

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
DECEMBER 10, 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 10th day of December, 2020, and the roll was called of the duly constituted officers and members of the Board, to-wit:

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|-------------------|-------------------------------|
| 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, excepting Director Haney thus constituting a quorum.

Persons also present in the meeting or via Zoom included:

Essa Ibrahim, Officer Romaine and another officer of the Sheriff’s Department;
Wally Byers of Courtyard Glen;
Jeanelle Walker of Courtyard Glen;
Daniel Hayden, Engineer for District 220;
Mark Burrow, a resident of Woodland Trails West;
Kandy Pfeffer of ETI Bookkeeping and Pat Hall of Equi-Tax, Inc (remotely).;
John Sherrington, P.E. of Sherrington-Humble, LLC (remotely);
Doug Jeffrey of TNG Utility Corp (remotely); and
Michael A. Cole of Michael A. Cole, P.C.

DISTRICT RESIDENT COMMENTS

Ms. Walker addressed the Board, requesting \$150 for a tree to replace a fallen tree. Director Haney moved that this payment be authorized for the purpose requested with a check cut to the HOA for Courtyard Glen and with the proviso that the tree be staked. The motion was seconded by Director Ross and carried unanimously. . She invited the Sheriff representative to attend that HOA’s meeting starting on the first Thursday in February and to be aware that a gentleman is coming to that meeting and threatening the HOA Board because he does not think neighbors should be getting letters to enforce deed restrictions. Essa indicated he would have someone at that meeting.

Mark Burrow then reported that there was an approximate 2'X2' patch in the road that is breaking up on Gulf Bank next to the curb. Mr. Jeffreys said he does not remember making any repairs near there. Director Haney assured him that if the District had may any such repairs it would

repair it, but otherwise Mark need to get the County out to make the repair Director Blackwell noted that if Harris County Precinct 4 is notified and an online request made it will file a work order and the County should follow-up on it. Mr. Burrow then continued stating that there had been 55 break ins in the area and that the HOA wants more visibility in the subdivision. In particular he noted that there were a lot of cars being parked on Wood Oak as if it was a used car lot and that 2 cars there had paper tags on them that had expired. Essa reported that those cares had been moved the day before. He said that if cars are parked on a highway and they appear to be abandoned for at least 48 hours they can be removed, but that if they are being moved they cannot take action, but that deed restrictions are a different matter and the HOA is responsible for their enforcement. Director Haney indicated he would look into the matter.

SECURITY REPORT

Officer Essa Ibrahim reported that November had been a very busy month with 4 cars being broken into and 4 guns stolen. It was noted that most of this activity probably occurred between 9 p.m. and 4 a.m. Director Haney said that people need to file a police report and get the report # and if they fail to do that there is nothing law enforcement can about it. He suggested calling 911 when it is found to be occurring. Mr. Burrow reported that there were lots of signs being stolen which had been placed in right of way improperly, and that he was actually removing some of these signs which were a nuisance and that he was authorized to do that under a law enforcement arrangement, though his taking down of signs was not improper. He noted that he had taken down 121 unauthorized signs, for which he was thanked.

MINUTES

It was noted that Director Haney was not present for the November meeting and that Officers Romine and Morrow were present. **Director Dominguez then moved the approval of the November meeting with the corrections noted, which motion was seconded by Director Blackwell and carried unanimously.**

ADDITIONAL SECURITY MATTERS

Director Haney suggested that the District should hire deputies to try and catch these guys who were walking about the District breaking into cars and creating criminal mischief. At the conclusion of a long discussion, **Director Ross moved that for a period of at least one month deputies be hired to work 3 nights a week from 11-4 for a cost of \$720 a week or \$3,117 for one month and to include a staff coordinator and to start these shifts on Sunday. The motion was seconded by Director Shepard and carried unanimously.**

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORT

In presenting her report, Ms. Pfeffer observed that she will need W-9s from the deputies before the next meeting and further that she would sign up Directors for the virtual AWBD

Conference in January. The remainder of the reports was reviewed by the Board. Under the tax report it was noted that the 2019 levy was 98.8% collected with \$77,083 collected on the 2020 levy and an AV for 2020 of approximately \$200,000,000.

