

MINUTES OF MEETING OF BOARD OF DIRECTORS
APRIL 28, 2020

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 132

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The Board of Directors (the “*Board*”) of Harris County Municipal Utility District No. 132 (the “*District*”) convened for its special session on April 28, 2020 at 3:00 p.m. via teleconference in compliance with guidelines promulgated by the Texas Attorney General for use during the COVID-19 statewide disaster in connection with the temporary suspension of certain provisions of the Open Meetings Laws approved by the Office of the Governor of Texas. The President conducted a roll call and determined the following persons were present:

Tim Stine, President
Don House, Vice President
Jerrel Holder, Secretary
Michael Whitaker, Assistant Secretary
Gregg Mielke, Assistant Secretary

All members of the Board were present. Also attending all or parts of the meeting were Mr. Nick Bailey of BGE, Inc. (“BGE”), engineers for the District; Mr. Bob Thomas of ROW Management; and Ms. Kathleen Ellison, Mr. Seth Isgur and Ms. Jane Maher of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District.

Pursuant to Section 551.054, Texas Gov’t Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on the District’s website within the time limits prescribed by law. A certificate of such posting is attached hereto as *Exhibit A*. The agenda packet was posted on the website as items became available in compliance with the guidelines issued by the Texas Attorney General.

Call to Order. The President called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. The President then set out guidelines for the conduct of the meeting. He asked each speaker to identify themselves before speaking. He then proceeded with the meeting business:

1. **Consider FM 1960 Widening issues, including:**

(a) **authorization of condemnation actions to acquire waterline and sanitary sewer line easements to relocate the District’s facilities due to the widening of FM 1960 (Atascocita 1692 LLC, IHOP Properties LLC, Stella Bea LLC, Louetta Leasing LP, and OB Texas Properties).** The President recognized Ms. Ellison, who stated that the final offer letters were being sent to Atascocita 1692 LLC, IHOP Properties LLC, Stella Bea LLC, Louetta Leasing LP, and OB Texas Properties. She recommended that the Board authorize the commencement of condemnation proceedings against these owners in order to be able to meet the TxDOT deadline to secure easements. Mr. Thomas

reported that he spoke with the attorney for Louetta Leasing LP and that Louetta Leasing LP seems to be close to settling. He noted that Atascocita 1692 LLC and Stella Bea LLC will likely settle, while IHOP Properties LLC and OB Texas Properties will likely require condemnation actions. Ms. Ellison reminded the Board that Mr. Isgur is an attorney at NRF who works on condemnations and the Board had earlier engaged him to represent the District on condemnation matters. Mr. Isgur asked the Board if it wanted any information on the condemnation process. Discussion ensued. Upon motion by Director House, seconded by Director Mielke, after full discussion and the question being put to the Board, the Board voted unanimously to authorize Mr. Isgur to commence condemnation actions against the listed landowners to acquire waterline and sanitary sewer line easements to relocate the District's facilities due to the widening of FM 1960.

(b) authorize execution of Advance Funding Agreement with TxDOT. The President recognized Ms. Ellison, who presented to and reviewed with the Board the draft Advance Funding Agreement ("AFA") and Standard Utility Agreement ("SUA") with TxDOT, copies of which are attached hereto as *Exhibit B* and *C*. She noted that the SUA was previously approved by the Board, and that she just received the final draft of the AFA from TxDOT. Discussion ensued about the District's responsibility under the AFA and the method for paying TxDOT. Upon motion by Director House, seconded by Director Whitaker, after full discussion and the question being put to the Board, the Board voted unanimously to approve the AFA, authorize its execution, and authorize payment of the District's share of the FM 1960 construction costs to TxDOT pursuant to the AFA.

(c) acquisition of easements. There was no further discussion.

2. Other operational issues. Director Whitaker stated that Mr. Jenkins will provide a summary of the repairs at the intersection at The Overlook at the next meeting.

3. Approval of disbursements. There was no further discussion. The President noted that the Directors can cancel their reservations to the Association of Water Board Directors conference by May 15, 2020.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The above and foregoing minutes were passed and approved by the Board of Directors on May 21, 2020.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(DISTRICT SEAL)