

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149

Minutes of Board of Directors Meeting

November 20, 2023

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 149 (the "District") met in regular session, open to the public on November 20, 2023, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

John R. VanDyke, President
Stefanie Cline, Vice President
Margaret Petry, Secretary
Terrence Stephens, Assistant Secretary
Randall Kallus, Assistant Secretary

all of said persons were present, except Directors Cline and Petry, thus constituting a quorum.

Also present were: Jeffrey Bishop and Anna Katherine of Quiddity Engineering LLC ("Quiddity"); Randy Davila of Inframark, LLC ("Inframark"); Cory Burton of Municipal Accounts & Consulting, L.P. ("MA&C"); Brenda McLaughlin of Bob Leared Interests ("BLI"); Luis Cebrian of Champions Hydro-Lawn, Inc. ("Champions"); and Katie Blasio and Michelle Guild of Schwartz, Page & Harding, L.L.P. ("SPH"). Andy Parker of Parker & Sanchez, PLLC ("Parker Sanchez") entered later in the meeting as noted herein. Directors Cline and Petry dialed-in to the meeting via teleconference.

PUBLIC COMMENT

The Board began by opening the meeting for public comments. There being no comments provided, the Board continued to the next item of business.

APPROVAL OF MINUTES

The Board reviewed the minutes of its October 16, 2023, Board meeting. After review and discussion of the minutes presented, Director Kallus moved that the minutes of the meeting held on October 16, 2023, be approved as presented. Director Stephens seconded said motion, which unanimously carried.

CHAMPIONS HYDRO-LAWN, INC. ("CHAMPIONS")

Mr. Cebrian presented to and reviewed with the Board the Detention and Drainage Facilities Report prepared by Champions dated November 2023, a copy of which is attached hereto as Exhibit A. He noted that no action was required by the Board at this time.

TAX ASSESSOR-COLLECTOR REPORT

Ms. McLaughlin presented to and reviewed with the Board the Tax Assessor-Collector's Report, dated October 31, 2023, a copy of which is attached hereto as Exhibit B. After discussion, Director Kallus moved that said report be approved and that the disbursements identified in the report be approved for payment from the tax account. Director Stephens seconded said motion, which unanimously carried.

DELINQUENT TAX ATTORNEY'S REPORT

The Board deferred consideration of the Delinquent Tax Attorney's Report ("Report") from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Perdue"), after noting that no report was received.

BOOKKEEPER'S REPORT

Mr. Burton presented to and reviewed with the Board the Bookkeeping Report, dated November 20, 2023, including the checks presented for payment, a copy of which is attached hereto as Exhibit C. After discussion on the matter, it was moved by Director Kallus that the Bookkeeping Report be approved, and that the disbursements identified therein be approved for payment. Director Stephens seconded said motion, which unanimously carried.

STATUS OF COMPLIANCE BY THE DISTRICT WITH TEXAS GOVERNMENT CODE, CHAPTER 2265, RELATIVE TO ENERGY REPORTING

The Board considered the District's compliance with Texas Government Code, Chapter 2265, relative to energy reporting requirements. In connection therewith, Ms. Blasio advised the Board that governmental entities, including the District, are required to prepare an annual report on the entities' metered usage of electricity and the aggregate costs for same. She then noted that Acclaim Energy has provided an annual report, a copy of which is attached to the Bookkeeper's Report, summarizing the District's electricity usage and costs. Ms. Blasio advised that no Board action was necessary.

OPERATOR'S REPORT

Mr. Davila presented to and reviewed with the Board the Operator's Report for the month of October 2023, a copy of which is attached hereto as Exhibit D.

Mr. Davila reported to the Board that the West Harris County Regional Water Authority sent a notice rescinding the implementation of Stage 1 of its Drought Contingency Plan ("DCP") effective as of November 8, 2023, a copy of which is attached to the Operator's Report. He advised that in accordance with the District's DCP that the District has rescinded Stage 1 of its DCP.

Mr. Davila then presented to and reviewed with the Board the list of delinquent accounts for the prior month. He requested authorization to move four (4) accounts to collections in the total amount of \$1,056.53 and to write-off three (3) accounts in the total amount of \$41.35. Upon

discussion, Director Kallus moved that Inframark be authorized to forward said accounts to collections and those certain accounts be written off, as requested. Director Stephens seconded said motion, which unanimously carried.

ENGINEER'S REPORT

Mr. Bishop presented to and reviewed with the Board a written Engineer's Report, dated November 17, 2023, a copy of which is attached hereto as Exhibit E, relative to the status of various projects within the District.

Mr. Bishop reported to the Board that Quiddity is preparing to issue a Notice of Substantial Completion for the permanent Wastewater Treatment Plant Replacement project. He stated that he will present close-out documents for the Board's consideration at its next meeting.

