

or HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390
NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested members of the public that the Board of Directors of the above captioned District will hold a regular public meeting **via telephone conference call** pursuant to Texas Government Code, Section 551.125, as amended, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas. **The telephone conference call phone number is 1-877-304-9269 (toll free) and the access code is 501570#.** All members of the public may participate in the meeting via telephone conference call.

The meeting will be held on Wednesday, January 20, 2021, at 12:30 p.m.

The Board shall consider and discuss the following matters and take any action necessary or appropriate with respect to such matters:

1. Call to order, including explanation of telephone conference call meeting procedures;
2. Public comments;
3. **CONSENT AGENDA** – This agenda consists of ministerial or "housekeeping" items required by law and items of a non-controversial nature. These items will be considered by a single motion unless removed and placed on the Regular Agenda for individual consideration at the request of any Director;
 - a. Review and approve the minutes of the December 16, 2020, Board of Directors meeting;
 - b. Tax Assessor-Collector report, including authorize payment of invoices presented, approving moving of accounts to uncollectible roll, status of collection of delinquent taxes, including authorizing lawsuit and/or foreclosure, as appropriate;
 - c. Consider engagement of auditor to prepare the District's audit report for fiscal year ending January 31, 2021;
 - d. Grant exemptions from taxation for 2021, including (i) review of financial advisor's analysis regarding exemptions, and (ii) adoption of a Resolution in connection therewith;
 - e. Adoption of Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes and authorize delinquent tax attorney to collect delinquent personal property taxes beginning April 1, 2021, including the filing of lawsuits, as necessary;
 - f. Bookkeeper's report, including financial and investment reports, and the authorization of the payment of invoices presented;
 - g. Adoption of operating budget for fiscal year ending January 31, 2022;
 - h. Adoption of Resolution Adopting List of Qualified Brokers Authorized to Engage in Investment Transactions with District; and
 - i. Discussion of renewal of District insurance coverages and authorize solicitation of proposals for same;

- j. Ratification of prior approval of an Interlocal Agreement for Law Enforcement Services;
4. **UNLIMITED TAX REFUNDING BONDS, SERIES 2021 (THE "REFUNDING BONDS"):**
- a. approval and execution of an Order authorizing the issuance of the Refunding Bonds, including delegation of authority pursuant to Texas Government Code Section 1207.007;
 - b. approval of Preliminary Official Statement in connection with the issuance of the Refunding Bonds and authorize distribution of same; and authorize the completion and distribution of a Final Official Statement;
 - c. authorize bookkeeper to issue payment for Attorney General's fees;
 - d. authorize execution of various additional documentation for inclusion in the transcript of proceedings to be submitted to the Attorney General of the State of Texas; and
 - e. Authorize designated Board officer(s) to:
 - i. execute Pricing Certificate and Bond Purchase Agreement relative to the Refunding Bonds;
 - ii. authorize disbursement of bond proceeds relative to the Refunding Bonds;
 - iii. authorize execution of closing documentation relative to the Refunding Bonds;
 - iv. authorize execution and filing of Internal Revenue Service reporting forms relative to the Refunding Bonds;
 - v. authorize District's disclosure counsel to file material events notice relative to bonds to be refunded by the Refunding Bonds; and
 - vi. such other matters and take any other necessary action relating to the issuance of the Refunding Bonds;
5. **REGULAR AGENDA** – This agenda consists of items requiring individual consideration by the Board; proofs of claim;
- a. Engineer's report, including:
 - i. Authorize the design and/or advertisement for bids for the construction of facilities within the District, and approving of related Storm Water Pollution Prevention Plans;
 - ii. Award and/or concur in the award of contracts for the construction of facilities within the District, and acceptance of TEC Form 1295, as applicable;
 - iii. Status of construction of facilities to serve land within the District, including the approval of any pay estimates and change orders and acceptance of TEC Form 1295, as applicable, including:

