

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500  
(Master)

March 8, 2023

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 500 (the "District") met in regular session, open to the public, on the 8th day of March, 2023, at the Towne Lake Clubhouse, 9214 W. Bridgeport Pass Circle, Cypress, Texas, outside the boundaries of the District and outside the boundaries of the Service Area, and the roll was called of the members of the Board:

Jeffrey D. Ottmann	President
Joanne E. Quintero	Vice President
Jeff P. Collins	Secretary
James Spackman	Assistant Secretary
Alan Steinberg	Asst. Vice President/ Asst. Secretary

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

Also present at the meeting were Eric Steinman of KGA/DeForest Design, LLC ("KGA"); Lynn Kurtz of Myrtle Cruz, Inc. ("MCI"); Leslie Cook and Loren Morales of RBC Capital Markets ("RBC"); Mike Ammel of Environmental Development Partners, LLC ("EDP"); J.T. Gaden of EHRA Engineering ("EHRA"); and Katie Carner and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board reviewed the minutes of the February 14, 2023, regular meeting. After review and discussion, Director Quintero moved to approve the minutes of the February 14, 2023, regular meeting, as presented. Director Collins seconded the motion, which passed unanimously.

LANDSCAPE ARCHITECT'S REPORT

Mr. Steinman reviewed the landscape architect's report prepared by KGA, a copy of which is attached.

Mr. Steinman updated the Board on the status of construction of the wastewater treatment plant no. 1 landscape improvements. He reviewed and recommended

approval of Pay Estimate No. 1 in the amount of \$16,944.30, submitted by D.L. Meacham L.P. ("D.L. Meacham").

After review and discussion, Director Quintero moved to approve Pay Estimate No. 1 in the amount of \$16,944.30 to D.L. Meacham, as recommended. Director Steinberg seconded the motion, which passed unanimously.

AUTHORIZE AUDITOR TO CONDUCT AUDIT FOR FISCAL YEAR END MARCH 31, 2023

The Board considered authorizing McCall Gibson Swedlund Barfoot PLLC ("McCall") to prepare the District's audit for fiscal year end March 31, 2023. The Board reviewed an audit continuance letter from McCall, a copy of which is attached, noting that preparation of the District's annual audit will cost an estimated \$21,000-\$23,000 for the Master District accounts. Following review and discussion, Director Quintero moved to authorize McCall to prepare the District's audit for fiscal year end March 31, 2023. Director Steinberg seconded the motion, which passed unanimously.

CONTRACT REVENUE BONDS (ROAD FACILITIES), SERIES 2023

Mr. Morales reviewed a schedule for the issuance of the District's \$8,110,000 Contract Revenue Bonds (Road Facilities), Series 2023 (the "Series 2023 Road Bonds").

APPROVE FINAL COST SUMMARY

The Board reviewed the final cost summary prepared by EHRA for the Series 2023 Road Bonds. Following review and discussion, Director Collins moved to approve the cost summary. Director Steinberg seconded the motion, which passed unanimously.

APPROVE PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL NOTICE OF SALE

Mr. Morales reviewed a draft Preliminary Official Statement for the District's issuance and sale of its Series 2023 Road Bonds. Following review and discussion, Director Collins moved that the Preliminary Official Statement be deemed final and be authorized for release, subject to final review. Director Steinberg seconded the motion, which passed unanimously.

APPOINT PAYING AGENT/REGISTRAR

The Board discussed appointing The Bank of New York Mellon Trust Company, N.A. as the paying agent/registrar for the District's Series 2023 Road Bonds. Following discussion, Director Collins moved to appoint The Bank of New York Mellon Trust Company, N.A. as the paying agent/registrar for the

Series 2023 Road Bonds. Director Steinberg seconded the motion, which passed unanimously.

### ADVERTISEMENT AND SCHEDULE FOR SALE OF THE SERIES 2023 ROAD BONDS

The Board considered authorizing the District's financial advisor to advertise for the sale of the District's Series 2023 Road Bonds. Following discussion, Director Collins moved to authorize the District's financial advisor to advertise for the sale of the District's Series 2023 Road Bonds. Director Steinberg seconded the motion, which passed unanimously. The Board concurred to schedule the bond sale for next month's regular meeting on April 11, 2023.

### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Kurtz reviewed the bookkeeper's report, a copy of which is attached, and submitted the bills for the Board's review. She also requested the Board approve additional check no. 5528 in the amount of \$16,944.30, payable to D.L. Meacham.

The Board discussed check no. 5513 in the amount of \$1710.76, payable to DXI Industries, Inc., noting that the check amount does not match the invoices. Ms. Kurtz confirmed that the check was written for the wrong amount, and MCI will correct the amount on next month's billing.

Ms. Kurtz reported that after reviewing the billings to the participant districts for the prior fiscal year done by the previous bookkeeper, MCI identified that the May 2022 pumpage and connection fees had not been billed or paid. She stated that all of the participant districts have since been billed.

