

MINUTES OF MEETING OF  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 70,  
OF HARRIS COUNTY, TEXAS  
July 25, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 70, of Harris County, Texas (the "District") met in regular session on July 25, 2024, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Stephanie Peters, President  
Ron Sanches, Vice President  
Rudolph Lange, Secretary  
Rachel Knight, Assistant Secretary  
Ronald Garcia, Assistant Secretary

All of said persons were present, except Director Knight, thus constituting a quorum.

Also present at the meeting were: Darrell Hatch and Tierra Gaston of the Harris County Public Health Department ("HCPH"); Debbie Shelton of Masterson Advisors, LLC ("Masterson"); Rachel Broom of Cobb Fendley & Associates, Inc. ("CobbFendley"); Darrell Hawthorne of Municipal Accounts & Consulting, L.P. ("MA&C"); Ryan Vaughn of Municipal Operations & Consulting, Inc. ("MOC"); Brenda McLaughlin of Bob Leared Interests ("BLI"); Dennis Eby of Eby Engineers, Inc., engineer for Harris County Municipal Utility District No. 144 ("No. 144"); Chuck Brandman of Harris County Municipal Utility District No. 264 ("No. 264"); and Spencer Creed of Schwartz, Page & Harding, L.L.P. ("SPH").

The meeting was called to order and declared open for such business as might regularly come before it.

JOINT SEWAGE TREATMENT PLANT COMMITTEE MEETING MINUTES

The Joint Sewage Treatment Plant Committee portion of the minutes of the District's June 27, 2024, Board meeting were considered. Corrections were noted to page 1 (regarding meeting date) and page 2 (regarding attendance by Mr. Eby rather than Mr. Cunningham).

ENGINEERING REPORT

Ms. Broom presented a written Engineering Report for the Joint Sewage Treatment Plant Committee Meeting, a copy of which report is attached hereto as **Exhibit A**, and noted that there was nothing new to report at this time. She noted that she would be reviewing MOC's maintenance item summary for possible adjustments to the Capital Improvement Plan.

## OPERATIONS REPORT

Mr. Vaughn presented and reviewed the Wastewater Treatment Plant ("WWTP") Operations Report for the month of June 2024, a copy of which report is attached hereto as **Exhibit B**, and discussed same with the Board. No action was taken.

A discussion ensued regarding the status of the facilities during and after Hurricane Beryl. Mr. Vaughn noted that the facilities had power during and after the storm and there were no damages to the facilities.

## JOINT SEWAGE TREATMENT PLANT ("JSTP") ATTORNEY REPORT

The Board next considered the attorney's report. Mr. Creed advised the Board that she had nothing additional to discuss with the Board of a legal nature pertaining to the JSTP which was not covered under specific agenda items above.

## BOOKKEEPER'S REPORT

Mr. Hawthorne presented to and reviewed with the Board the JSTP Bookkeeper's Report for July 25, 2024, a copy of which report is attached hereto as **Exhibit C**, including the disbursements presented for payment. After discussion, it was moved by Director Peters that the JSTP Bookkeeper's Report be approved and that the disbursements identified in the report be authorized for payment. Director Sanches seconded said motion, which unanimously carried.

In connection with the preparation of the Fiscal Year Ending 2025 Operating Budget for the JSTP, Mr. Hawthorne noted that an initial draft will be distributed next month and the budget will ultimately be adopted at the September meeting.

## ATTORNEY'S REPORT

Mr. Hatch and Ms. Gaston presented to the Board a brochure from the HCPH relative to the HCPH's Wastewater-Based Epidemiology Program (the "Surveillance Program"), a copy of which is attached hereto as **Exhibit D**, and responded to questions regarding same. After discussion, the Board concurred to add the matter to the August agenda for further discussion, which will allow Mr. Brandman and Mr. Eby an opportunity to discuss the program with their respective Districts (No. 264 and No. 144).

