

**MINUTES OF REGULAR MEETING  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
OCTOBER 8, 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 8<sup>th</sup> day of October, 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 in the meeting or via Zoom included:

Essa Ibrahim of the Sheriff's Department;  
Wally Byers of Courtyard Glen;  
Jeanell Walker of Courtyard Glen;  
Daniel Hayden, Engineer for District 220;  
Kandy Pfeffer of ETI Bookkeeping and Pat High of Equi-Tax, Inc.;  
John Sherrington, P.E. of Sherrington-Humble, LLC;  
Doug Jeffrey of TNG Utility Corp; and  
Michael A. Cole of Michael A. Cole, P.C.

**TAX HEARING**

The President convened the tax hearing, but no persons appeared to make comments on the duly published notice of effective tax rate and this hearing, so the hearing was concluded.

**TAX LEVY**

The Tax Assessor-Collector noted that notice of the hearing and the effective tax rate had been published as required as a condition precedent to adopting an order levying taxes and the effective tax rate published was 43.83 cents per hundred dollars of assessed valuation. **Director Shepard then moved the adoption of an Order Levying Taxes at the rate published for an M & O levy, namely 43.83 cents per hundred. The motion was seconded by Director Dominguez and carried unanimously.**

## RESIDENT COMMENTS

Ms. Jeanell Walker asked about the trail in Courtyard Glen and Director Blackwell said he had walked the area and thought the trail was in good shape and not in need of re-graveling. Ms. Walker agreed but noted that one of the trees which had been planted to replace those that had died or been removed had been placed beneath a larger which made no sense to her. Discussion was had on the topic and it was agreed that Courtyard Glen would have it replanted at its expense if it is thought necessary given that the District is not going to pay anything more with regard to trees there. There was discussion on the buckling of a sidewalk near the intersection of Country View and Redland which the operator agreed he would investigate and have repairs done if warranted.

## SECURITY REPORT

Officer Ibrahim reported on the apprehension and arrest of a 16 year old for criminal conduct related to a car or cars in the District. Directors showed a video of men up in a driveway in the neighborhood and seeking entry into vehicles. There seemed a consensus that autos were being the subject of more criminality and the Board expressed the desire that security focus on having vehicles moved if they are left in one place for days at a time. Directors and neighbors were told to let Director Haney know about cars needing to be moved and he would work to get action taken to have them moved. Director Haney reported that the Woodland Trails West HOA was very complimentary about the deputies patrolling the District. He also reported that some shooters firing guns south of the bayou resulted in the arrest of one of them.

## MINUTES

**Director Blackwell moved the approval of the September 6 minutes with the addition of the last name of the auditor “Toldan” and on page 3 the addition of the word “beyond” in the second paragraph of the operator’s report. The motion was seconded by Director Ross and carried unanimously. The Special Meeting minutes were approved on the motions of Directors Dominguez and Blackwell, respectively, with the correction in the amount of claims filed for flooding and buy-outs being 7.1 million rather than 71 million.**

## CONSENT AGENDA

## BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORT

In presenting her report Ms. Pfeffer observed that there had been an invoice from the City of Houston for water of \$211 which was incredibly little and that the City had explained that it was a function of a very old credit which had just recently been applied by the City. The Tax Assessor -Collector report reflected collections of 98.6%; that around \$12,000+ remained outstanding in taxes owing; and that there was approximately \$1,281 in taxes on personalty that was no longer collectible and for which a write-off was being requested by the Collector and the Tax Office. **Director Shepard move approval of the report, tax bills and requested write-off, which motion was seconded by Director Blackwell and carried unanimously.**

## **ENGINEER REPORT**

Mr. Sherrington presented his report stating that the sewage treatment plant was substantially complete including the lift station and that the contractor would be working to have the site cleaned up for inspection but that there were a few problems remaining like some electrical work for hook ups which should be finished in the next couple of weeks. With regard to the drum screen, he related that it would be inspected early in the first quarter of next year by Global Wet and a decision made as to whether reconstruction was warranted or if it is acceptable as is. He said that the operator would take down water plant no. 1 when it was a bit cooler and that the fire department was getting final plan approvals and when those are available the Engineer will review them and tap fees could be paid. The Engineer next reported the White Oak Bayou project work had been awarded and the work should begin this month. As to a tour of the plant, the Board agreed November 12 is a likely date and perhaps earlier in the afternoon since by that time it would be Daylight Savings Time.

## **UTILITY OPERATOR**

The utility operator report was submitted. It reflected connections of 1210 for the District with a low water accountability ratio because of lots of little leaks according to the Operator, which he hoped would be fixed by the next meeting. Rainfall during the month was reported at 12 inches; a long arrears report was presented but it was noted that there had been many payments since its printing; and 8406 Summer View was investigated and it was determined from dye testing that no inflow was detected so it is not a District issue. On the repair underneath or near the road last month, Wesley Wright had completed the repair of the line which was found to have two breaks neither of which were under the road and that the repair was completed with only minor damage and repairs to a sidewalk and driveway. With regard to the TCEQ violations and a compensatory alternative the operator said that the District had clearly invested an amount equal to the penalty amount sought by the TCEQ. Mr. Jeffrey said that the TCEQ appeared accepting of the situation without articulating exactly what it requires for the resolution of these violations, though it appears the TCEQ did not treat this as a big deal once the District indicated it would be cooperative. Following a discussion about amoebas in or alleged to be within water systems and the clarity that no such threat was posed in the District, Doug Jeffrey assured the Board that action would be taken that promoted and made possible a program or programs in support of Water Wise.

## **ATTORNEY REPORT**

The written attorney's report was presented. The Attorney explained the circumstances surrounding the special meeting held earlier in the week which presented some threat to the District and some of its infrastructure including lines to the sewage treatment plant, the tax base and the threat to three Director homes and the indirect but significant threat to the financial interests of District 220 should the County take lands and improvements within the outlined area which the County had discussed with two Directors of the District. The Attorney further explained that the District will move forward with a letter to the County seeking its input and cooperation on what is to be proposed for improvements and with the engagement of trial counsel to bring pressure to bear upon the County to be cooperative in planning steps forward. Additionally, it was explained that even Judge Hidalgo had made clear the benefits of the detention basin constructed to the West of the

District which had for the last three years eliminated flooding in the areas proposed for taking by the County and from which 7.1 million dollars in flood related claims had been filed until 2017 when the detention pond was enlarged and since then no claims had been filed in the area in question.

**BUILDING COORDINATOR REPORT**

Director Haney acknowledged that there was not much rental information to report. A consensus was expressed that there should be no holiday gathering as in years past.

**MISCELLANEOUS**

Pete Peterson asked if there had been any intention expressed by the Board to change its positions on changes to the agreements with District 220? Directors responded that there had not been any change in its stance and that only when the Plant rehabilitation was certified as complete would the District change the billings for operational purposes.

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

(SEAL)

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Secretary, Board of Directors

**COMMITMENTS FOR ACTION  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
MEETING OF OCTOBER 8, 2020**

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**BOOKKEEPER**

Nada

**ATTORNEY**

*Prepare for Directors Election and write a letter to Judge Hidalgo for Board review at next meeting; revise the Hidalgo letter as discussed in the special meeting; and bring the Central Bank papers for execution.*

**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; and principally make sure that wastewater treatment plant construction completes satisfactorily.*

**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; and purchase I-pad or similar device at not to exceed \$1,000 and television and moving table.*

**OPERATOR**

*Hook-up Solanos; make Corona high water bill revisions; trim trees on fence line; and take down Water Plant No. 1.*