

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400

NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested members of the public that the Board of Directors (the "Board") of the above captioned District will hold a 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 401268#.** All members of the public may participate in the meeting via telephone conference call.

The meeting will be held on Monday, September 28, 2020, at 12:00 P.M.

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

1. Public comments;
2. Approval of minutes of the August 24, 2020, and September 16, 2020, Board meetings;
3. Status of law enforcement services for the District, including monthly activity reports;
4. Presentation regarding EVO In Depth Analysis for Informed Decisions Program;
5. Bookkeeper's report, including financial investment reports and authorizing the payment of invoices presented;
6. Tax Assessor-Collector report, including status of delinquent tax accounts, authorizing the payment of invoices presented, approving tax refunds and moving of accounts to uncollectible roll;
7. Report and legal action taken by the District's delinquent tax collections attorneys, authorize foreclosure proceedings, installment agreements, the filing of proofs of claim and approval of service terminations;
8. Consider the District's \$4,950,000 Unlimited Tax Bonds, Series 2020A (the "Series 2020A Bonds"), and take any action in connection therewith, including but not limited to:
 - (a) Approval of audit relative to the payment of proceeds of the Series 2020A Bonds, and authorize disbursement of Bond proceeds in accordance with same;
 - (b) Review, approval and authorizing the filing of Internal Revenue Service Form 8038-G relative to the Bonds;
 - (c) Review and discussion of correspondence from Bond Counsel regarding expenditure and investment of proceeds of the Bonds and Internal Revenue Service restrictions on same;
 - (d) Authorize execution of an Amendment to the Second Amended and Restated District Information Form relative to the issuance of the Series 2020A Bonds; and
 - (e) Act upon any other matters in connection with the issuance of the Bonds, including the approval and execution of various closing documents and authorization for Bond Counsel to approve closing on the sale of the Bonds;

9. Consider the District's Application to the Texas Commission on Environmental Quality ("TCEQ") for Approval of Project and Bonds regarding the District's \$2,945,000 Unlimited Tax Bonds, Series 2020B (the "Series 2020B Bonds"), including the review of the TCEQ Order for same, and take the following actions:
 - (a) Review and approve Preliminary Official Statement and Official Notice of Sale;
 - (b) Authorize the District's Financial Advisor to advertise for the sale of the Series 2020B Bonds;
 - (c) Approval of designation of Paying Agent/Registrar; and
 - (d) Authorize Bookkeeper to issue payment for Attorney General's fees;

10. Consider the issuance of the District's Unlimited Tax Refunding Bonds, Series 2020C (the "Refunding Bonds"), and take any necessary action in connection therewith, including:
 - (a) review Financial Advisor's proposed Plan of Financing;
 - (b) establish parameters for sale of Refunding Bonds pursuant to Texas Government Code, Section 1207.007, and authorize the District's consultants to proceed with the preparation of a final Plan of Financing and Pricing Certificate in connection with the Refunding Bonds;
 - (c) 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;
 - (d) designation and approval of underwriter(s), including designation of Board officer(s) to receive and acknowledge MSRB Rule regarding disclosure of role, compensation, material conflicts of interest and material financial characteristics and risks of the financial structure provided by the approved underwriter(s); and approval of form of bond purchase agreement;
 - (e) engagement of McCall, Parkhurst & Horton L.L.P. as special tax counsel and the approval of the Resolution Approving Contingent Fee Contract for Legal Services pursuant to Exhibit A attached hereto;
 - (f) designation of Paying Agent/Registrar, approval of execution of Paying Agent/Registrar Agreement; approval of execution of Agreement with Paying Agent for refunded bonds, if applicable;
 - (g) designation of Escrow Agent and approval of execution of an Escrow Agreement;
 - (h) designation of Verification Agent;
 - (i) 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;
 - (j) authorize Bookkeeper to issue payment for Attorney General's fees; and
 - (k) 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;

