

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 359

July 6, 2022

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 6<sup>th</sup> day of July, 2022, 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, thus constituting a quorum.

Also attending the meeting were: Tor Persson, resident of the District; Kathy Kaufman, representing the Shadowlake Homeowners Association ("HOA"); Matt Carpenter and Crystal Swink of IDS Engineering Group ("IDS"); Darce' Ahlschlager of Wheeler & Associates, Inc. ("Wheeler"); Glenn Woodson of Storm Maintenance & Monitoring; Brenda Garcia of Municipal Accounts & Consulting, L.P.; and Tim Austin and Alyssa Ollwerther of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

Mr. Persson commented on the water level of Shadowlake and his reported monitoring of same. He inquired about potential sources of water that could be added to Shadowlake.

Ms. Kaufman discussed costs associated with pumping of Shadowlake. She noted that she had submitted a written comment for the Board's consideration and the District's file.

PRESIDENT'S COMMENTS

There were no comments from the President of the Board.

APPROVAL OF THE MINUTES

The Board considered approving the minutes of the June 1, 2022, regular meeting. Upon a motion made by Director Berry and seconded by Director Keller, the Board voted unanimously to approve the minutes.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Ahlschlager presented and reviewed the District's monthly tax report and delinquent tax roll, a copy of which is attached, reflecting that 98.62% of the District's 2021 taxes were collected as of the end of June 2022. After review and discussion, Director Keller moved to approve the tax report and payment of the invoices. Director Berry seconded the motion, which passed unanimously.

Ms. Ahlschlager discussed certain accounts on the delinquent tax role.

## RESOLUTION REGARDING DEVELOPMENT STATUS FOR TAX YEAR 2022

The Board generally discussed the District's 2022 tax rate. Mr. Austin discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. He reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developed District for the 2022 tax year.

Following review and discussion, Director Berry moved to adopt a Resolution Regarding Development Status for 2022 Tax Year establishing the District as a Developed district for the 2022 tax year, pursuant to Section 49.23602, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Keller seconded the motion, which passed unanimously.

## ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, REIMBURSEMENT OF ELIGIBLE EXPENSES, AND ATTENDANCE AT WINTER CONFERENCE

The Board discussed the AWBD summer conference and next considered authorizing attendance at the winter conference. After discussion, Director Berry moved to authorize attendance of any interested Directors at the winter conference. Director Keller seconded the motion. A roll call of the Board was taken and the motion 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 Keys moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Berry seconded the motion, which passed unanimously.

## BUDGET FOR FISCAL YEAR END AUGUST 31, 2023

Ms. Garcia presented and reviewed a draft budget, a copy of which is attached to the bookkeeper's report. Discussion ensued. The Board deferred action until the next meeting.

## 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.

Mr. Woodson next requested an increase to the District's annual budget, in the amount of \$36,000.00. Ms. Garcia confirmed that she would capture this amount in the budget that is presented at the August regular meeting for the Board's consideration.

The Board discussed the possibility of replacing the keypad lock for the gate located at the northwest side of Shadowlake and concurred to defer any action on this matter until the trail extension is completed by the Houston Parks Board.

## 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 August 3, 2022, at 12:30 p.m., at the offices of ABHR, 3200 Southwest Freeway, Suite 2400, Blanco Conference Room, Houston, Texas 77027.

## ENGINEERING MATTERS

Mr. Carpenter reviewed the engineer's report, a copy of which is attached. He updated the Board on the status of various District projects, as reflected in his report.

Mr. Carpenter and the Board discussed water reclamation, bond proceeds available for construction costs, and lake shoreline stabilization matters. Mr. Carpenter and Ms. Swink reviewed a preliminary engineering report regarding the various methods of stabilization for Shadowlake and responded to questions from Board members related to same.

Following review and discussion, Director Berry moved to approve the engineer's report. Director Keller seconded the motion, which passed by unanimous vote.

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



Secretary, Board of Directors

(SEAL)

