

MINUTES
HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5

August 17, 2023

The Board of Directors (the "Board") of Harris-Waller Counties Municipal Utility District No. 5 (the "District") met in regular session, open to the public, on the 17th day of August, 2023, 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 being present:

Christie Leighton	President
Brian Lopera	Vice President
Olga M. Strong	Secretary
Wes Simon	Assistant Vice President
Cindy Morrow	Assistant Secretary

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

Also attending the meeting in person were Andrew Dunn and Matthew Dunn of On-Site Protection LLC; Crystal Horn and Alex Stachow of McGrath & Co., PLLC ("McGrath"); Shamar O'Bryant of Land Tejas Development Company; Erik Scott and Robert Garcia of Champions Hydro-lawn, Inc. ("Champions"); David Wood of Robert W. Baird & Co. Inc. ("Robert W. Baird"); Patty Rodriguez of Bob Leared Interests; Blair Bozoarth of Quiddity Engineering, LLC ("Quiddity"); Ross Simmons of Kimley-Horn & Associates, Inc. ("Kimley-Horn"); Lee Crenshaw of Municipal District Services, LLC ("MDS"); Tracey Scott of Myrtle Cruz, Inc.; and Jessica Holoubek and Merry Heyne of Allen Boone Humphries Robinson LLP ("ABHR").

Also attending the meeting via teleconference was Lacy Hamilton of KGA/DeForest Design, LLC ("KGA").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the July 20, 2023, regular meeting. After review and discussion, Director Morrow moved to approve the meeting minutes. Director Strong seconded the motion, which passed by unanimous vote.

SECURITY SERVICES

Mr. A. Dunn reviewed the security patrol report, a copy of which is attached.

SWPPP INSPECTION REPORT

The Board reviewed the SWPPP Inspections report, a copy of which is attached.

APPROVE AUDIT FOR FISCAL YEAR END APRIL 30, 2023

Ms. Horn presented and reviewed the District's audit for fiscal year end April 30, 2023. After review and discussion, Director Morrow moved to approve the audit, subject to receipt of consultant comments and finalization, authorize filing of the audit with the Texas Commission on Environmental Quality ("TCEQ"), and direct that the audit be filed appropriately and retained in the District's official records. Director Leighton seconded the motion, which passed unanimously.

DEVELOPER REIMBURSEMENT REPORT FOR UNLIMITED TAX BONDS, SERIES 2023

Ms. Horn presented and reviewed a developer reimbursement report for reimbursable amounts due to District developers from the District's Series 2023, Unlimited Tax Bond issue. After review and discussion, Director Morrow moved to approve the developer reimbursement report. Director Leighton seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING AUTHORIZE DISBURSEMENT OF BOND PROCEEDS

Ms. Scott presented and reviewed the bookkeeper's report, investment report, and the bills presented for payment from the District's accounts.

After review and discussion, Director Leighton moved to (1) approve the bookkeeper's report and the checks presented for payment; and (2) authorize disbursement of the bond proceeds as provided in the developer reimbursement report. Director Morrow seconded the motion, which passed by unanimous vote. A copy of the bookkeeper's report is attached.

TAX ASSESSOR/COLLECTOR MATTERS

Ms. Rodriguez presented and reviewed the tax assessor/collector's report, a copy of which is attached.

After review and discussion, Director Strong moved to approve the tax assessor/collector's report and payment of the tax bills. Director Morrow seconded the motion, which passed unanimously.

DISCUSS 2023 TAX RATE, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

This agenda item was deferred until the next Board meeting.

OPERATION OF DISTRICT FACILITIES; HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

Mr. Crenshaw presented and reviewed the operator's report, a copy of which is attached.

Mr. Crenshaw then presented a list of delinquent customers to the Directors and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Mr. Crenshaw requested authorization to write off two uncollectable accounts totaling \$214.28 and send them to a collection agency.

After review and discussion, Director Leighton moved to (1) approve the operator's report; (2) authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records; and (3) authorize MDS to write off two uncollectable accounts totaling \$214.28 and send it to a collection agency. Director Morrow seconded the motion, which passed unanimously.

ENGINEERING MATTERS; DEEDS, EASEMENTS, ENCROACHMENT AGREEMENTS, WAIVERS OF SPECIAL APPRAISAL, AND PLAT MATTERS

Mr. Bozoarth presented and reviewed the engineer's report, a copy of which is attached. He discussed an overview of engineering matters in the District.

After review and discussion as recommended by the engineer, Director Morrow moved to approve the engineer's report. Director Simon seconded the motion, which passed unanimously.

PARK AND RECREATIONAL FACILITIES MATTERS

Mr. Simmons presented and reviewed Kimley Horn's landscape architect report, a copy of which is attached.

Mr. Simmons updated the Board on Section 12-13 Hardscape, Landscape and Irrigation. He reviewed and recommended approval of Pay Estimate No. 11 in the amount of \$3,249.45, submitted by Triple E Landscape.

Mr. Simmons updated the Board on Section 17-20 Hardscape, Landscape and Irrigation. He reviewed and recommended approval of Pay Estimate No. 9 in the amount of \$20,430.49, submitted by Earth First.

Mr. Simmons updated the Board on Section 21 Hardscape, Landscape and Irrigation. He reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$26,633.70, submitted by Earth First.

Mr. Simmons updated the Board on Section 26 Hardscape, Landscape and Irrigation. He reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$15,976.13, submitted by JBM Landscapes. He also recommended approval of Change Order No. 3 to the contract with JBM Landscapes to decrease the contract in the amount of -\$1,785.50. The Board determined that Change Order No. 3 is beneficial to the District.

Mr. Simmons updated the Board on Section 34 Hardscape, Landscape and Irrigation. He reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$128,645.19, submitted by HLU Services, Inc.

After review and discussion, and as recommended by the landscape architect, Director Leighton moved to (1) approve the landscape architect's report; (2) approve the Pay Estimates, as presented; and (3) approve the Change Order, as presented, based upon the Board's finding that the Change Order is beneficial to the District and the District landscape architect's recommendation. Director Morrow seconded the motion, which passed unanimously.

Ms. Hamilton reviewed KGA's landscaping report, a copy of which is attached.

Ms. Hamilton updated the Board on Sunterra Beach Corner Park Improvements. She reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$72,761.84, submitted by DL Meacham.

Following review and discussion, Director Leighton moved to (1) approve KGA's report; and (2) approve the Pay Estimate, as presented. Director Strong seconded the motion, which passed unanimously.

DETENTION AND DRAINAGE FACILITIES

Mr. Scott presented and reviewed a detention and drainage facilities report, a copy of which is attached.

DEVELOPER'S REPORT

Mr. O'Bryant discussed development in the District.

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


Secretary Board of Directors

(SEAL)



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