After review and discussion, Director Quintero moved to approve the bookkeeper's report and the payments presented, including check no. 5528 as detailed above. Director Collins seconded the motion, which passed unanimously.

### ADOPT RESOLUTION EXPRESSING INTENT TO REIMBURSE

There was no discussion on this agenda item.

### DISCUSS AND, IF APPROPRIATE, APPROVE AMENDMENT TO FINANCIAL ADVISORY AGREEMENT WITH RBC

The Board reviewed a proposed amendment to the District's Financial Advisory Agreement with RBC.

After review and discussion, Director Collins moved to approve the amended Financial Advisory Agreement with RBC to be effective May 12, 2023, and direct that it

be filed appropriately and retained in the District's official records. Director Steinberg seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

Mr. Ammel presented the operator's report, a copy of which is attached. He reported on routine maintenance and repair items in the Service Area.

Mr. Ammel reviewed the revised handouts as part of the proposed resident education plan regarding disposable wipes and rags. The Board discussed additional revisions, including stipulating a three-month time limit and one credit per account. After discussion, Director Quintero moved to authorize distribution of the proposed resident education plan regarding disposable wipes and rags, revised as discussed. Director Steinberg seconded the motion, which passed unanimously.

Mr. Ammel updated the Board on the installation of the SuperAll odor control systems for wastewater treatment plant no. 1.

Mr. Ammel updated the Board on the installation of a splash guard for aeration basin no. 1 at wastewater treatment plant no. 1.

Mr. Ammel updated the Board on the status of the lift pump no. 3 at lift station no. 3 repairs.

Mr. Gaden updated the Board on the preparation of the five-year facility maintenance plan. The Board requested that the proposed five-year facility maintenance plan be ready for the Board's review by the May regular meeting.

After review and discussion, Director Quintero moved to accept the operator's report. Director Steinberg seconded the motion, which passed unanimously.

#### REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES AND AUTHORIZE ANNUAL FILING

Ms. Carner reported that the District's engineer, bookkeeper, and operator have reviewed the critical load spreadsheet for the District's facilities. After review and discussion, Director Steinberg moved to authorize the annual filing of the critical load spreadsheet. Director Quintero seconded the motion, which passed unanimously.

#### DISCUSS LAKE MANAGEMENT AND MAINTENANCE

##### WILDLIFE MANAGEMENT, INCLUDING REPORT FROM A ALL ANIMAL CONTROL ("AAAC")

The Board discussed the status of wildlife management in the District,

including wildlife monitoring and trapping, and reviewed a report from AAAC for February, a copy of which is attached. The Board discussed issues with the District's trapper and the Towne Lake Community Association's ("HOA") trapper working in overlapping areas. Director Ottmann stated that he will continue to coordinate efforts between the two trappers. The Board concurred to authorize ABHR to draft correspondence to the HOA regarding the matter if needed, as directed by Director Ottmann.

#### EROSION, DREDGING, AND WATER QUALITY

Mr. Gaden stated that EHRA is still working on a preliminary cost estimate for the lake erosion rehabilitation project in order to prepare an engineering proposal for the Board's consideration.

#### AMENDMENTS TO LAKE RULES, INCLUDING REQUEST FROM HOA AND AMENDMENT TO DISTRICT LAKE RULES

Director Quintero reported that the Lake Use Committee reviewed the proposed amendment to the HOA rules and does not recommend approval of the amendment as presented. She stated that the Lake Use Committee recommends approval of the fishing rules and swimming in no wake zones and at the beaches, but the Committee does not agree with any swimming on the main lake. After review and discussion, Director Quintero moved to approve the proposed amendment to the fishing portion of the HOA rules and deny the proposed amendment to the swimming portion of the HOA rules. Director Collins seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Mr. Gaden presented the engineer's report, a copy of which is attached, and reviewed it with the Board.

#### GRADE SEPARATION AT UNION PACIFIC RAILROAD AND INTERSECTION IMPROVEMENTS AT HIGHWAY 290 ("UPRR/HIGHWAY 290 PROJECT")

Mr. Gaden updated the Board on the status of design of the UPRR/Highway 290 Project.

The Board reviewed a report from the Goodman Corporation on the status of completion of National Environmental Policy Act documents associated with the UPRR/Highway 290 Project, a copy of which is attached.

Ms. Carner reported that the Harris County Commissioner for Precinct 3 has agreed with the District's request for \$2.1 million in Harris County Toll Road Authority funding for the trail and associated facilities for the UPRR/Highway 290 Project.

REPORT ON STORMWATER FACILITIES MAINTENANCE AND REPAIRS, AND APPROVE SUBMERGED STORM SEWER AGREEMENTS AND MAINTENANCE AGREEMENTS

Mr. Gaden stated that the Storm Water Solutions, LLC ("SWS") report will be provided to the Board.

APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE MOUND ROAD EAST UTILITY EXTENSION PROJECT

Mr. Gaden updated the Board on the design of the Mound Road East Utility Extension project. He then requested the Board approve the plans and specifications and authorize advertisement for bids for the project.

After review and discussion, Director Quintero moved to approve the plans and specifications and authorize advertisement for bids for the Mound Road East Utility Extension project, as recommended. Director Steinberg seconded the motion, which passed unanimously.

APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE WASTEWATER TREATMENT PLANT NO. 1 EXPANSION, PHASE 4

Mr. Gaden updated the Board on the status of design of the wastewater treatment plant no. 1 expansion, phase 4 project.

REVIEW BIDS AND AWARD CONTRACT FOR THE BARKER CYPRESS LEFT TURN LANE

Mr. Gaden reported that the District received eleven bids for construction of the Barker Cypress left turn lane project. He recommended that the Board award the contract to the low bidder, SAS Concrete Construction, LLC ("SAS"), in the amount of \$95,765.93. The Board concurred that, in its judgment, SAS was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Following review and discussion, Director Quintero moved to award the contract for construction of the Barker Cypress left turn lane project to SAS in the amount of \$95,765.93, based on the engineer's recommendation and subject to approval of payment and performance bonds and review of the certificate of insurance and

endorsements, if any, provided by the contractor. Director Steinberg seconded the motion, which passed unanimously.

LAKE EROSION REHABILITATION PROJECT

There was no discussion on this agenda item.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT NO. 2

Mr. Gaden updated the Board on the status of construction of wastewater treatment plant no. 2. He had no action items from C4 Partners.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR EMERGENCY WATER INTERCONNECT

Mr. Gaden updated the Board on the status of construction of the emergency water interconnect with Harris County Municipal Utility District No. 196. He reviewed and recommended approval of Pay Estimate Nos. 1 and 2 in the amounts of \$194,098.77 and \$79,458.30, respectively, submitted by P&Z Logistics, Inc. ("P&Z").

After review and discussion, Director Quintero moved to approve Pay Estimate Nos. 1 and 2 in the amounts of \$194,098.77 and \$79,458.30, respectively, to P&Z, as recommended. Director Steinberg seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR TOWNE LAKE SECTION 60 TEMPORARY ACCESS ROAD

Mr. Gaden updated the Board on the Towne Lake Section 60 temporary construction access road. He stated that he had no pay estimates from SWS for the Board's approval.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR WATER WELL NO. 1 AND WATER PLANT NO. 1 HYDROPNEUMATIC TANK ADDITION

Mr. Gaden updated the Board on the status of construction of water well no. 1 and the additional hydropneumatic tank. He reviewed and recommended approval of Pay Estimate No. 10 in the amount of \$20,418.29, submitted by HCG, LLC ("HCG").

After review and discussion, Director Quintero moved to approve Pay Estimate No. 10 in the amount of \$20,418.29 to HCG, as recommended. Director Steinberg seconded the motion, which passed unanimously.

APPROVE CAPACITY RESERVATIONS AND UTILITY COMMITMENT LETTERS

There was no discussion on this agenda item.

CONVEYANCE OF EASEMENTS/DEEDS; ABANDONMENT OF EASEMENT; CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

UPDATE ON PREPARATION OF WATER, SEWER, AND DRAINAGE BOND APPLICATION NO. 13 AND PARK SURPLUS FUNDS APPLICATION, INCLUDING ADOPT RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") FOR USE OF SURPLUS FUNDS

Ms. Carner updated the Board on the status of the preparation of water, sewer, and drainage bond application no. 13 and preparation of the park surplus funds application. The Board deferred adoption of a Resolution Authorizing Application to the TCEQ for Use of Surplus Funds.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY MATTERS

There was no discussion on this agenda item.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

REPORTS FROM DISTRICT CONSULTANTS REGARDING DISTRICT CORRESPONDENCE AND PROVISION OF RECORDS

The Board reviewed correspondence from Liberty Mutual Holding Company Inc., a copy of which is attached. After review and discussion, Director Ottmann moved to authorize Director Quintero to submit the proxy vote on behalf of the District. Director Collins seconded the motion, which passed unanimously.

REVIEW AND REVISE ACTION LIST

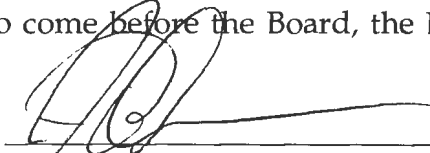
The Board reviewed the action list and noted items to be included and removed from the list.

CONVENE IN EXECUTIVE SESSION TO CONSULT WITH ATTORNEY, PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board did not convene in Executive Session.



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

  
\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Landscape architect's report.....	1
Audit continuance letter from McCall .....	2
Bookkeeper's report.....	3
Operator's report.....	4
Report from A All Animal Control .....	5
Engineer's report.....	5
Goodman Corporation report.....	5
Correspondence from Liberty Mutual Holding Company Inc. ....	8