ENGINEER REPORT

Mr. Sherrington presented his report. He said that demolition of the old operating building was underway and that a final inspection of the plant would occur on January 14, the day of the next meeting. He said that rotating drum screed work and maintenance would be undertaken after the first of the year; that Water Plant 2 inspections had been completed; and that the White Oak Bayou project was supposedly underway. Board members said that barriers were needed at the end of the streets south of the Bayou. The Engineer explained that Sean Humble was acquainted with the Executive Director of the Harris County Flood Control District from college days and had had some conversation which may have had something to do with the letter from the County in response to the District's letter. He said he was going to have Sean talk to him but that the letter from the County came first and so he did not pursue the matter.

The question was raised concerning the Mini-Mart Truck Stop by Director Shepard near where that had been until recently two homes at the corner of Fairbanks North Houston and Shite Oak. Director Ross said he will ask the plumber for the new construction and report back. The question was raised as to how a contractor could be proceeding with such a project without any assurance of service from the District, or to the knowledge of those present any other responsible party.

UTILITY OPERATOR

The utility operator report was submitted. Ms. Walker asked if the fire station near her subdivision was still scheduled for construction to which the operator responded that it was so far as he was aware. The report reflected 1200 connections; a water accountability ration of 95%; no excursions from the sewage treatment plant; that high flows had ben shown at the plant but not because of infiltration, but rather recirculation; that most customers had paid and that if there had been some self help reconnections they would be disconnected; and that no terminations were planned during the holidays, but Directors agreed it should not be allowed too much into the new year. Jeff said he would look into the matter of there having been no termination of a customer whose last payment had been in March. There was also a report of the use of a fire hydrant on Shady Mill that may have been used to wash down Water Plant No. 1, and a \$7,500 worth of work on a fire hydrant more than a year ago; that dishes had been installed for inflow protection; and that a chain link fence down Haney Lane would cost approximately \$9,700 or \$18 a foot. Director Haney said he did not want a fence for that price and that that should be the end of the matter. With regard the volunteer fire station tap fee at the church, it was agreed it should be done at cost with the tap fee not being any more than the District's cost of providing it.

ATTORNEY REPORT

The Attorney provided his written report to the Board. He reviewed his letter to Hidalgo, his detailing of how District 220 and 23 came to disagree on the sewage treatment plant capacities which

he said made clear that neither party had any ill intention in the dispute and that District 23 had honestly tried to serve the best interests of both Districts and saving both needless expense, though the downsizing of the plant did result in a change of the percentage interests of each District which increased the percentage of operation costs attributable to District 220; and the settlement agreement which the State of Texas was now proposing which would result in a fine that was more or less equal to the cost of some improvements to the sewage treatment plant at no net cost to the District or Districts. With regards these matters the Board was wholly supportive of the letter to Hidalgo and pleased with the response in the form of the letter from the Flood Control Engineer, though it did want some communication to the County making it clear that District 23 wanted Joga and Solano excepted from any detention plans of the County South of the Bayou; and that the Agreed Judgement with the State settling the “fine” was acceptable. The Board authorized the Attorney to prepare a letter seeking confirmation that there were no plans for changes to the areas along or near the sewage treatment plant and north of the Bayou, but excepting Joga and Solano areas from detention work south of the Bayou. Further the Board asked that before sending such a letter the Engineer have an opportunity to review it. Director Shepard then moved authorization for approval of the Final Agreed Judgment with the State of Texas which had been presented to the District, which motion was seconded by Director Blackwell and carried by unanimous vote.

BUILDING COORDINATOR REPORT

The written report was provided to Directors.

CONSENT AGENDA

Approval of the consent agenda was had on the motions of Directors Shepard and Blackwell and the unanimous vote of the Board.

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 DECEMBER 10, 2020**

BOOKKEEPER

Nada

ATTORNEY

Prepare letter to Hidalgo and Flood Control and have Engineer review before transmittal. Convey to TCEQ approval of the Agreed Final Judgment.

ENGINEER

Complete work necessary for Shumway agreement and work to be completed on the sewage treatment plant.

BUILDING COORDINATOR

Nada

OPERATOR

Hook-up Solanos; trim trees on fence line; and take down Water Plant No. 1. Turn off water at 8319 Battle Oak; get estimate for fencing on Haney Road and for repair of certain fences; check on Country View hydrant replacement including bad valve; install dishes on manholes; and attempt to get name of driver who damaged hydrant and confer with officers re same for police report; and check on payment of \$100 by CCR. Assess and collect tap fee from Volunteer Fire Department.