Mr. Bishop requested authorization for the execution of the construction contracts for the 2023 Sanitary Sewer Rehabilitation project that was awarded to Insituform Technologies, Inc. last month. He then presented to and reviewed with the Board Pay Estimate No. 27 in the amount of \$126,284.05 from CSA Construction, Inc. ("CSA") for the Wastewater Treatment Plant Replacement Project (the "Project"), and recommended approval of same. Upon discussion, Director Stephens moved that (i) the President and Secretary be authorized to execute the construction contracts for the 2023 Sanitary Sewer Rehabilitation project, and (ii) Pay Estimate No. 27 in the amount of \$126,284.05 from CSA for the Project be approved, as recommended by Quiddity. Director Kallus seconded said motion, which unanimously carried.

A discussion ensued regarding the District's Water Plant Re-Build project. Ms. Blasio presented to and reviewed with the Board correspondence from Harris County Municipal Utility District No. 257 ("No. 257") requesting an extension to March 15, 2024, for its response to the District concerning its participation in the Water Plant Re-Build Project. A copy of said letter is attached hereto as Exhibit F. Mr. Bishop stated that the water plant design will take twelve months to complete so he was not opposed to the District's concurrence to an extension. Upon discussion, Director Stephens moved that SPH be authorized to reply to No. 257, on behalf of the Board and District, approving its request for an extension to March 15, 2024, in order for No. 257 to have sufficient time to determine if it will participate in the costs of the Water Plant Re-Build project. Director Kallus seconded said motion, which unanimously carried.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("AUTHORITY")

Directors VanDyke and Stephens reported to the Board regarding the Authority's Town Hall meeting that occurred on November 8, 2023. A copy of the meeting handout is attached hereto as Exhibit G.

VARIABLE ENVIRONMENTAL CHARGE LETTER FROM TEXAS PRIDE; CONSIDER AMENDMENT TO RESIDENTIAL SOLID WASTE COLLECTION CONTRACT

The Board deferred consideration of a Variable Environmental Charge Letter from Texas Pride until its next meeting.

MATTERS RELATED TO MAY 4, 2024 DIRECTORS ELECTION

Ms. Blasio reported to the Board regarding the District's Directors Election to be held on May 4, 2024. She stated that per the requirements of Section 141.040, Texas Election Code and Section 49.113, Texas Water Code, each as amended, the District must post a Notice Regarding Candidate Filing Period concerning the period for a candidate to file an application for a place on the ballot. Following discussion, it was moved by Director Stephens, seconded by Director Kallus, and unanimously carried that SPH be authorized to post the required Notice Regarding Candidate Filing Period by December 18, 2023.

ATTORNEY'S REPORT

The Board next considered the attorney's report. Ms. Blasio then presented to and reviewed with the Board a document received from the District's financial advisors, Masterson Advisors, LLC, relative to certain disclosures required by the Municipal Securities Rulemaking Board Rule G-10. A copy of such disclosure is attached hereto as Exhibit H.

Ms. Blasio informed the Board that, pursuant to §2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). She explained that the report will contain the District's contact information as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Kallus, seconded by Director Petry, and unanimously carried, that SPH be authorized to prepare and file the required eminent domain report with the Comptroller on behalf of the District prior to February 1, 2024.

Ms. Blasio next presented to and reviewed with the Board with a memorandum prepared by SPH regarding the DuPont and 3M Class Action Settlements (the "Settlements") relating to presence of PFAS (per and polyfluoroalkyl substances) in drinking water in the United States, a copy of which memorandum is attached hereto as Exhibit I. After discussion, the Board concurred to not take action to opt out of either of the settlements.

Mr. Parker entered the meeting during the discussion above.

Ms. Blasio reported to the Board that there are no conference rooms available to move the District's meeting time to 12:00 or 12:30 p.m. on the regular meeting date. The Board concurred to retain its current Board meeting schedule. Ms. Blasio stated that the Holiday Dinner is rescheduled to December 14, 2023, and stated that SPH will send an email to the Board and Consultants after today's meeting.

FUTURE AGENDA ITEMS

The Board considered items for placement on future agendas. Except as may be reflected above, there were no additional agenda items requested other than routine, ongoing matters.

EXECUTIVE SESSION

The President announced at 2:54 p.m. that the Board would convene in Closed Session pursuant to Texas Government Code Section 551.071. All in attendance, with the exception of the Board and Mr. Parker, exited at this time.

The Board reconvened in Open Session at 3:10 p.m.

ADJOURNMENT

There being no further business to come before the Board, Director Kallus moved that the meeting be adjourned. Director Stephens seconded said motion, which unanimously carried.


Assistant Secretary, Board of Directors

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149
EXHIBITS

November 20, 2023

- Exhibit A Champions Hydro-Lawn, Inc. Report
- Exhibit B Tax Assessor-Collector's Report
- Exhibit C Bookkeeping Report
- Exhibit D Operator's Report
- Exhibit E Engineer's Report
- Exhibit F Correspondence from Harris County Municipal Utility District No. 257
- Exhibit G West Harris County Regional Water Authority Meeting Handout
- Exhibit H Masterson Advisors LLC G-10 Letter
- Exhibit I Memorandum Regarding the DuPont and 3M Class Action Settlements