

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 359

March 6, 2019

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 359 (the "District") met in regular session, open to the public, on the 6<sup>th</sup> day of March, 2019, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, outside the boundaries of the District, and the roll was called of the members of the Board:

Marilyn Keys	President
Neil Daniels	Vice President
David Keller	Secretary
Rusk Elatassi	Assistant Vice President
Mike Berry	Assistant Secretary

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

Also present at the meeting were Tor Persson, resident of the District; Debbie Shelton of Masterson Advisors, LLC; Matt Carpenter and Kayla Williams of IDS Engineering Group ("IDS"); Glenn Woodson of Storm Maintenance and Monitoring ("Storm Maintenance"); Darce' Ahlschlager of Wheeler & Associates, Inc.; Darrell Hawthorne of Municipal Accounts & Consulting, L.P.; and Kim Cannon of Allen Boone Humphries Robinson LLP ("ABHR").

PRESIDENT'S COMMENTS

The President discussed the repairs conducted by AT&T on the fiber optic cables near the District's detention pond that have caused leaks in the irrigation lines.

APPROVAL OF THE MINUTES

The Board considered approving the minutes of the February 6, 2019, regular meeting. Upon a motion made by Director Keller and seconded by Director Elatassi, the Board voted unanimously to approve the minutes as presented.

ENGINEERING MATTERS

Mr. Carpenter reviewed the engineer's report, a copy of which is attached. He stated that IDS inspected the berm and detention facility. No action was taken.

## REVIEW STATUS OF DETENTION POND MAINTENANCE AND MOWING

Mr. Woodson reviewed a report on the detention pond maintenance and mowing, a copy of which is attached. Discussion ensued regarding the fertilization schedule. No action was taken.

The Board discussed proposals for maintenance of the District's property along the West Park Toll Road. The Board requested Mr. Woodson present the proposals again at the April meeting.

Director Keys discussed the need for the District to hold a special meeting with Betsy Ross to better determine the frequency of the overseeding and fertilization of the detention pond area. After discussion the Board directed ABHR to schedule a special meeting with Betsy Ross to tour the detention pond area.

## PROPOSAL FOR ARBITRAGE REBATE AND YIELD RESTRICTION CALCULATION SERVICES

Ms. Cannon reviewed a proposal from Omnicap Group LLC ("Omnicap") for preparation of the arbitrage rebate and yield restriction calculation compliance service for the District's Series 2014 Bonds. She stated that the fee for a Five Year Excess Earnings Report would be \$5,000. Following review and discussion, Director Elatassi moved to accept the proposal from Omnicap for the arbitrage rebate and yield restriction calculation compliance service for the District's Series 2014 Bonds. Director Berry seconded the motion, which carried unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF THE BILLS AND REVIEW OF INVESTMENTS

Mr. Hawthorne reviewed the bookkeeper's report, including a list of checks presented for payment and the quarterly investment report, a copy of which is attached. After review and discussion, Director Elatassi moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Berry seconded the motion, which passed by unanimous vote.

## ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

The Board noted that no directors attended the AWBD winter conference and discussed attendance at the AWBD summer conference. After review and discussion, Director Elatassi moved to authorize all interested directors to attend the AWBD summer conference. Director Berry seconded the motion, which carried by unanimous vote.

## CITY OF HOUSTON (THE "CITY") REBATE

The Board discussed the District's rebate from the City and details regarding the out of district residents and rebates to the District for water and sewer service.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Ahlschlager presented and reviewed the District's monthly tax report and delinquent tax roll, a copy of which is attached, reflecting that 99.25% of the District's 2018 taxes were collected as of the end of February 2019. After review and discussion, Director Keller moved to approve the tax report and payment of the invoices. The motion was seconded by Director Berry and carried unanimously.

## DISTRICT TAX DOLLARS AND SHADOW LAKE HOMEOWNERS ASSOCIATION DEED RESTRICTIONS

Director Keller discussed the District's Letter Agreement with the HOA for the financing of security in the District. He discussed the law enforcement officer's time allocated to enforcing deed restrictions, including overnight parking. Discussion ensued regarding the law enforcement roll of the officers in the District. No action was taken.

## DISCUSS FEASIBILITY OF SEEKING REIMBURSEMENT FROM OUT-OF-DISTRICT LANDOWNER BENEFITTING FROM DISTRICT STORM WATER SERVICES

The Board concurred to table this item.

## RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

Ms. Shelton distributed and reviewed a tax exemption analysis, a copy of which is attached.

Ms. Cannon reviewed a Resolution Concerning Exemptions from Taxation. After review and discussion, Director Berry moved to adopt the Resolution Concerning Exemptions from Taxation reflecting a provision for a \$10,000 exemption for persons who are over 65 or disabled and rejected any other exemptions for residential homesteads from ad valorem taxation, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Daniels seconded the motion, which passed by unanimous vote.

## UPDATE ON BRAYS BAYOU TRAIL

The Board discussed the status of the Brays Bayou Trail.

STATUS OF PREPARATION OF A PARK MASTER PLAN BY TALLEY LANDSCAPE ARCHITECTS, INC.

The Board reviewed the proposed Master Park Plan, prepared by Talley Landscape Architects, Inc. Discussion ensued. No action was taken by the Board.

PUBLIC COMMENT

Mr. Persson discussed the seepage near the detention pond and rate flows at the water plant.

DISCUSS PROCEDURES RELATED TO BOARD MEMBERS AUTHORIZATION TO DISTRIBUTE INFORMATION ON BEHALF OF THE DISTRICT

Director Keys discussed individual Board member correspondence with the public regarding District business.

MEETING SCHEDULE AND ITEMS FOR THE NEXT BOARD MEETING

The Board discussed items for the next Board meeting and concurred to hold a special meeting on March 27, 2019, at 2:30 p.m. at the storm water detention basin in the District, and its next regular meeting on April 3, 2019, at 12:30 p.m., at ABHR.

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

  
\_\_\_\_\_  
Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Engineer's report.....	1
Report on the detention pond maintenance and mowing.....	2
Bookkeeper's report.....	2
Tax report.....	3
Tax exemption analysis.....	3