquent tax roll, a copy of which is attached, reflecting that 94.80% of the District's 2023 taxes were collected as of the end of March 2024. After review and discussion, Director Berry moved to approve the tax report and payment of the invoices. Director Keller seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF THE BILLS AND REVIEW OF INVESTMENTS

Ms. Garcia reviewed the bookkeeper's report, including a list of checks presented for payment and the quarterly investment report, a copy of which is attached. After review and discussion, Director Berry moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Keller seconded the motion, which passed unanimously.

RECEIVE UPDATE ON THE CITY OF HOUSTON (THE "CITY") REBATE MATTERS

The Board discussed City rebate matters.

REVIEW STATUS OF DETENTION POND MAINTENANCE AND MOWING

Mr. Woodson reviewed the monthly report on the detention pond maintenance and mowing, a copy of which is attached.

ENGINEERING MATTERS

Mr. Carpenter reviewed the engineer's report, a copy of which is attached.

Mr. Carpenter discussed the construction status of the lake shoreline stabilization project and reviewed an updated map and photos of the project as reflected in her report. She responded to questions from the Board related to same.

Mr. Carpenter reviewed and recommended approval of Change Order No. 6 to the contract with Storm Water Solutions ("SWS") for the lake shoreline stabilization project, to increase the contract in the amount of \$118,152.75, for final quantity adjustments for block wall adjacent to wall 1 and wall 7, final quantity adjustments for Shoresox, and additional seeding on top bank and side slopes. The Board determined that Change Order No. 6 is beneficial to the District. Next, Mr. Carpenter reviewed and recommended approval of Pay Estimate No. 4, in the amount of \$598,551.25, payable to SWS.

Mr. Carpenter stated that IDS has prepared the temporary withdrawal permit application to submit to the Harris-Galveston Subsidence District (“HGSD”) on behalf of the HOA and requested authorization to submit the permit to the HGSD, in conjunction with the submittal of the resolution executed by the HOA approving same.

Mr. Carpenter and the Board discussed the rehabilitation scope for the HOA well pump and reviewed and responded to questions related to the engineering proposal prepared by IDS for same.

Mr. Carpenter updated the Board regarding the removal of the private drain line that connects to Shadowlake from 12411 Shady Downs Drive.

Mr. Carpenter updated the Board on lawn maintenance equipment and its potential impact due to size and weight on the District’s retaining walls, including correspondence from Designbuild Consulting Services, LLC, related to same.

The Board and Mr. Carpenter discussed the inspection of trees along the Shadowlake detention area. Mr. Carpenter noted that the inspection of the trees will include an arborist and is scheduled for the end of June.

Director Keys inquired about wave action, scouring, and erosion related to the lake shoreline stabilization project. Mr. Carpenter responded to questions from the Board related to same. Mr. Woodson also responded to questions related to erosion mitigation efforts. Mr. Carpenter reminded the Board that IDS will perform an annual inspection of the stormwater detention facilities.

After review and discussion, Director Berry moved to (1) approve the engineer’s report; (2) approve Change Order No. 6 to the contract with SWS, in the amount of \$118,152.75, based upon the Board’s finding that the Change Order is beneficial to the District and the engineer’s recommendation; (3) approve Pay Estimate No. 4, in the amount of \$598,551.25, payable to SWS for the lake shoreline stabilization project; and (4) approve the engineer’s proposal, authorize IDS to design the plans and specifications, and advertise the well pump rehabilitation project, as discussed. Director Keller seconded the motion, which passed by unanimous vote.

SHADOWLAKE HOMEOWNERS ASSOCIATION

Mr. Vaughan and the Board reviewed the Amendment to Detention Pond Agreement with the HOA and responded to questions related to same. After review and discussion, Director Berry moved to approve and authorize execution of the Amendment to Detention Pond Agreement, subject to approval by the HOA. Director Keller seconded the motion, which passed by unanimous vote.

Mr. Vaughan and the Board next reviewed the Amended and Restated Contribution Letter Agreement between the District and the HOA to finance garbage and recycling services. After review and discussion, Director Berry moved to approve and authorize execution of the Amended and Restated Contribution Letter Agreement. Director Keller seconded the motion, which passed by unanimous vote.

MEETING SCHEDULE AND ITEMS FOR THE NEXT BOARD MEETING

The Board discussed agenda items for the next Board meeting and concurred to hold its next regular meeting on May 1, 2024, at 12:30 p.m., at ABHR, 3200 Southwest Freeway, Suite 2400, Blanco Conference Room, Houston, Texas 77027.

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

Secretary, Board of Directors

(SEAL)

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