

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439

March 10, 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 10th day of March, 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 Reichel	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 Director Kramer, thus constituting a quorum.

Also attending in person or by telephone were Junious Williams of Ashton Woods/Starlight Homes; Amanda Edmondson of Pape-Dawson Engineers, Inc. ("Pape-Dawson"); Jason Hajduk of IDS Engineering Group ("IDS"); Judy Osborn 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

Ms. Brook 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, Ms. Brook moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the February 10, 2022, regular meeting. Following review and discussion, Director Burgess moved to approve the minutes of the February 10, 2022, regular meeting, as presented. Director Zimmerman seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Osborn 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 Beasley seconded the motion, which passed unanimously.

BUDGET

Ms. Osborn presented and reviewed a proposed budget for the fiscal year ending April 30, 2023, a copy of which is attached to the bookkeeping report. She requested that the Board and the District consultants review the proposed draft budget and contact her with comments prior to the Board's next meeting. The Board deferred action on the budget to the next meeting.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Newman presented and reviewed the tax assessor/collector's report for the month of February, including the checks presented for payment. She reported that the District's 2021 taxes are 97.9% collected through February 28, 2022. A copy of the tax assessor/collector's report is attached. After review and discussion, Director Zimmerman moved to approve the tax reports and payment of the bills from the tax account. Director Beasley seconded the motion, which passed unanimously.

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. He reviewed and recommended approval of Pay Estimate No. 10 in the amount of \$69,874.35, 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 No. 14 in the amount of \$129,386.09, submitted by Paskey, 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 No. 10 in the amount of \$69,874.35 for the construction of the Wayside Village East Phase I detention facilities, as recommended by Pape-Dawson; and (3) approve Pay Estimate 14 in the amount of \$129,386.09 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. Director Zimmerman seconded the motion, which passed unanimously.

ACCEPT DEEDS AND EASEMENTS

No deeds or easements were submitted for Board approval.

DEVELOPMENT IN THE DISTRICT

Mr. Williams reported on the status of development in the District on the west side of North Wayside Drive.

Ms. Brook presented and reviewed a Partial Assignment of the Financing and Reimbursement Agreement for Water, Sewer, and Drainage Facilities between the District and Cove Matrix Development, Ltd., dated May 24, 2018, for an approximate 40.720-acre tract to LGI Homes. Following review and discussion, Director Zimmerman moved to consent to the Partial Assignment between Cove Matrix and LGI Homes and authorize execution of the Consent to Assignment. Director Beasley seconded the motion, which passed unanimously.

2022 DIRECTORS ELECTION

Ms. Brook discussed procedures related to the 2022 Directors Election. She presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the three director positions for the May 7, 2022, Directors Election.

Ms. Brook next presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office stating that the May 2, 2022, Directors Election is cancelled and that the unopposed candidates, Adam Kramer, Nancy Zimmerman, and Steve Burgess, are declared elected to office to serve from the May 7, 2022, election until the May 2, 2026, Directors Election, or until their successors have been appointed and have qualified.

Ms. Brook discussed that the Board had approved entering into a contract with Harris County (the "County") to administer the District's 2022 Directors Election.

Following review and discussion, Director Zimmerman moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors; (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office; and (3) cancel the contract with the County for election

services for the May 2022 Directors Election. Director Burgess seconded the motion, which passed unanimously.

ATTORNEY'S REPORT

There was no additional attorney report.

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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