

**MINUTES OF REGULAR MEETING  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
NOVEMBER 14, 2019**

**STATE OF TEXAS           §  
   §  
COUNTY OF HARRIS   §**

The Board of Directors of Harris County Municipal Utility District No. 23 of Harris County, Texas, met in regular session, open to the public, beginning at 6:30 P.M. at the regular meeting place inside the District on the 14<sup>th</sup> day of November, 2019, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Oscar Dominguez	President
Jeffrey Blackwell	Vice President
Jim Haney	Secretary
Christy Shepard	Treasurer
Will Ross	Assistant Secretary/Treasurer

and all of said directors were present, thus constituting a quorum.

Persons also present included:

Jennifer Elms, engineer for District 220;  
Janelle Walker, President of Courtyard Glen HOA ;  
Mark Burro, a resident of the District;  
Essa Ibrahim of the Sheriff's Department;  
Kandy Pfeffer of ETI Bookkeeping and Tax Services;  
Doug Jeffrey of TNG Utility Corp;  
John Sherrington, P.E. of Sherrington-Humble, LLC; and  
Michael A. Cole of Michael A. Cole, P.C.

**CUSTOMER COMMENTS, QUESTIONS, AND REQUESTS**

Janelle Walker explained that she was present just to listen a while and express her gratitude to the Board for its support of Courtyard Glen. Mark Burro then inquired regarding the status of electronic bill paying about which he had inquired 4 months ago. The discussion which followed brought to light that a mail center clearing house had been taken out of service some time ago because of extensive water damage which resulted in mail going to remote sites like Austin, Dallas/Ft. Worth and Corpus and consequentially delays in billings being paid. **Director Haney moved that the September bills forward to the present or until the mail delays are eliminated be adjusted to eliminate penalties and credit those amounts back to customers. The motion was seconded by Director Blackwell and carried unanimously.** At the prompting of Director Haney the operator said that he would further research the request to see if it could be done at a bank without extra charges. At the same time it was noted that Mr. Burro could always pay his bill with a credit card if he wished by simply using the TNG online site to do so.

**SECURITY REPORT**

Deputy Ibrahim reported that not much had happened within the District for the prior month though there was a single theft.

## MINUTES

**Director Blackwell moved the approval of the October meeting minutes, with a correction to reflect the presence of Everdil C. Tohill from Woodlands Trail HOA at the meeting and that she had made some comments about Earthcare Management, which motion was seconded by Director Shepard and carried by unanimous vote.**

## CONSENT AGENDA

### BOOKKEEPER AND TAX ASSESSOR COLLECTOR REPORTS

Ms. Pfeffer presented the bookkeeper, investment officer and tax assessor/collector's reports. She reported that \$3,792,406 was the balance of the General Fund; that the 2018 tax levy was 98.8% collected ; and the TexPool rates were 1.9115%.

### ENGINEERING REPORT

John Sherrington presented the engineer's report. He reported that with regard to the regional wastewater treatment plant its rehabilitation was sufficiently complete to begin testing it by the end of the month, and that he had sent a letter to the lessor AUC that it needs to move the package plant within 30 days. He further explained that the conversion to the use of the new plant would begin by the end of the next week; that no more payments were due under the lease since the first and last months payments had been made at the outset of the lease; and that final testing would be complete after the conversion. The Engineer also pointed out that the refrigerated sampler had to be replaced. He recommended its replacement at a cost of \$11,623.65 which would be accomplished by a change order to the N&S contract. After discussion on this recommendation and noting that there had been some savings on sludge hauling which had cost less than the budget provided, **Director Haney moved the authorization of the change order, which was seconded by Director Blackwell and carried unanimously.**

The Operator also explained that because the SCADA system had kicked in twice to thwart efforts to empty Water Plant No. 2 and its tank, inspection has been delayed. Finally the engineer inquired about the possible need to increase the take or pay amount of water being supplied by the City of Houston. The Attorney said he would put that item on the December agenda.

