

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439

June 9, 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 9<sup>th</sup> day of June, 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. ("BLI"); and Hannah Brook and Ashley Ramos of Allen Boone Humphries Robinson LLP ("ABHR").

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.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Newman presented and reviewed the tax assessor/collector's report for the month of May, including the checks presented for payment. She reported that the District's 2021 taxes are 97.5% collected through May 31, 2022. A copy of the tax assessor/collector's report is attached. Ms. Newman next stated the 2022 District preliminary value from the Harris County Appraisal District is \$39,891,706. 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.

## MINUTES

The Board considered approving the minutes of the May 12, 2022, regular meeting. Following review and discussion, Director Reichek moved to approve the minutes of the May 12, 2022, regular meeting, as presented. Director Zimmerman seconded the motion, which passed unanimously.

## 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 Reichek moved to approve the bookkeeper's report and payment of the bills. Director Zimmerman seconded the motion, which passed unanimously. A copy of the bookkeeper's report is attached.

## AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

The Board considered authorizing the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue Brandon"), to proceed with the collection of delinquent taxes owed to the District as of July 1, 2022. After review and discussion, Director Burgess moved to authorize Perdue Brandon to proceed with the collection of outstanding delinquent taxes as of July 1, 2022. Director Beasley seconded the motion, which passed unanimously.

## ANNEXATION OF LAND INTO THE DISTRICT

Ms. Brook reported on a proposed annexation of an approximate 200-acres of land to be annexed into the District.

## ENGINEER'S REPORT

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

Mr. Hajduk reported on the construction of the Wayside Village East Phase I detention facilities, stating the project is substantially complete. He reviewed and recommended approval of Pay Estimate Nos. 12, 13, and 14 in the amounts of \$366,522.30, \$268,069.54, and \$109,407.23, respectively, submitted by Paskey Incorporated ("Paskey"), as recommended by Pape-Dawson.

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 Nos. 16 and 17 in the amounts of \$176,026.97 and \$80,868.49, respectively, submitted by Paskey, as recommended by Pape-Dawson. Mr. Hajduk then reviewed and recommended approval of Change Order No. 6 to the contract with Paskey for the construction of the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements to decrease the contract in the amount of \$368.82 for quantity changes due to unanticipated field conditions and additional staking costs, as recommended by Pape-Dawson. The Board determined that Change Order No. 6 is beneficial to the District.

Mr. Hajduk updated the Board regarding the construction of water, sewer, and drainage facilities to serve Wayside Village, Section 4. He reviewed and recommended approval of Pay Estimate Nos. 1 and 2 in the amounts of \$179,305.56 and \$1,179,023.13, respectively, submitted by Principal Services, Ltd., as recommended by Pape-Dawson.

Following review and discussion, and based upon recommendation by the engineer, Director Burgess moved to (1) approve the engineer's report prepared by IDS; (2) approve Pay Estimate Nos. 12, 13, and 14 in the amounts of \$366,522.30, \$268,069.54, and \$109,407.23, respectively, for the construction of the Wayside Village East Phase I detention facilities, as recommended by Pape-Dawson; (3) approve Pay Estimate Nos. 16 and 17 in the amounts of \$176,026.97 and \$80,868.49, respectively, 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; (4) approve Change Order No. 6 in the amount of \$368.82 as a decrease to the contract with Paskey for the construction of the Wayside Village West Phase I detention facilities and the Wayside Village Phase I Harris County Flood Control District Improvements, based upon the Board's finding that the Change Order is beneficial to the District and Pape Dawson's recommendation; and (5) approve Pay Estimate Nos. 1 and 2 in the amounts of \$179,305.56 and \$1,179,023.13, respectively, for the construction of water, sewer, and drainage facilities to serve Wayside Village, Section 4, as recommended by Pape-Dawson. Director Reichel seconded the motion, which passed unanimously.

#### ACCEPT DEEDS AND EASEMENTS

No deeds or easements were submitted for Board approval.

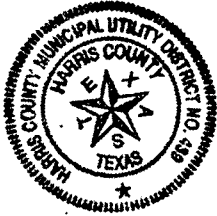
#### DEVELOPMENT IN THE DISTRICT

There was no report on development in the District.

ATTORNEY'S REPORT

Ms. Brook discussed recent cybersecurity issues in the municipal utility district industry.

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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