

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 321

October 19, 2021

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 321 (the "District") met in regular session, open to the public, on October 19, 2021, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Kimberly Butler	President
Jeff Stein	Vice President
John Vassar	Assistant Vice President
Brad Beauchamp	Secretary
Matthew May	Assistant Secretary

and all of the above were present except Directors Vassar and May, thus constituting a quorum.

Also present at the meeting were: Brian Krueger of BKD, LLP; Mike Scott of Champions Hydro-Lawn, Inc. ("Champions"); Mike Terechenok and Ashley Bird of Pinto Realty Development, Inc.; Marissa Iguess of Myrtle Cruz, Inc.; Drew Tiffany of BGE, Inc. ("BGE"); Rich Rankin of H2O Innovation; Kristen Scott of Bob Leared Interests ("Bob Leared"); and Robert A. Seale, Sandra Staine, and Justine M. Cherne of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no public comments.

APPROVE MINUTES

The Board considered approving the minutes of the September 21, 2021, regular meeting. After review and discussion, Director Beauchamp moved to approve the minutes as presented. Director Stein seconded the motion, which passed by unanimous vote.

APPROVE DEVELOPER REIMBURSEMENT REPORT FOR SERIES 2021 BONDS AND AUTHORIZE DISBURSEMENT OF BOND PROCEEDS

Mr. Krueger reviewed a developer reimbursement report for the Series 2021 bonds. After review and discussion, Director Beauchamp moved to approve the developer reimbursement report and authorize disbursement of funds. Director Stein seconded the motion, which carried unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Iguess reviewed the bookkeeper's report, including the investment report and list of checks presented for payment, a copy of which is attached. Following review and discussion, Director Beauchamp moved to approve the bookkeeper's report and payment of the bills. Director Stein seconded the motion, which passed by unanimous vote.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Scott reviewed the tax assessor/collector's report, a copy of which is attached. She stated that the District's 2020 taxes were 98.53% collected as of September 30, 2021. After review and discussion, Director Beauchamp moved to approve the tax assessor/collector's report and the checks presented for payment. Director Stein seconded the motion, which passed by unanimous vote.

## CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Scott stated that Bob Leared Interests published a Notice of Public Hearing stating that the District anticipates levying a total tax rate of \$0.93 per \$100 of assessed valuation at this meeting.

Director Butler then opened the public hearing. No members of the public came forward to make comments. Director Butler then closed the public hearing.

Mr. Seale presented to the Board an Order Levying Taxes for 2021 reflecting a total tax rate of \$0.93 per \$100 of assessed valuation, comprised of \$0.575 for water, sewer, and drainage debt service, \$0.13 for road debt service, and \$0.225 for operations and maintenance. Mr. Seale next presented to the Board an Amendment to Information Form reflecting the 2021 tax rate. After review and discussion, Director Beauchamp moved to adopt the Order Levying Taxes as presented, approve and authorize execution of the Amendment to Information Form, and direct that the Order and the Amendment be filed appropriately and retained in the District's official records. Director Stein seconded the motion, which passed by unanimous vote. The Board confirmed its intention that the 2021 tax levy includes a debt service component for the calendar year ending December 31, 2022, and a maintenance tax component for the fiscal year ending September 30, 2022.

## OPERATOR'S REPORT

Mr. Rankin reviewed the operator's report for September, a copy of which is attached, and discussed operational matters in the District. He stated water accountability for the previous month was 97.66%.

After review and discussion, Director Beauchamp moved to approve the operator's report. Director Stein seconded the motion, which passed by unanimous vote.

#### HEARING ON TERMINATION OF SERVICE

There were no accounts to consider for termination of utility service.

#### THE CITY INDUSTRIAL USER PERMITTING MATTERS

Mr. Rankin updated the Board on City industrial user permitting matters.