Mr. Brandman, Mr. Eby, Mr. Hatch, and Ms. Gaston exited the meeting at this time.

## DISTRICT MEETING

The President then called the District Board meeting to order and declared it open for such business as might regularly come before it.

## COMMENTS FROM THE PUBLIC

The Board deferred consideration of comments from the public, as no comments were offered.

## MINUTES

The Board considered approving the minutes of the District's June 27, 2024, Board meeting. After discussion, Director Lange moved that the June 27, 2024, Board meeting minutes be approved as revised in accordance with the prior discussions. Director Garcia seconded said motion, which unanimously carried.

## RECEIVE AND ACT UPON BIDS FOR PURCHASE OF THE DISTRICT'S \$7,615,000 UNLIMITED TAX BONDS, SERIES 2024 (THE "BONDS")

Ms. Shelton announced that, pursuant to notice published as required by law, public bids for the sale of the Bonds were to be received at this time and place. Ms. Shelton presented to and reviewed with the Board the bid results relative to the sale of the Series 2024 Bonds, copies of which are attached hereto as **Exhibit E**. She reported that five (5) bids had been received for purchase of the Bonds, and advised that the low bid was submitted by Hilltop Securities, Inc. ("Hilltop") at a net effective interest rate of 4.149513%. Ms. Shelton next stated that a good faith check has been tendered and recommended that the bid of Hilltop be accepted by the Board. After discussion, it was moved by Director Lange, seconded by Director Garcia and unanimously carried, that the Board accept the bid of Hilltop for the purchase of all of the Bonds.

## BOND ORDER

Mr. Creed presented to the Board the District's Order authorizing the issuance of the Bonds ("the Bond Order"), a copy of which is attached hereto as **Exhibit F**, and reviewed various provisions thereof with the Board. Following further discussion, it was duly moved by Director Peters, seconded by Director Lange, and unanimously carried that the Bond Order presented be passed and adopted and that the President be authorized to execute the Bond Order, and the Secretary to attest same on behalf of the Board and District.

## DISTRIBUTION OF FINAL OFFICIAL STATEMENT

As the next order of business, the Board discussed the completion of the Final Official Statement by Masterson in connection with the Bonds. Following further discussion, Director Peters moved that Masterson be authorized to complete the Final Official Statement, dated as of the date hereof, and that said Final Official Statement be adopted by the Board and District, subject to final review and comment by SPH. Director Lange seconded said motion, which carried unanimously.

PAYING AGENT/REGISTRAR AGREEMENT WITH REGIONS BANK

The Board next considered and reviewed a Paying Agent/Registrar Agreement ("Agreement") by and between the District and Regions Bank, relative to the Bonds. Mr. Creed reviewed the various provisions of the Agreement with the Board. After further discussion of the Agreement, Director Peters moved that the Agreement be approved and that the President be authorized to execute the Agreement on behalf of the Board and District. Director Lange seconded said motion, which carried unanimously.

AUTHORIZE EXECUTION OF VARIOUS ADDITIONAL DOCUMENTATION FOR INCLUSION IN TRANSCRIPT OF PROCEEDINGS FOR SUBMISSION TO THE ATTORNEY GENERAL OF THE STATE OF TEXAS

As the next order of business, the Board considered authorizing the execution of various additional documentation for inclusion in the transcript of proceedings to be submitted to the Attorney General of Texas relative to the issuance of the Bonds, including but not limited to the General Certificate. Mr. Creed reviewed the various provisions of the General Certificate with the Board, a copy of which is attached hereto as **Exhibit G**. Following discussion, Director Peters moved that the President or Vice President, and Secretary be authorized to execute any additional documentation required for inclusion in the transcript of proceedings to be submitted to the Attorney General of Texas relative to the issuance of the Bonds. Director Lange seconded the motion, which carried unanimously.

