

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
JUNE 11, 2020**

**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 11th day of June, 2020, and the roll was called of the duly constituted officers and members of the Board, to-wit:

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

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

Persons also present included:

Essa Ibrahim of the Sheriff's Department;
Wally Byers, of Courtyard Glen HOA;
Janelle Walker, a resident of the District and Courtyard Glen;
and via telephone and video:
Kandy Pfeffer of ETI Bookkeeping and Tax Services;
Daniel Hayden, Engineer for District 220;
Debra Hall of Central Bank;
John Sherrington of Humble-Sherrington;
Doug Jeffrey of TNG Utility Corp; and
Michael A. Cole of Michael A. Cole, P.C.

CUSTOMER COMMENTS, QUESTIONS, AND REQUESTS

There were no residents present to make comments.

SECURITY REPORT

Officer Ibrahim presented the brief security report.

MINUTES

Director Dominguez moved the approval of the minutes of the May meeting, which motion was seconded by Director Shepard and carried unanimously.

CONSENT AGENDA

BOOKKEEPER AND TAX ASSESSOR COLLECTOR REPORTS

Ms. Pfeffer presented the bookkeeper, investment officer and tax assessor/collector's reports, which were thoroughly reviewed with the Board. The Tax Report indicated collections to be 96.7% at the end of May and all out-of-District payments in lieu of taxes have been collected. It was also reported that 7 amounts had been escheated to the State as required for unclaimed property.

CENTRAL BANK PRESENTATION ON ALTERNATE PAYMENT OPTIONS

A discussion was had concerning alternative methods by which customers could make payments of District monthly bills and after it was clarified that no official action had been taken to authorize same, **Director Blackwell moved that the District authorize a lock box clearing account with Central Bank for the payment of District bills by methods other than those allowed by the Utility Operator at present, which motion was seconded by Director Dominguez.** An initial motion to make Central Bank the depository bank for the District by Director Haney was withdrawn. A query of Director Ross made clear that changing the depository bank was an inconvenience to the bookkeeper and that using Central Bank for the lock box clearing account was acceptable to the Central Bank representative. **The motion carried by unanimous vote.**

ENGINEERING REPORT

John Sherrington's written report was presented. Before delving into his report, it was reported that the completion date for the wastewater treatment plant should occur on or about September 4 and that the contractor was making good progress on the construction of the metal building which would house controls. He also explained that the bulk of the plant would be completed and then there remained \$218,000 of rehabilitation work to be done on the lift station at the plant.

With regard to the water plants, the Engineer said that once the inspections are complete at Water Plant No. 2, Water Plant No. 1 will be taken down to determine what work, if any, is necessary. With regard to the water line between the two water plants spoken of at the last meeting, he suggested a wait and see approach which would be dependent upon what the County may have in mind by way of flood protection since it had indirectly indicated that it might consider acquisition of the District's Water Plant No. 1. The Engineer indicated that he would assess what impact such an acquisition would have on the District and its ability to complete its surface water conversion plan.

With regard to the CCR Racing plat, the Engineer indicated that it was not clear where the plat approval stood and that this was critical to his ability to finally approve the plans for connection.

With regard to development south of the bayou, the Engineer informed the Board that he had received inquiries about getting services from the District but he said that until the County picture

was clearer it was hard to answer the request. At the conclusion of the discussion a **motion was made and seconded by Directors Shepard and Ross, respectively, that the woman requesting service be told no at the present time. The motion carried by unanimous vote.**