- (a) City Park South, Sections 5 and 6 Landscape Improvements (D.R. Horton – D.L. Meacham, LP);
 - (b) City Gate Detention Pond, Phase 1 (D.R. Horton – Paskey, Inc.);
 - (c) City Gate, Section Two, water, sewer and drainage facilities (D.R. Horton – C.E. Barker, Ltd.);
 - (d) City Gate Orem Drive Street Dedication, Section 1 (Blue Zone);
 - (e) City Gate Detention Pond, Phase 2 (D.R. Horton – Hurtado Construction);
 - (f) City Gate, Section Three, water, sewer and drainage facilities (D.R. Horton – Principal Services, Ltd.); and
 - (g) City Gate, Section Four, water, sewer and drainage facilities – Dimas Brothers Construction (D.R. Horton);
- iv. Acceptance of site and/or easement conveyances for facilities constructed or to be constructed for the District, acceptance of facilities for operation and maintenance purposes, and authorize acceptance of TEC Form 1295, if required, including:
- (a) Detention Pond Maintenance Agreement (City Gate) with D.R. Horton;
 - (b) Accept Special Warranty Deed for City Gate Drainage and Detention Site;
 - (c) Accept conveyance of City Gate detention facilities within City Gate, Section One;
 - (d) Accept conveyance of water, sewer and drainage facilities to serve City Gate, Section One, from D.R. Horton;
 - (e) Authorize tender of Facilities Conveyance and Security Reservation to City of Houston for water, sewer and drainage facilities to serve City Gate, Section One;
 - (f) Accept conveyance of water, sewer and drainage facilities to serve City Gate, Section Two, from D.R. Horton;
 - (g) Authorize tender of Facilities Conveyance and Security Reservation to City of Houston for water, sewer and drainage facilities to serve City Gate, Section Two;
 - (h) Authorize tender of Facilities Conveyance and Security Reservation to City of Houston City Park Central Lane Extension and associated utilities and paving;
- v. Status of storm sewer and street acceptance by City of Houston;
- vi. Status of (i) acquisition of additional right-of-way and (ii) plat approval related to extension of Orem Drive east to Cullen Drive;
- vii. Status of traffic analysis at S.H. 288 for commercial driveways;
- viii. Status of Storm Water Quality Permits;
- ix. Review of allocation tables for wastewater capacity; and
- x. Status of updates to District's Drainage Study;
- b. Annexation of approximately 55.352 acres (City Gate Expansion) requested by D.R. Horton, including:

- i. Petition for Consent to Include Additional Land in the Boundaries of the District to City of Houston, and authorize filing of same with the City; and
 - ii. Amendment to Utility Functions and Services Allocation Agreement with the City related to rebates arising out of City Gate;
- c. Report from Champions Hydro-Lawn, Inc. ("Champions") regarding maintenance of the District's detention and drainage facilities and sites; consider proposals from Champions for repairs and maintenance; review and approval of maintenance budget for 2021;
- d. Issuance of Utility Commitments;
- e. Developers' reports;
6. Attorney's report, including:
 - (a) Status of request to City for payment of 2021 Annual Reimbursement Amount to District pursuant to the Pink Zone Agreement;
 - (b) Status of request to City for payment of 2021 Annual Reimbursement Amount pursuant to the Blue Zone Agreement; and
 - (c) Adoption of Resolution Authorizing Appraisal of District Property as of January 1, 2021;
7. Matters for possible placement on future agendas.

SCHWARTZ, PAGE & HARDING, L.L.P.

By: /s/ Matthew R. Reed

Matthew R. Reed
Attorneys for the District

Harris County Municipal Utility District No. 390 reserves the right to adjourn into executive/closed session at any time during the course of this meeting as authorized by the Texas Open Meetings Act, including Texas Government Code, Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberations about Real Property), Section 551.073 (Deliberations about Gifts and Donations), and Section 551.086 (Economic Development).

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact the District's attorney at (713) 623-4531 at least three business days prior to the meeting so that appropriate arrangements can be made.

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HARRIS COUNTY CLERK
HARRIS COUNTY, TEXAS