#### MAINTENANCE OF DETENTION PONDS AND DISTRICT FACILITY SITES, INCLUDING PROPOSALS FOR ADDITIONAL WORK

Mr. Scott reviewed the report on the maintenance of detention ponds and District facility sites, a copy of which is attached.

Mr. Scott presented five proposals from Champions for the installation of bollard and cable fencing along DD1, DD2, B6, East, and West detention ponds to prohibit unauthorized vehicles in the total amount of \$104,362.32, 50% of which to be paid by the District and 50% of which to be paid by Harris County Municipal Utility District No. 406 ("MUD 406"). Copies of the proposals are attached. After review and discussion, Director Beauchamp moved to approve the proposals as presented. Director Stein seconded the motion, which passed by unanimous vote.

#### DEVELOPMENT MATTERS

Mr. Terechenok updated the Board on development matters in the District.

#### ENGINEER'S REPORT

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

Mr. Tiffany updated the Board on the construction of detention ponds DD1 and DD2. He reviewed and recommended approval of Pay Estimate No. 7, in the amount of \$53,801.10, and Pay Estimate No. 8 and Final, in the amount of \$164,256.42, payable to Solid Bridge Construction, Inc. ("Solid Bridge"), and acceptance of the project.

Mr. Tiffany updated the Board on the construction of a 12-inch water line along Ella Boulevard. He stated that there were no new pay estimates submitted by Precise Services, Inc. at this time.

Mr. Tiffany updated the Board on the construction of the Traffic Signal at Greens Crossing Boulevard and Fallbrook Drive. He reviewed and recommended approval of Pay Estimate No. 2, in the amount of \$81,229.95, payable to CityLynx, Inc. ("CityLynx").

Mr. Tiffany updated the Board on the drainage and paving for Fallbrook Drive Street Dedication, Section 2.

Mr. Tiffany updated the Board on the construction of water well no. 3 and stated that this project is being designed.

Mr. Tiffany updated the Board on the construction of water well no. 3 water line extension and stated that this project is being designed.

Mr. Tiffany updated the Board on the status of the Greens Crossing Drainage System ATLAS 14 Analysis. He stated that BGE is continuing to work on the analysis.

Mr. Tiffany reviewed a summary of the 2022 Capital Improvement Plan ("CIP") facility improvements, a copy of which is attached. Mr. Tiffany and Mr. Rankin responded to Board members' questions regarding the CIP. Discussion ensued regarding the project included in the CIP for Supervisory Control and Data Acquisition ("SCADA") for the lift stations. Following discussion, the Board concurred to defer including the proposed SCADA project in the CIP at this time.

After review and discussion, Director Beauchamp moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 7, in the amount of \$53,801.10, and Pay Estimate No. 8 and Final, in the amount of \$164,256.42, payable to Solid Bridge for the construction of detention ponds DD1 and DD2, and based on the recommendation of the engineer, accept the project; (3) approve Pay Estimate No. 2, in the amount of \$81,229.95, payable to CityLynx, for the construction of the Traffic Signal at Greens Crossing Boulevard and Fallbrook Drive; and (4) approve the CIP with the exclusion of the SCADA project. Director Stein seconded the motion, which carried unanimously.

#### INTERLOCAL AGREEMENT WITH FALLBROOK UTILITY DISTRICT ("FALLBROOK UD")

Mr. Seale reported there was no update regarding the status of the Interlocal Agreement by and among the District, MUD 406, and Fallbrook UD.

#### CAPITAL BUDGETS, LETTER FINANCING AGREEMENTS, SITE DEVELOPMENT AGREEMENTS, AND INFRASTRUCTURE WORK LETTER AGREEMENTS

The Board did not take any action on this agenda item.

#### MEETING SCHEDULE AND ITEMS FOR INCLUSION ON THE NEXT AGENDA

The Board concurred to hold its next regular meeting on November 16, 2021, at 11:00 a.m., at the offices of ABHR.

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

/s/ Brad Beauchamp  
Board of Directors

(SEAL)



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