UTILITY OPERATOR REPORT

Doug Jeffrey submitted his report. He reported there are 1210 connections within the District; a 97.09% water accountability for the month and 95% for the year; that the w/a ratio had improved when the leak at the poly-phosphate injection site had been repaired; that the TCEQ review of the S&P project had been reviewed with a smaller \$70,000 improvement project shown in the application rather than the one that included most of the rehabilitated plant and now appeared headed for approval; and that with the re-starting of Water Plant No. 2 it would be done gradually to make sure there are no leaks or other problems before taking down Water Plant No. 1. He also stated that the list of delinquencies had been reduced to one page and that June 1 marked the end of the “no cut policy of the County”. **On a unanimous vote of the Board on the motion and second of Directors Shepard and Ross respectively, the Board determined to continue the no cut policy.** A matter of a gate being left open at the wastewater treatment plant had the operator affirming that he would make sure that whoever was the last to leave the plant site would be required to shut the gate and that he would communicate same to the party in charge of the rehabilitation work. With regard to a query of the Attorney, **Director Shepard moved that the District not participate in the conservation program of the Subsidence District until the school year at which students would again be going to classes and the individual boxes on water conservation could be distributed to fifth graders. The motion was seconded by Director Dominguez and carried by vote of all members present except Director Haney in voted Nay.**

ATTORNEY REPORT

The attorney’s report was presented and it was noted that the District’s Directors Election would be called in July; that the CCR Racing Agreement had been received back fully executed; that Cyber-security training completions would be reported to the State; and that the Garbage Services Agreement was on the agenda for discussion and action. With regard to the matter of the **Solano proposed amendment, Director Shepard moved that it be approved, which motion was seconded by Director Blackwell and carried unanimously.** The Board agreed to fill in the number of allowed connections when the operator reports monthly water usage back to the Engineer and to use the number which the Engineer recommends but had been in the main covered earlier in the meeting. The attorney recommended the Directors Election be called in June as required by the Governor. Director Dominguez objected to it being done in June because in his opinion it was too early. The Board acceded to the requirement of Director Dominguez. The attorney said for District 23 he would have it on the July agenda instead of June as he was doing for his other clients.

BUILDING COORDINATOR’S REPORT

Director Haney explained that there had been one rental for later in the month and the Board agreed to meet in the same fashion through June for sure. Brief discussion was also had about the purchase of an iPad or similar device for the Building Coordinator for his responsibilities. **The Board**

agreed that he could purchase such device as he feels best suits his responsibilities at a cost not to exceed \$1,000.

GARBAGE SERVICES AGREEMENT

Director Haney reported that the contractor, WCA, had missed collections for one full week, in part because of Covid 19 infections, and then was not able or did not pick up garbage until the following week Sunday missing Courtyard Glen altogether. Notwithstanding WCA’s commitment no call or warning or apology was forthcoming. On another occasion one entire street was missed when collection was done. It was pointed out that when a less severe but significant breach of the service commitment had occurred earlier WCA seemed to improve with a warning, so this was occurring after a probationary period and really was not acceptable. After some discussion it was determined that the contract had been breached and that the District should go out for bids. The Attorney was instructed to write a letter to WCA informing it of these developments. Director Blackwell objected. Director Haney expressed frustration at having to spend 2 or 3 hours of the day dealing with the contractor, especially when not responsive or willing to do what was represented would be done. **A motion was made and seconded to the effect stated and the question was called. Director Shepard made the motion and Director Ross seconded it. The motion carried with only Director Blackwell voting nay.**

CONSENT AGENDA

Director Shepard moved the approval of the matters addressed in the consent agenda, which motion was seconded by Director Blackwell 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 JUNE 11, 2020**

BOOKKEEPER

Ms. Pfeffer to coordinate with Central Bank and Operator to make sure the lock-box account for bill paying by customers is properly set up.

ATTORNEY

Contact the fine screen maintenance company; put item for calling of Directors Election on the July agenda, and write letter to WCA.

ENGINEER

Meet with City representatives regarding service to areas south of the Bayou; prepare projections for GWR program when the pandemic restrictions are relaxed. send Mr. Hayden, the Engineer for District 220 the latest capital improvements plan, and write letter declining service request at this time to the woman requesting same.

BUILDING COORDINATOR

Check on the light outside the building and install the two thermostats, if not already done and work with Engineer to consult with County on future plans for flood control. Purchase I-pad or similar device at not to exceed \$1,000.

OPERATOR

Post the Consumer Confidence Report on the website.