

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439

January 12, 2023

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 12th day of January, 2023, 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 except Directors Kramer and Beasley, thus constituting a quorum.

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

PUBLIC COMMENTS

Director Reichek 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 Reichek moved to the next agenda item.

MINUTES

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

RENEWAL OF DISTRICT'S INSURANCE POLICIES

This item was deferred to the next meeting.

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 Zimmerman 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.

ANNUAL DISCLOSURE STATEMENTS

Ms. Brook discussed the annual disclosure statements required by the Public Funds Investment Act for the District's Investment Officer and Bookkeeper. She explained that the statements disclose relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the District. Ms. Brook also explained that the statements will be filed in the District's permanent records and with the Texas Ethics Commission. Following review and discussion, Director Burgess moved to accept the disclosure statements and authorize filing of the disclosure statements with the Texas Ethics Commission. Director Zimmerman seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Newman presented and reviewed the tax assessor/collector's report for the month of December, including the checks presented for payment. She reported that the District's 2022 taxes were 73.3% collected as of December 31, 2022. A copy of the tax assessor/collector's report is attached. After review and discussion, Director Zimmerman moved to approve the tax report and payment of the bills from the tax account. Director Burgess seconded the motion, which passed unanimously.

DETENTION POND MAINTENANCE

There was no discussion regarding this agenda item.

ENGINEER'S REPORT

Ms. Blakemore reviewed an engineering report from IDS, a copy of which is attached.

Ms. Blakemore reported on the construction of the Wayside Village East Phase I detention facilities. She reviewed and recommended approval of Pay Estimate No. 19 and Final in the amount of \$32,415.82, submitted by Paskey Incorporated ("Paskey"), as recommended by Pape-Dawson. Ms. Blakemore then recommended final acceptance of the project, as recommended by Pape-Dawson.

Ms. Blakemore 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. She reviewed and recommended approval of Change Order No. 7 to the contract with Paskey for the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements to increase the contract in the amount of \$159,175.20, as recommended by Pape-Dawson. The Board determined that Change Order No. 7 is beneficial to the District.

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. 19 and Final in the amount of \$32,415.82 for the construction of the Wayside Village East Phase I detention facilities, as recommended by Pape-Dawson; (3) approve final acceptance of the Wayside Village East Phase I detention facilities project, as recommended by Pape-Dawson; and (4) approve Change Order No. 7 in the amount of \$159,175.20 for the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements as an increase to the contract with Paskey, based upon the Board's finding that the Change Order is beneficial to the District and the Pape-Dawson's recommendation. Director Burgess seconded the motion, which passed unanimously.

ACCEPT DEEDS AND EASEMENTS

No deeds or easements were submitted for Board approval.

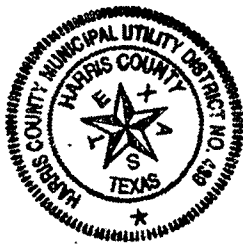
DEVELOPMENT IN THE DISTRICT

Mr. Page generally reported on development by Ashton Woods Homes in the District.

ATTORNEY'S REPORT

Ms. Brook reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

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



Nancy Zimmerman
Secretary, Board of Directors

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