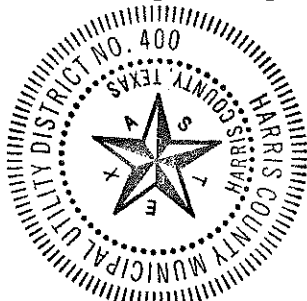
11. Authorize designated Board officer(s) to:
 - (a) execute Pricing Certificate and Bond Purchase Agreement relative to the Refunding Bonds;
 - (b) authorize disbursement of bond proceeds relative to the Refunding Bonds;
 - (c) authorize execution of closing documentation relative to the Refunding Bonds;
 - (d) authorize execution and filing of Internal Revenue Service Form 8038-G relative to the Refunding Bonds;
 - (e) authorize District's Disclosure Counsel to file material events notice relative to bonds to be refunded by the Refunding Bonds; and
 - (f) Such other matters and take any other necessary action relating to the issuance of the Refunding Bonds;

12. Operator's report, including:
 - (a) Monthly report;
 - (b) Status of compliance with District's permits;
 - (c) Authorize the repair and maintenance of District facilities;
 - (d) Status of hydrant repairs;
 - (e) Appeals of District charges;
 - (f) Report regarding builder deposits, damage claims and backcharges;
 - (g) Approve write-off of uncollectible accounts;
 - (h) Discussion regarding status of delinquent accounts;
 - (i) Consider disposition of delinquent utility accounts during pendency of COVID-19 pandemic;
 - (j) Discussion regarding Maintenance Plan for the District;
 - (k) Status of discussions with City of Houston regarding billing matters and surcharges; and
 - (l) Status of clean out and inspection of storm sewer on Linden Hollow and imposition of penalties for same;

13. Engineering Report, including:
 - (a) Authorizing the design, advertisement for bids and/or award of construction contracts or concurrence in the award of a contract for the construction of water, sanitary sewer and drainage facilities within the District, and authorize acceptance of Texas Ethics Commission ("TEC") Form 1295, including:
 - 1) Remote Water Well;
 - (b) Review and approval of any Storm Water Pollution Prevention Plans or Storm Water Quality Management Plans related to construction within or on behalf of the District, and authorize acceptance of TEC Form 1295;
 - (c) Status of construction contracts, including the approval of any pay estimates and change orders, and authorize acceptance of TEC Form 1295, including:

- 1) Status of construction of Water, Sanitary Sewer and Drainage Facilities to serve Balmoral Park Lakes East, Section 5 & 6 by Clearwater Utilities, LLC;
 - 2) Status of construction of Water, Sanitary Sewer and Drainage Facilities to serve Balmoral, Section 9, by Dimas Bros. Construction, Inc.;
 - 3) Water, Sanitary Sewer and Drainage Facilities to serve Balmoral Hills Drive, Balmoral Bend & Greens Road by Fellers and Clark, LP;
 - 4) William's Gully Low Water Crossing;
 - 7) Water Plant No. 1 Ground Storage Tank Addition and Surface Water Metering Station by T&C Construction;
 - 8) Water Plant No. 2, Phase 3 Clearing and Grubbing by ATZ Environmental Solutions;
 - 9) 12-Inch Waterline across Garner's Bayou and Williams Gully by T Construction;
 - 10) Balmoral Lift Station Expansion by Pioneer Construction; and
 - 11) Water Plant No. 2, Phase 3 Waterline by Preferred Industrial Contractors, Inc.;
- (d) Acceptance of site and/or easement conveyances for facilities constructed or to be constructed for the District, and the acceptance of facilities for operation and maintenance purposes, including:
- 1) Access Easement to serve Park Lakes East Detention Basin Facilities;
 - 2) Special Warranty Deed - Park Lakes East Detention Basin; and
 - 3) Special Warranty Deed – Water Well Site;
- (e) Status of acceptance by Harris County of streets and storm sewers for maintenance;
- (f) Status of compliance with Chapter 191, Texas Natural Resources Code ("Antiquities Code");
- (g) Discussion regarding capital improvements plan for the District, and authorize action in connection therewith; and
- (h) Status of plan review and approval for various properties within the District;
14. Developer's report;
 15. Discuss status of renovations of community building at the splash pad site;
 16. Discuss maintenance of community property and facilities, and review and approval of services and materials regarding same;
 17. Discussion regarding proposed landscape and recreational improvements for green space located in the District, and possible acquisition of 60-acre tract outside the District's boundaries;
 18. Consider status of solid waste and recycling collection services for the District;