HARRIS COUNTY SHERIFF'S OFFICE ("HCSO") SECURITY ACTIVITY REPORT

The Board considered the June 2024 HCSO Security Activity Report, a copy of which report is attached hereto as **Exhibit H**. No action required was by the Board.

Mr. Creed reported that the executed 2024-2025 Interlocal Agreement for Law Enforcement Services has been delivered to Harris County for approval and execution.

BOOKKEEPER'S REPORT

Mr. Hawthorne presented to and reviewed with the Board the Bookkeeper's Report dated July 25, 2024, a copy of which report is attached hereto as **Exhibit I**, including the disbursements listed therein. Mr. Hawthorne presented to and reviewed with the Board a Resolution authorizing MAC to open a construction fund account with Central Bank. A copy of such Resolution is attached hereto as **Exhibit J**. After discussion, it was moved by Director Peters that the report be approved and that the disbursements identified in the report be authorized for payment, with the exception of check number 15132 payable to Director Knight, which was voided, and that the Resolution to open a new account be adopted. Director Lange seconded said motion, which unanimously carried.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. McLaughlin presented and reviewed the Tax Assessor/Collector's Report for June 30, 2024, including the disbursements presented for payment as listed therein, a copy of which

report is attached hereto as **Exhibit K**. After discussion, Director Garcia moved that said report be approved, that the disbursements identified in the report be approved for payment from the tax account. Director Peters seconded said motion, which unanimously carried.

#### DELINQUENT TAX COLLECTIONS ATTORNEY'S REPORT

Mr. Creed presented to and reviewed with the Board a Delinquent Tax Report received from Perdue, Brandon, Fielder, Collins & Mott, LLP ("Perdue"), the District's delinquent tax collections attorneys, dated July 25, 2024, a copy of which Report is attached hereto as **Exhibit L**. Mr. Creed further advised that, according to the report, no Board action was necessary at this time.

#### OPERATIONS REPORT

Mr. Vaughn presented and reviewed the Operations Report for the month of June, 2024, a copy of which report is attached hereto as **Exhibit M**, and discussed same with the Board.

Mr. Vaughn next presented to and reviewed with the Board the list of delinquent accounts for the prior month. He requested authorization to write off two (2) delinquent accounts in the amount of \$525.80, since all collection efforts to date had been unsuccessful. After discussion on the matter, Director Peters moved that MOC be authorized to write off two (2) delinquent accounts in the amount of \$525.80 as more fully set forth in the attached Operations and Maintenance Report, and as recommended by the District's Operator. Director Sanches seconded said motion, which unanimously carried.

#### REVIEW WATER CONSERVATION PLAN

Mr. Creed informed the Board that the District's engineer and operator have been updating the District's Water Conservation Plan (the "WC Plan") and anticipate presenting a revised WC Plan to the Board at the August Board meeting.

#### ENGINEERING REPORT

Ms. Broom presented to and reviewed with the Board a written Engineering Report for the District, a copy of which report is attached hereto as **Exhibit N**.

Ms. Broom then presented to and reviewed with the Board the Bid Tabulation sheet for the Waterline Replacement Project (the "WL Replacement Project") and a recommendation by CobbFendley to award the WL Replacement Project to SKE Construction, LLC ("SKE") in the amount of \$3,547,767.00, a copy of the Bid Tabulation and Recommendation of Award are attached to the Engineer's Report.

A discussion ensued regarding potential additional projects to be included in and/or accelerated within the District's Capital Projects Improvement Plan (the "CIP").

After discussion on the matter, Director Lange moved to approve the award of the WL Replacement Project to SKE in the amount of \$3,547,767.00, and to authorize CobbFendley to

prepare a summary of options for projects to include in the District's CIP as discussed. Director Sanches seconded said motion, which unanimously carried.

#### DRAINAGE FACILITY MAINTENANCE REPORT

The Board deferred discussion of the Double Oak Erosion Maintenance and Inspection Report as there was no representative from Double Oak Erosion in attendance at the meeting.

