

MINUTES
HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5

January 16, 2025

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 16th day of January, 2025, 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:

Richard Jenks	President
Chelsea Taylor	Vice President
Olga M. Strong	Secretary
Wes Simon	Assistant Vice President
Cindy Morrow	Assistant Secretary

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

Also attending the meeting were Everett Kennedy of HistoryMaker Homes; David Wood of Robert W. Baird & Co. Incorporated; Patty Rodriguez of Bob Leared Interests; Blair Bozoarth and Pauline Barrozo of Quiddity Engineering, LLC ("Quiddity"); Dana Hollingsworth of Municipal District Services, LLC ("MDS"); Tracey Scott of Myrtle Cruz, Inc. ("Myrtle Cruz"); and Jessica Holoubek, Brooke Milbauer, and Merry Heyne of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the December 19, 2024, regular meeting. After review and discussion, Director Morrow moved to approve the meeting minutes, as presented. Director Simon seconded the motion, which passed unanimously.

SECURITY SERVICES

Ms. Holoubek presented and reviewed a letter from On-Site Protection LLC regarding the automatic increase of the security patrol's hourly rate from \$58.68 to \$64.50 an hour pursuant to Section 4 of the Security Consulting Services Agreement. A copy of the letter is attached. A copy of the previously disbursed security patrol report is also attached.

FINANCIAL AND BOOKKEEPING MATTERS; ACCEPT ANNUAL DISCLOSURE STATEMENTS FOR INVESTMENT OFFICER AND BOOKKEEPER

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

Ms. Holoubek presented the Public Funds Investment Act Disclosure Statements for the bookkeeper and investment officer. She noted that the Disclosure Statements will be filed with the Texas Ethics Commission.

After review and discussion, Director Morrow moved to (1) approve the bookkeeper's report and the checks presented for payment; and (2) accept the Disclosure Statements and authorize filing with the Texas Ethics Commission. Director Simon seconded the motion, which passed by unanimous vote. A copy of the bookkeeper's report is attached.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Holoubek reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

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

OPERATION OF DISTRICT FACILITIES; HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE; ANNUAL CPI-U ADJUSTMENT

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

Ms. Hollingsworth 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.

Ms. Hollingsworth presented and reviewed MDS's schedule of rates and adjustments to tap connection fees. The Board considered amending the Rate Order due to the increase in the District operator's fees.

After review and discussion, Director Morrow 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) approve MDS's annual CPI adjustments. Director Jenks seconded the motion, which passed unanimously.

CONSIDER TERMINATION OF AGREEMENT WITH SILT SOLUTIONS

The Board discussed terminating the agreement between the District and Silt Solutions due to the District not needing these services any longer. Following discussion, Director Simon moved to provide 30 days' notice as required and terminate the agreement between the District and Silt Solutions. 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.

Mr. Bozoarth updated the Board on paving facilities for Sunterra Sections 12 and 13. He requested that the Board authorize ABHR to submit a claim on the maintenance bond to require the bonding company to do the repairs of the non-warranty items on the punch list. Mr. Bozoarth also stated that Quiddity solicited bids for the non-warranty items for paving facilities for Sunterra Sections 12 and 13 in the event that the claim on the maintenance bond is unsuccessful. Mr. Bozoarth recommended that the Board award the contract to the low bidder, Infrastructure Construction Services ("ICS"), in the amount of \$89,695.00, if necessary. The Board concurred that, in its judgment, ICS 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.

Following review and discussion, Director Jenks moved to (1) approve the engineer's report; (2) authorize ABHR to submit a claim on the maintenance bond to require the bonding company to do the repairs of the non-warranty items that are on the punch list for paving facilities for Sunterra Sections 12 and 13; and (3) award the contract for the non-warranty items on the punch list for paving facilities for Sunterra Sections 12 and 13 to ICS in the amount of \$89,695.00, if necessary if the claim on the maintenance bond is unsuccessful, based upon the District engineer's recommendation and receipt of the payment and performance bonds and the certificates of insurance and

endorsements, if any, provided by the contractor. Director Morrow seconded the motion, which passed unanimously.

PARK AND RECREATIONAL FACILITIES MATTERS

There was no discussion on this agenda item.

ADOPT RESOLUTION ADOPTING COVERED APPLICATIONS POLICY

Ms. Holoubek discussed legislation enacted by the Texas Legislature that requires all governmental entities to adopt a policy prohibiting the use of certain social media applications and services on government-owned or leased devices. She stated that a model policy was developed by the Texas Departments of Public Safety and Information Resources for use by governmental entities. Ms. Holoubek reviewed the proposed Covered Applications Policy with the Board. After review and discussion, Director Morrow moved to adopt a Resolution Adopting Covered Applications Policy and direct that the Resolution be filed appropriately and retained in the District's official records. Director Simon seconded the motion, which passed unanimously.

REPORT ON DEVELOPMENT, INCLUDING CONSENT TO ASSIGNMENT AND RELATED CERTIFICATIONS

Mr. Kennedy reported on development by HistoryMaker Homes.

Ms. Holoubek presented and reviewed a Sale and Assignment Agreement for Assignment of Receivables to TIP Financing and other documents related to the Assignment (collectively, the "Assignment Agreement").

After review and discussion, Director Morrow moved to approve the Assignment Agreement. Director Simon seconded the motion, which passed unanimously.

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


Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

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