

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
JULY 9, 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 9th day of July, 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;
Pete Peterson, Director of Harris County MUD No. 220;
James and Katie Corona, residents of the District;
Miguel Cruz, Ann Wilhite and Travis Royal of WCA;
and via telephone and video:
Daniel Hayden, Engineer for District 220;
Kandy Pfeiffer of ETI Bookkeeping and Tax Services;
John Sherrington, P.E. of Sherrington-Humble, LLC;
Doug Jeffrey of TNG Utility Corp; and
Michael A. Cole of Michael A. Cole, P.C.

CUSTOMER COMMENTS, QUESTIONS, AND REQUESTS

Wally Byers requested that two trees which had died be replaced. **Director Haney moved that the Board agree to pay \$350 to the contractor or to Courtyard Glen for the tree replacements for which the \$350 bid had been received for the removal of the dead trees and the planting of two replacement trees. The motion was seconded by Director Dominguez and carried unanimously.**

The Coronas appeared before the Board to explain that they had an enormous water bill of about \$1,016 and were anticipating another large invoice, which in their 15 years of residency in the District had never occurred. Mr. Jeffrey reported that he had investigated the matter and determined

that at its peak the usage was about 5,000 gallons a day and that it ended on about June 26. He said it appeared to have started in early May. A long discussion followed at the conclusion of which Director Haney assured the Coronas that no penalties or late fees would be imposed and that the matter will be considered again at next month's meeting.

GARBAGE SERVICES AGREEMENT

Representatives of WCA provided background explanations for how there had been failures in the garbage collection services which had resulted from a loss of 40 of its staff due to the pandemic which contributed to its inability to pickup 60,000 residences garbage for periods, and in the case of the District for more than a week. The Board, while being understanding, pointed out that there had been a failure of communication to explain what had happened and why and what was going to be done to correct the problem. Director Haney, as the contact person, found this communication failure unacceptable and explained that it made it impossible to tell residents why this had happened or how the problem was being addressed. There was a lot of discussion between the parties concerning these failures, how they were being addressed and what they would do moving forward. Cards were exchanged and Director Blackwell thanked the WCA representatives for their coming and in his view having resolved the matter for the present. The representatives excused themselves from the meeting.

SECURITY REPORT

Officer Ibrahim presented the brief security report. It was noted that graffiti at the bridge had been painted over by Director Blackwell; that garbage was being dumped at the bridge; and that Essa should watch out for 4 wheelers in the ditch where it was posted that a \$4,000 fine could be assessed them. The Deputy explained in his view this was a notice to trucks or those driving trucks into the area of fines which they may encounter, probably because they had been found to be dumping there. After the conclusion of his report the officer excused himself.

MINUTES

Director Shepard moved the approval of the minutes of the June meeting with the correction in the spelling of Ms. Walker's name as noted by Director Dominguez, which motion was seconded by Director Blackwell 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. She noted that the cyber-security training had been inexpensive and she had added checks so that they could be paid. She also explained that Comcast was now being paid ahead of time to avoid penalties and that they had waived late fees. She also reported that lots of banks are citing instances of fraud occurring involving municipal accounts and as a consequence she is attempting to keep as much money as possible in the TexPool accounts. She

observed that good General Fund balances are being achieved by the District though revenues were not quite as good as what were projected for selling the bonds. Tax collections were reported at 97.1%, and preliminary values would apparently not be out until the August meeting.

ENGINEERING REPORT

John Sherrington's written report was presented. The engineer recommended that approval of the contractor's estimate of \$55,036.35 be given along with \$4,215 for NTS providing a pump and piping to the plant; and he reported that a marked up copy of the old drum screen maintenance agreement had been sent to Global Wet, LLC.

He recommended the payment of \$1,250 each for the Phoenix Coating's inspections of the two water plants, the first of which at Water Plant No. 2 had already been completed. He then shared an analysis of the water needs of the District's two plants, the conclusion of which is that the District needs to retain both water plants and wells and necessary to connect the two water plants. He said that there was a little shortage of booster pumps which he suggested should involve the 350 gpm pumps being replaced with two 700 gpm pumps.