### UTILITY OPERATOR

Doug Jeffrey presented the utility operator's report. He noted that another Water Smart event was needed for the District to maintain its status. Director Shepard suggested that the water conservation program in the fifth grade school classes should or has qualified for that purpose in the past, to which Mr. Jeffrey said he would follow-up on that. In the report it was shown that the only plant excursion has been on dissolved oxygen parameter and that the TCEQ would be understanding given the plant work that was being done. In response to a query from Director Shepard about



complaints of chlorine smell the operator explained how mixing chloramine treated water supplied by the City with chlorine treated water from the District's wells sometimes results in this problem. The attorney asked why the District is not simply treating its well water with chloramines. The Engineer said he would investigate if that could be done. On other matters it was reported that 7Eleven or Stripes had paid. The operator reported that he had researched how it was that it could have come to charge the added percentage which the District and Operator had at one time agreed would not be invoiced, and he discovered that in January of 2018 he had proposed an amendment to the Agreement which would have adjusted rates and that he recalled the District said that rather than an increase it would be amenable to its being charged the added percentage. The District determined it would revisit this topic at its January meeting.

### **ATTORNEY REPORT**

The report was presented and reflected that the Attorney had requested a quote from Global Wet for the maintenance of the Fine Screen Drum; that he had prepared an amendment to the Operator Agreement which would be deferred until the January meeting; and that there was legislation passed in the last session that may actually require Directors of water districts to take a cyber security training and complete it by May 1 of next year. He noted that while it purports to apply to political subdivisions like water districts it bears some further research and the State has yet to approve of a training which is required by the statute.

### **BUILDING COORDINATOR'S REPORT**

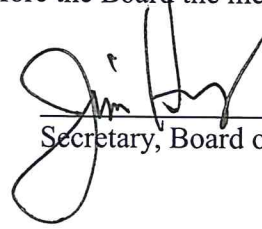
Director Haney provided a building coordinator's report. He noted that efforts to get a representative to visit the District and address its buy-out questions were successful in that he and Director Blackwell were invited out to Flood Control to hear what it was that the County was up to with the inexplicable buy-outs where homes had not flooded. He explained and showed on an electronic visual an area within the District that had been marked possibly for a future construction project by Flood Control. His presentation was quite informative and prompted encouragement to continue the engagement of the County with involvement from its Engineer so that the outcomes or solutions sought could incorporate the best interests of the District. Consensus was expressed that this should be done. It was also suggested that when the picture became clearer perhaps a presentation could be made to the Board by County representatives. Director Haney noted that the balance in the Building account was \$12,665 and that \$287 had been expended on Neighbors Night Out. It was also reported that the drainage work on the walking trail requested by Director Blackwell after Hurricane Harvey has started.

### **CONSENT AGENDA**

**Director Shepard moved the approval of the matters addressed in the consent agenda not including terminating accounts with delinquent water bills for which notice of this meeting and an opportunity to appear and show cause why such termination action should not occur had been given, which motion was seconded by Director Haney and carried by unanimous vote.**

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

(SEAL)

  
Secretary, Board of Directors

**COMMITMENTS FOR ACTION  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
MEETING OF NOVEMBER 14, 2019**

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**ATTORNEY**

*To continue efforts to effect resolution of dispute with District 220; contact the fine screen maintenance company; prepare encroachment agreement if determined necessary; review the January 2018 minutes regarding the operator contract; present the Global Wet agreement; and put increasing take or pay quantity on December agenda.*

**ENGINEER**

Meet with County representatives regarding future drainage project and buy-out program; prepare change order to N&S contract for sample refrigerator; research changing chlorine treatment to chloramine treatment. Board authorized the Engineer to work on his own with the County, as well as with Directors if that seemed warranted.

**OPERATOR**

*Back charge fiber optics company for line break repairs on Gatehouse, repair service lines; and send letter to homeowner at 8422 Holmwood Drive that the District will repair the section of driveway and monitor it and if it later warranted will replace that section of the driveway. The operator would directly pay the District 1/3 of the total amount of overcharges; replace the rose by repaired fire hydrant; and review and execute an amendment to its agreement regarding 10% charges. Prepare a presentation on proposed contract amendment at January meeting. Check to make sure the school program qualifies for Water Smart project. Repair the leak on the District's side of the meter next to EFI.*

**BUILDING COORDINATOR**

*Check on the light outside the building and install the two thermostats, if not already done and to invite Will Sherman and James Wade of Precinct 4 Harris County Flood Control District to attend next meeting. Work with Engineer to consult with County on future plans for flood control.*

**BOOKKEEPER and TAX ASSESSOR/COLLECTOR**

*Nothing specifically required.*