19. Report from Champions Hydro-Lawn, Inc., relative to maintenance of District storm water detention and drainage facilities;
20. Issuance of utility commitments;
21. Review of Annual Arbitrage Maintenance Report prepared by MRMG, LLP, and authorize engagement of Arbitrage Compliance Specialists, Inc. to prepare reporting for the District's (i) \$15,535,000 Unlimited Tax Bonds, Series 2016, and (ii) \$7,240,000 Bond Anticipation Note, Series 2019;
22. Attorney's report;
23. Consider proposals for website design and hosting;
24. Consider status of maintenance of certain recreational facilities in the District, and Proposed Amended and Restated Operation, Maintenance and Use Agreement Relating to Recreational Sites and Facilities and Street Lighting by and between the District and the Park Lakes Property Owners' Association, Inc. ("POA"), including status of discussions with counsel for POA;
25. Closed Session for consultation with attorney regarding pending or threatened litigation and/or matters protected by attorney-client privilege pursuant to Section 551.071, Texas Government Code, as amended and to discuss acquisition of interests in real property pursuant to Section 551.072, Texas Government Code, as amended;
26. Reconvene in open session and the taking of any action resulting from closed session; and
27. Matters for possible placement on future agendas.



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

By: _____/s/ Christopher T. Skinner_____
 Christopher T. Skinner
 Attorneys for the District

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.

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400,
NOTICE OF CONTINGENT FEE ENGAGEMENT OF SPECIAL TAX COUNSEL**

Pursuant to Texas Government Code Section 2254.1036, notice is hereby given that the Board of Directors of Harris County Municipal Utility District No. 400 (the "District"), at the public meeting described in the Notice of Public Meeting to which this Exhibit is attached, shall consider the engagement of McCall, Parkhurst & Horton L.L.P. (the "Firm") to serve as Special Tax Counsel for a contingent fee. In support thereof, the Firm offers the following:

- (A) The Firm is proposing to perform legal services for the purpose of providing legal representation to the District in the areas of federal tax law relating to the exemption of interest from federal income taxation on governmental public securities in the form of refunding bonds. The purpose of issuing such refunding bonds is to create a cost savings related to previously issued bonds of the District.
- (B) The Firm is a well-qualified law firm with more than 100 years of experience and has represented numerous entities similar to the District in matters related to the refunding of municipal bonds.
- (C) The Firm has no relationship with the District or its Board members other than its position as Special Tax Counsel. The District has engaged the Firm as Special Tax Counsel for each of its prior issuances of refunding bonds based on the Firm's reputation as a specialist in the area.
- (D) Special Tax Counsel services are highly specialized legal services involving complex regulatory guidance. While the District's Bond Counsel effectuates the issuance of District bonds, the Firm possesses expertise with the intricacies of federal tax law which are outside the scope of Bond Counsel's engagement, and industry standards necessitate the engagement of Special Tax Counsel.
- (E) The Firm's compensation is contingent upon the issuance and from proceeds of the sale of the refunding bonds. It is the industry standard for the fees of Special Tax Counsel, and many other types of legal and financial counsel associated with an offering of municipal securities, to be provided on a contingent basis.
- (F) This contingent fee contract is in the best interest of the District's residents because the arrangement allows the District to have certainty of its costs prior to the issuance of such bonds, which allows it to size its bonds with greater certainty. This arrangement also allows the District to preserve its right to discontinue the issuance of such refunding bonds for any reason without expending any costs related to the Firm's services as Special Tax Counsel.