With regard to CCR Racing, he reported that they are still awaiting plat approval by the County. On the Solano contract amendment, he deferred to the Attorney suggesting that only a little more than 4 SFECs are needed. [The Attorney noted that he was providing for 5 ESFCs.]

Mr. Sherrington reported that he had told the woman wanting service south of the District that it was not in a position to serve her and that she should contact the City of Houston as to whether it might serve her and that she appeared satisfied with that response. With regard to Harris County violations on the generator and water plant No. 1 being elevated, it had been satisfied with his explanation and that such "violations" had been satisfactorily resolved. Finally the Engineer reported that in response to Harris County Flood Control District correspondence alleging a fence encroachment he had satisfied the County that there was no encroachment and that in response to his queries he had been provided some notion of what is being planned to be constructed by the County in terms of drainage improvements. The Engineer was encouraged to get cross sections of what is being planned for construction and explanations as to what and why homes are to be acquired by the buy-out program.

UTILITY OPERATOR REPORT

Doug Jeffrey submitted his report. He reported there was a 94.1% water accountability for the month and 95.3% for the year; that notwithstanding large rainfalls in June the wastewater treatment plant had operated well; that terminations were still not being done on delinquent accounts; and that a third pump at Water Plant No. 2 needed repair or replacement. **Director Blackwell moved the replacement of the pump at a cost of \$12,000 rather than repair it for \$11,000 and that the motor be repaired. The motion was seconded by Director Ross and carried unanimously.** Some discussion was then had on the completion date for the Plant and though it remained September 4 all agreed that October would be a better time to see the plant because it would be much cooler.

Some discussion was then had concerning a TNG imposter in the District who was posing as such to homeowners. It was mentioned that the individual was encountered by a homeowner on Split Oak but had not been seen again. Director Blackwell talked about a hazard or holes next to a storm drain at 7403 Woodland Trail West and Gulf Bank on the northwest corner. It was also reported to exist at the bridge over the bayou, which one had been partially filled by Director Blackwell. The operator stated that he would check out all of them. Director Blackwell suggested that the bubblers along the trail which had been put in for the trees could be shut off since the trees had long since grown to a size not requiring the constant watering. It was mentioned that one tree taken out by the County along the trail needed to be replaced in the fall at which time it may need watering but that the bubbler situation need not be addressed until this fall.

ATTORNEY REPORT

The attorney's report was presented. **Director Shepard moved the adoption of an Order Calling Directors Election which motion was seconded by Director Dominguez and carried by unanimous vote. Director Shepard then moved authorization for the execution of the amended agreement with the Solanos which allowed for the single family home on the property to be served with water and sanitary sewer service. The Amended Agreement also provided for 5 Equivalent Single Family connections instead of 4. The Attorney also made clear that the District's own regulations prohibit cross-connections and so that if the Solanos have a well for irrigation that is acceptable provided there is no connection of a private water supply to the house. The motion was seconded by Director Dominguez and carried by unanimous vote.** The attorney suggested that the District's Engineer should be formally authorized and directed to follow-up with the County on exactly what its drainage improvement plans are for the areas in or near the District and for the taking of homes. **A motion to this effect was made and seconded by Directors Blackwell and Dominguez respectively and carried unanimously.**

BUILDING COORDINATOR'S REPORT

Director Haney explained that he would have purchased by the next meeting a mobile screen for the meetings which could be mounted on a moving table or platform and that it would as well have a camera for the District's meetings.

MISCELLANEOUS MATTERS

Director Haney said he would take care of trees near Water Plant No. 2 that might be encroaching along the fence line along the west side, and then the operator said that he would take care of it.

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 JULY 9, 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

Follow-up on getting signed Amended Solano Agreement; and prepare for Directors Election.

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 follow-up with County re drainage construction plans and house buy-outs.

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 and television and moving table.

OPERATOR

Hook-up Solanos when agreement amendment signed; investigate Corona high water bill; trim trees on fence line; take down Water Plant No. 1.