#### UTILITY COMMITMENTS

The Board deferred action regarding utility commitments as no requests were received this month.

#### STATUS REPORT FROM GFL ENVIRONMENTAL REGARDING GARBAGE COLLECTION SERVICE

The Board deferred discussion of the Green for Life Customer Service Report as there was no representative from Green for Life in attendance at the meeting.

#### DISTRICT WEBSITE

The Board deferred consideration of an Off Cinco Analytics Report, as no report was provided for distribution at the meeting.

#### RECORDS RETENTION SCHEDULES AND POLICIES AND PROCEDURES FOR ELECTRONIC STORAGE OF DISTRICT RECORDS

Mr. Creed presented to and reviewed with the Board a memorandum from SPH, which is attached hereto as **Exhibit O**, regarding the legal requirements to electronically store District records and destroy the paper copies of such records. In this regard, he recommended that the Board approve the Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records attached hereto as **Exhibit P** (the "Records Resolution"). After discussion, Director Peters moved to approve the Records Resolution. Director Sanches seconded the motion, which unanimously carried.

Mr. Creed reported that the District's Records Retention Schedules adopted in connection with its Records Management Program require that records of the District be retained only for specific periods of time based on the type of record. As an example, Mr. Creed explained that notes taken during meetings and which are used to prepare the official minutes of Board meetings are to be retained for ninety days after approval of such minutes by the Board. Mr. Creed next presented a request from the Records Management Officer for approval to destroy certain records (which will not be scanned in and stored electronically) in accordance with the District's Records Retention Schedules, a copy of which request is attached hereto as **Exhibit Q** (the "Request"). After discussion, Director Peters moved that SPH be authorized to destroy the records described in the Request. Director Sanches seconded said motion, which carried unanimously.

EXECUTIVE SESSION

The Board determined it would not be necessary to enter into Closed Session pursuant to Texas Government Code Sections 551.071 and/or 551.076.

COMMUNICATIONS WITH HOMEOWNER'S ASSOCIATIONS ("HOA")

Director Lange reported that he had nothing new to report at this time.

ATTORNEY'S REPORT

The Board considered the Attorney's Report. Mr. Creed presented to and reviewed with the Board correspondence from the U.S. Department of Commerce regarding the completion of the 2024 Annual Survey of Local Government Finances. After discussion, the Board concurred to decline to participate. A copy of said correspondence is attached hereto as **Exhibit R**.

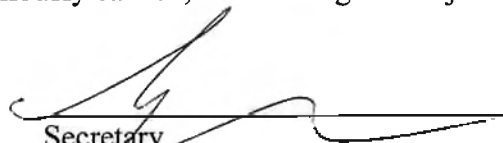
FUTURE AGENDA MATTERS

The Board considered items for placement on a future agenda. No specific agenda items, other than routine and ongoing matters and matters noted earlier in the meeting were requested.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Sanches, seconded by Director Garcia and unanimously carried, the meeting was adjourned.



  
Secretary

LIST OF ATTACHMENTS TO MINUTES

- Exhibit A     Engineering Report – Joint Wastewater Treatment Plant Committee
- Exhibit B     Wastewater Treatment Plant Operations Report
- Exhibit C     Joint Sewage Treatment Plant Bookkeeper's Report
- Exhibit D     HCPH Wastewater-Based Epidemiology Program Brochure
- Exhibit E     Series 2024 Bonds Bid Results
- Exhibit F     Bond Order
- Exhibit G     General Certificate
- Exhibit H     HCSO Security Activity Report
- Exhibit I     Bookkeeper's Report
- Exhibit J     Resolution Concerning Account at Central Bank
- Exhibit K     Tax Assessor/Collector's Report
- Exhibit L     Delinquent Tax Report
- Exhibit M     Operations Report
- Exhibit N     Engineering Report