

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439

November 9, 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 9th day of November, 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, thus constituting a quorum.

Also attending in person were Eve Blakemore of IDS Engineering Group ("IDS"); Derek Davenport of McLennan & Associates, L.P.; Odett Newman of Bob Leared Interests, Inc.; and Duggan Baker and Jane Miller 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.

MINUTES

The Board considered approving the minutes of the October 12, 2023, regular meeting. Following review and discussion, Director Reichek moved to approve the minutes of the October 12, 2023, regular meeting, as presented. Director Burgess 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. Mr. Baker stated that no changes are required at this time.

FINANCIAL AND BOOKKEEPING MATTERS AND AMEND BUDGET FOR FISCAL YEAR ENDING APRIL 30, 2024

Mr. Davenport presented and reviewed the bookkeeper's report, including a list of checks presented for approval, and the District's budget comparison. Mr. Davenport reviewed a proposed amendment of the budget for the fiscal year ending April 30, 2024. After review and discussion, Director Burgess moved to approve the bookkeeper's report and payment of the bills. Director Reichel 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 August, including the checks presented for payment. A copy of the tax assessor/collector's report is attached. After review and discussion, Director Burgess moved to approve the tax report and payment of the bills from the tax account. Director Beasley seconded the motion, which passed unanimously.

DETENTION POND MAINTENANCE

The Board received a maintenance report, a copy of which is attached, but did not take any action.

ENGINEER'S REPORT

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

Ms. Blakemore stated that Pape Dawson Engineers ("Pape Dawson") received bids for construction of water, sewer, and drainage to serve Wayside Village, Section 10 and recommends that the Board award the contract to Clearwater Utilities, Inc. ("Clearwater") in the amount of \$1,036,956.06. The Board concurred that, in its judgment, Clearwater 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.

Ms. Blakemore updated the Board regarding construction of the water, sewer, and drainage to serve Wayside Village, Section 13, and reviewed Pape Dawson's recommendation that the Board approve Pay Estimate No. 1 in the amount of \$161,219.84, payable to Clearwater.

The Board tabled discussion regarding a Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Projects and Bonds.

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) award the contract for construction of water, sewer and drainage to serve Wayside Village, Section 10 to Clearwater in the amount of \$1,036,956.06, based upon Pape Dawson's recommendation and receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (3) based on Pape Dawson's, recommendation approve Pay Estimate No. 1 in the amount of \$161,219.84, payable to Clearwater, for construction of water, sewer and drainage to serve Wayside Village Section 13. Director Reichel seconded the motion, which passed unanimously.

ACCEPT DEEDS AND EASEMENTS

There was no discussion for this agenda item.

DEVELOPMENT IN THE DISTRICT

There was no discussion for this agenda item.

ATTORNEY'S REPORT

There was no attorney report.

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



/s/Nancy Zimmerman
Secretary, Board of Directors

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