

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248

Minutes of Meeting of Board of Directors

October 11, 2023

A meeting of the Board of Directors ("Board") of Harris County Municipal Utility District No. 248 ("District") was held at 13205 Cypress North Houston Road, Cypress, Texas on Wednesday, October 11, 2023 at which a quorum of Directors was present, as follows:

A. Richard Wilson, President
Marie Godard, Vice President
Long Nguyen, Secretary
Dedrick Wilmer, Director
Richard Ford, Director

and the following absent:

None.

Also present were Mr. Jerry Homan; Mr. Brian Breeding; Ms. Pam Magee; Ms. Pat Hall; Ms. Angela Cunningham; Mr. Patrick Newton; Mr. Scott Gray; Mr. Jorge Diaz; Ms. Leslie Cook; and Ms. Melissa J. Parks, attorney for the District.

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

1. The Board opened the floor for public comment. No public comment was presented.

2. The Board considered the minutes of its meeting held September 13, 2023. Upon unanimous vote, the Board approved the minutes as presented.

3. The Board discussed issuance of bonds to reimburse the developer for road facilities and related improvements constructed to serve the Weiser Business Park within the District's defined area. At the last meeting, the Board had authorized its consultants to prepare bond offering documents. Leslie Cook presented a draft Preliminary Official Statement and Notice of Sale for the District's \$5,870,000 Defined Area Unlimited Tax Road Bonds, Series 2023. She discussed the plan of financing and reviewed the document in detail with the Board, along with a proposed schedule to sell the bonds on November 8 and close the transaction on December 14. After discussion, upon unanimous vote, the Board approved the plan of financing and adopted the attached Resolution Authorizing Issuance and Distribution of Preliminary Official Statement and Notice of Sale. Further, the Board unanimously agreed to engage FORVIS, LLP to perform agreed-upon procedures on amounts reimbursable to the developer from bond proceeds.

4. The Board acknowledged publication of a Notice of Public Hearing to consider a 2023 tax rate of \$0.42 within the entire District, comprised of a \$0.21 debt service tax and a \$0.21 maintenance tax. The Board opened a hearing for public comment or questions on the proposed tax rate and, receiving none, closed the hearing. Thereafter, the Board considered the attached Order for adoption of the District's 2023 tax rate, and upon unanimous vote, the Order was approved and executed.

5. The Board acknowledged publication of a Notice of Public Hearing to consider a \$0.36 debt service tax rate for 2023 in the defined area of the District. The Board

opened a public hearing for comment or questions on the proposed rate. No public comment was offered and the hearing was closed. Upon unanimous vote, the Board adopted the attached Order levying a 2023 tax in the defined area of the District.

6. The Board executed an Amendment to Statement of Directors for the District and for the defined area to reflect the 2023 tax rates and authorized the attorney to file the statements in the Harris County Real Property Records. The Board also authorized updating the internet posting required under the Texas Tax and Government codes to reflect the 2023 tax rates.

7. Pat Hall presented the tax assessor-collector's monthly report, indicating that 2022 taxes were 99% collected through September 30. The Board discussed collection of delinquent taxes and authorized termination of utility service for two personal properties owned by one owner if the taxes remain delinquent on October 13, 2023. After discussion, the Board authorized service termination. Ms. Hall reviewed proposed disbursements from the tax account and thereafter, upon motion duly made, seconded, and unanimously carried, the Board approved the tax assessor-collector's report as presented and authorized release of the checks drawn on the tax fund.

8. The Board considered amendment of the tax assessor-collector's contract with the District to increase the monthly rate and institute an automatic annual 3% increase. The Board discussed the requested amendment and agreed to its terms. Thereafter, upon unanimous vote, the Board authorized execution of the amended agreement with Equi-Tax, Inc.

The Board next considered an agreement with Equi-Tax, Inc. to provide services of a tax assessor and collector within the District's defined area. Such an agreement was necessary as the District has now levied a tax within the defined area. After discussion, upon unanimous vote, the Board approved and executed the agreement.

9. Jorge Diaz presented the bookkeeper's monthly report, reviewing the invoices reflected thereon and a schedule of District investments. The Board reviewed the activity in each account and a comparison of actual versus budgeted revenues and expenditures to date in the general fund account for the fiscal year ending March 31, 2024. The Board inquired about the transition of bookkeeping services from Municipal Business Services to McLennan & Associates and was advised by Mr. Diaz about documentation still needed from the former bookkeeper concerning matters including access to an account at Amegy Bank, strategic partnership agreement revenues and maintenance taxes. Mr. Diaz is in communication with the former bookkeeper and other entities about these matters, and other District consultants also offered to assist. After further discussion, upon motion by Director Godard, seconded by Director Nguyen, the Board voted unanimously to approve the bookkeeper's report as presented and authorized release of the checks listed thereon.

10. Brian Breeding presented the operator's report, indicating 736 bills were prepared during the month, including nine refunds. Water accountability for the month was 102%, with 18,139,000 gallons purchased by customers. Mr. Breeding discussed drought measures, noting that during a limited period since the Board's last meeting, Stage 2 drought measures had been imposed, but they had recently been reverted to Stage 1 voluntary measures, which remain in place at this time.

