

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439

October 13, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 439 (the "District") met in regular session, open to the public, on the 13th day of October, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, with access by telephone available to the public, and the roll was called of the members of the Board:

Adam Kramer	President
Jonathan Reichek	Vice President
Nancy Zimmerman	Secretary
Bonny Beasley	Asst. Vice Pres./ Asst. Secretary
Steven M. Burgess	Asst. Vice Pres./ Asst. Secretary

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

Also attending in person or by telephone were Bryan Sheppard of Pape-Dawson Engineers, Inc. ("Pape-Dawson"); Jason Hajduk of IDS Engineering Group ("IDS"); Derek Davenport of McLennan & Associates, L.P.; Odett Newman of Bob Leared Interests, Inc.; and Hannah Brook and Ashley Ramos of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

Director Kramer offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, Director Kramer moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the September 8, 2022, regular meeting. Following review and discussion, Director Reichek moved to approve the minutes of the September 8, 2022, regular meeting, as presented. Director Zimmerman seconded the motion, which passed unanimously.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH CONTINUING DISCLOSURE OF INFORMATION AGREEMENT

Ms. Brook reviewed an Annual Report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the District's Bond Resolutions. She stated that the District is required to file certain financial and operating data with the Municipal Securities Rulemaking Board (the "MSRB") through EMMA in compliance with its SEC Rule 15c2-12 undertakings. Following review and discussion, Director Burgess moved to approve the Annual Report, authorize ABHR to submit the Annual Report in compliance with the continuing disclosure provisions contained in the District's Bond Resolutions and direct that the Report be filed appropriately and retained in the District's official records. Director Beasley seconded the motion, which passed unanimously.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance. Ms. Brook stated that no changes are recommended at this time.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Davenport presented and reviewed the bookkeeper's report, including a list of checks presented for approval, and the District's budget comparison. After review and discussion, Director Reichel moved to approve the bookkeeper's report and payment of the bills. Director Burgess seconded the motion, which passed unanimously. A copy of the bookkeeper's report is attached.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Newman presented and reviewed the tax assessor/collector's report for the month of September, including the checks presented for payment. She reported that the District's 2021 taxes are 98.929% collected through September 30, 2022. A copy of the tax assessor/collector's report is attached. After review and discussion, Director Burgess moved to approve the tax reports and payment of the bills from the tax account. Director Beasley seconded the motion, which passed unanimously.

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

Ms. Newman stated that notice was published of the public hearing to be held during today's meeting regarding adoption of the District's proposed 2022 total tax rate of \$0.80.

Director Kramer opened the public hearing. There being no comments from the public, Director Kramer closed the public hearing.

Ms. Brook presented an Order Levying Taxes reflecting the proposed 2022 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Harris County.

After review and discussion, Director Zimmerman moved to: (1) adopt the Order Levying Taxes reflecting a total 2022 tax rate of \$0.80 per \$100 of assessed valuation, comprised of \$0.35 to pay debt service on water, sewer, and drainage bonds and \$0.45 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Burgess seconded the motion, which passed unanimously.

REPORT FROM STORM WATER SOLUTIONS

There was no discussion regarding this agenda item.

ENGINEER'S REPORT

Mr. Hajduk reviewed an engineering report from IDS, a copy of which is attached.

Mr. Hajduk reported on the construction of the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements. He reviewed and recommended approval of Pay Estimate No. 21 in the amount of \$107,660.96, submitted by Paskey Incorporated, as recommended by Pape-Dawson.

Mr. Hajduk updated the Board regarding the construction of water, sewer, and drainage facilities to serve Wayside Village Parker Road Phase I and Wayside Village, Section 6. He reviewed and recommended approval of Pay Estimate No. 6 and Final in the amount of \$63,834.44, submitted by Clearwater Utilities, Inc., as recommended by Pape-Dawson. Mr. Hajduk recommended final acceptance of the project.

Following review and discussion, and based upon recommendation by the engineer, Director Zimmerman moved to (1) approve the engineer's report prepared by IDS; (2) approve Pay Estimate No. 21 in the amount of \$107,660.96 for the construction of the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements, as recommended by Pape-Dawson; and (3) approve Pay Estimate No. 6 and Final in the amount of \$63,834.44 for the construction of water, sewer, and drainage facilities to serve Wayside Village Parker Road Phase I and Wayside Village, Section 6, and approve final acceptance of the project, as recommended by Pape-Dawson. Director Burgess seconded the motion, which passed unanimously.

ACCEPT DEEDS AND EASEMENTS

Ms. Brook reviewed a 0.033-acre Water Line Easement to be granted to the District from Rausch Coleman Homes Houston, LLC. Following review and discussion, Director Reichek moved to accept the Water Line Easement, as discussed. Director Burgess seconded the motion, which passed unanimously.

DEVELOPMENT IN THE DISTRICT

Mr. Sheppard reported on development in the District.

ATTORNEY'S REPORT

There was no additional attorney report.

MEETING PLANNING MATTERS

The Board concurred to meet next on Tuesday, November 10, 2022, at 12:00 p.m., the regular meeting date and time.

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

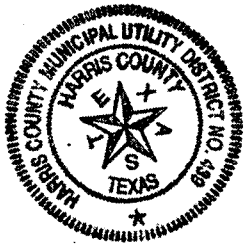
The Board convened in Executive Session at 12:40 p.m. to consult with the attorney pursuant to Section 551.071, Texas Government Code.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in open session at 12:48 p.m.

Director Burgess moved to approve a legal services engagement letter with Feldman & Feldman, and direct that the legal services engagement letter be filed appropriately and retained in the District's official records. Director Beasley seconded the motion, which passed unanimously.

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



Nancy Zimmerman
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's report.....	2
Tax Assessor/Collector's Report.....	2
IDS engineering report.....	3