The operators discussed work in the District by Ezee Fiber and its subcontractors to install fiberoptic cable. District facilities have been damaged as a result of this work, and the operators have invoiced Ezee Fiber for the District's charges incurred to repair the damages. To date, these invoices remain unpaid. The operators have followed up the invoices with telephone and e-mail contact. After discussion, in the event the invoices remain unpaid the Board unanimously authorized the attorney to make a written demand for payment as necessary and authorized other appropriate collection actions. The Board then noted its appreciation to the operators for their vigilance and quick repair of these damages as well as their overall comprehensive service to the District.

Mr. Homan addressed the Board regarding activities of the North Harris County Regional Water Authority, including its recent election of a new president. Mr. Homan then mentioned having made contact with Harris County concerning a proposed detention pond purchase in Harris County FWSD No. 61, and to that end, he had inquired about County funding for purchase of the Weiser detention pond from the District. Ms. Parks reported on her recent communications with the County in the same regard. Finally, Mr. Homan generally discussed security at District facilities. After further discussion of operating matters, the Board approved the report as presented.

11. Scott Gray presented the detention pond operations report. The new trash screen has been installed at the outfall at The Reserve at 290 Commons pond. Mr. Gray reviewed photographs of conditions at all ponds, noting much-improved conditions after recent rains. He then addressed problems with outfalls in the White Oak Falls and White Oak Springs ponds discussed last month and presented proposals for repair of same, which the Board reviewed in detail. The Board agreed the proposals served as a good general evaluation of work needed in these areas and requested that Mr. Gray work with Mr. Homan and the District's engineer to further discuss the matter and prepare a recommendation for Board consideration. The Board agreed it would likely use surplus construction funds to pay for this project.

12. Patrick Newton presented the monthly engineer's report. Warranty work had been completed by the contractor for the Weiser Business Park lift station, and work on the traffic signal was complete and the signal is active. Punchlist items have been forwarded to the water, sewer, drainage, and paving contractor for completion and eventual conveyance of maintenance responsibility for the roads and storm sewer to Harris County.

Mr. Newton discussed sanitary sewer and manhole rehabilitation projects and reported that Harris County FWSD No. 61 recently awarded a contract for the work. It appeared that more work than originally anticipated would be necessary on the sewer lines, as determined after the lines were televised. Mr. Newton will obtain additional detail from No. 61 for presentation to the Board next month, including the amount of the District's share of the project which the Board agreed would likely be funded using surplus capital project funds.

Mr. Newton presented a proposal for engineering services for the District's Series 2023 defined area road bonds and requested Board approval and execution of same. He next reported that he and Mr. Homan continued to coordinate a meeting with the owner of several properties comprising the Huffmeister Road and Hempstead Road tracts within the District (triangle tract). Finally, Mr. Newton noted he will update and revise the District's 10 year

capital improvements plan as appropriate as it relates to the detention pond outfall pipes discussed earlier today. After further discussion, the Board approved the engineer's report and executed the proposal for engineering services related to the road bonds.

13. The Board discussed the status of closing and funding of conveyance of the Weiser detention pond to Harris County. As noted earlier, several of the District's consultants remain in contact with Harris County about the transaction.

14. The Board discussed pending business, with Ms. Parks reporting that in accordance with the District's agreement with Weiser BP Land for conveyance to the District of a small tract north of Fallbrook Drive, a deed has been prepared and forwarded to Dan Muniza for developer execution.

There being no further business to come before the Board, the meeting was adjourned.


Secretary

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248
NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested parties that the Board of Directors of the captioned District will hold a public meeting at 13205 Cypress North Houston Road, Cypress, Harris County, Texas. The meeting will be held at **11:30 a.m. on Wednesday, October 11, 2023**. The subject of the meeting is to consider and act on the following:

1. Public comments
2. Minutes of meeting held September 13, 2023
3. Harris County MUD No. 248 Defined Area Unlimited Tax Road Bonds, Series 2023:
 - a. Approve Plan of Financing; Notice of Sale, and Preliminary Official Statement;
 - b. Resolution Authorizing Issuance and Distribution of Preliminary Official Statement
 - c. Engage accountants for reimbursement audit
4. Tax assessor-collector's report; invoices and checks; status of delinquent taxes; authorize appropriate actions for collection of delinquent accounts
5. Review and approval of (a) contract with tax assessor-collector for service to Defined Area and (b) amendment of rates under current contract with tax assessor-collector for service to District
6. Public hearing on 2023 tax rate for District and 2023 tax rate for Defined Area; Orders adopting 2023 tax rates
7. Amendments to Statements of Directors for 2023 tax rates; Update District website to include 2023 tax rates
8. Bookkeeper's report; review of checks and invoices; payment of bills; investment of District funds
9. Operator's report; repair and maintenance of District water, sewer, and drainage facilities; customer appeals and account adjustments; termination of service for delinquent accounts; authorize writing off uncollectable accounts; drought response measures under Drought Contingency Plan
10. Damages to District facilities due to fiberoptic cable installation; authorize appropriate actions to recover costs of District repairs
11. Detention pond operator report; authorize repair and maintenance; plan for comprehensive evaluation and rehabilitation of outfall pipes
12. Engineer's report; project design, approve award of construction contracts; approve change orders, pay estimates, and advertisement for bids; utility commitments; advertisement for bids; capital improvements plan
13. Water and sewer service to 290/Huffmeister/Hempstead triangle tract
14. Status of closing and funding conveyance of Weiser Detention Pond to Harris County under Joint Participation Interlocal Agreement and reimbursement of developer
15. Pending business



A handwritten signature in black ink that reads "Melissa J. Parks".

Melissa J. Parks
Attorney for the District