

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
JUNE 10, 2021**

**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 June, 2021, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Jim Haney	President
Christy Shepard	Vice President
William E. Ross	Secretary
Oscar Dominguez	Treasurer
Jeff Blackwell	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;
Jeanelle Walker and Wally Byers of Courtyard Glen;
Jennifer Landreville and Pat Hall of ETI Bookkeeping and Equi-Tax, Inc., respectively;
Trina Janowski, bookkeeper and Debbie Bessire of ETI Bookkeeping and Equi-Tax Inc.;
John Sherrington, P.E. of Sherrington-Humble, LLC;
Doug Jeffrey of TNG Utility Corp; and
Michael Cole of Michael A. Cole, P.C.

DISTRICT CUSTOMER COMMENTS

Jeanelle Walker stated that the 2 trash cans for the park had not yet been received from the supplier but that the HOA for Courtyard Glenn had replaced a tree and paid for a sprinkler system valve for a total cost of \$525 for which the HOA would appreciate reimbursement. **A motion to this effect was made and seconded by Directors Blackwell and Dominguez respectively and carried by unanimous vote.**

It was noted that AT&T had nicked or punctured a water service line which traveled further down the public water line to create other problems. Mr. Jeffrey said he would pursue getting compensation from AT&T but skepticism was expressed as to the ability to make any recovery from AT&T or its sub-contractor.

MINUTES

Director Dominguez moved the approval of the May 13, 2021 meetings minutes, which motion was seconded by Director Blackwell and carried by unanimous vote.

SECURITY REPORT

The report was delivered by Essa Ibrahim, who indicated that there were no significant problems to report. He noted that there had been only one burglary since the installation of the cameras and that there had been an incident at “Acid Park”. He said that a deputy would from time to time check on Acid Park as a potential trouble site, and that where there had been individuals misbehaving within the HOA’s pool area, the HOA must tell the security services if they need to act differently or for the Sheriffs department to arrest or deal with persons who are acting inappropriately. The point being made by the Sheriff’s representative was that if the matter is within the HOA complex, then the HOA must be the party who actually tells the Sheriff’s representatives to act to counter those who are misbehaving and not an individual homeowner or a District representative, unless the misbehavior is occurring on District property. In any event, it was concluded that getting compliance from individuals who are misbehaving on property owned by the HOA is difficult to enforce.

DISTRICT WEBSITE

It was noted by several Directors that the District’s Website needs updates and better maintenance.

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORTS

Ms. Landreville introduced Trina Janowski and Debbie Bessire who would become the ETI representatives for bookkeeping and tax assessor-collector functions for the District. She also explained that Pat Hall and herself remained in charge of bookkeeping and tax assessing and collecting functions, respectively. Ms. Janowski noted that \$209,111 remained in the District’s Construction Fund and that rather than pay out each invoice from the Construction Fund, it would be paid from the General Fund which would be refunded fully by the Construction Fund or Capital Improvement Fund at the end of the project. The Bookkeeper then provided a reconciliation of the 220 billings. The Board complimented Jennifer for the accounting on these costs which she explained would also be provided to District 220 at the conclusion of the STP construction work.

Ms. Bessire presented her report which reflected collections of 97.3%. Ms. Hall noted that the 2020 AV was about \$211,000,000 and \$223,000,000 for a 2021 AV, which remained subject to challenges and some changes before a levy. All acknowledged that the price of homes had dramatically increased. She also said that all outstanding taxes on out-of district property had been collected.

ENGINEER REPORT

Mr. Sherrington presented his engineering report and began it by noting that the continued presence of the eagle near the STP site had presented a problem for finalizing the STP rehabilitation contract. As the first item, consideration was given to the rotating drum screen and its repeated failure to sustain operation. The Board agreed that it should be a modern device that would operate without interruption. To this end, **Director Dominguez moved for the Engineer to proceed with the preparation of plans, bidding documents and advertizing it for bidding. The motion was seconded by Director Ross and carried by unanimous vote.** It was also agreed that because a rotating drum screen had been a part of the plant for many years it was not necessary to obtain plan approval, and that in any event further delays would not be helpful for making the plant fully operational and producing the best effluent possible. Directors and the Engineer also made clear the intention was to keep 220 representatives fully informed about what is being done. The Engineer also stated that he thought the best time to tour the plant might be after the rotating drum screen has been installed and made operational.

With regard to water plant Nos. 1 and 2 projects, the Board was told that pre-construction meetings for each had been set and the documentation for the contracts approved by the attorney. With regard to the “clean room” to be constructed at one of the Adkinsson buildings, the owner had finally gotten a consultant for preparation of plans as the Engineer had recommended.

Some discussion was had concerning the District’s website which Directors Haney, Ross and Blackwell had observed need to be cleaned up and better maintained.

Access to the STP, the Eagle’s impact on completing the STP rehabilitation, and the maintenance along Haney Lane were then considered. The Attorney said that he would contact John Kuhl on concerns about the Bald Eagle and what actual constraints applied to the District. Director Ross said he would contact the game warden for the area, who the attorney also cited as a source of possible information on what limitations or constraints applied to the District in terms of the completion of the STP or vegetation maintenance. With regard to access to the STP from the gated entrance on Haney Lane and into the STP itself, the Board was asked by its Engineer if an automatic gate is what the Board is wanting. The Engineer and Operator said that they would look into this matter further. At the conclusion of the report the floor was turned over to Mr. Jeffrey.

UTILITY OPERATOR

The Operator presented his report which reflected there being 1210 accounts; a water accountability percentage of 94.48%; the STP operating fully within permit; and 3½ inches of rain for the last month. Director Ross said that the rainfall measurement was clearly wrong since he had measured 8½ inches in just the last 15 days on his gauge. After acknowledging that he must be correct, he also explained that while there had been 14 terminations for the last month the current terminations were estimated to be 8. He also said there had been a large sludge haul, and that the CCR had been prepared and that he would forward a copy to Directors and if they were good with it he would post it. The Operator explained that the mailing requirement of the CCR can be satisfied by making a reference to it in the bill to customers, and posting it on the website of the District

without having to actually mail the document to residents. Directors indicated that they are okay with what the Operator is producing and approved that it be sent out as the Operator sees fit with the understanding that an electronic copy would be provided to them. He noted that one homeowner had complained about water pressure to which Director Ross observed that he has often seen the screen in a faucet impede flow. Finally, the operator said that there had been one customer who made a claim for \$4.50 when he claimed the relief just under the deadline. **Director Haney moved the approval of the credit which motion was seconded by Director Ross and the unanimous vote of the Board.** The Operator also said that the District would be approved for the Water Smart Plan this year again.

ATTORNEY REPORT

The report was presented, much of which had already been covered. It was suggested that the letter agreement provided by Jerry Homan of District 220 be approved. **A motion by Director Shepard and second by Director Dominguez was approved by unanimous vote of the Board.** On other matters it was reported that Arbitrage compliance appeared easily satisfied by the end of the Temporary Period given the two water plant contracts and the drum screen work; that the garbage contract charge was being increased 4.5% beginning July1 (a bargain); that all above ground improvements for the water interconnect on Battle Oak should be removed as much as possible; and that the contact data requested by Ms. Osequeda, the City's Water Resources Manager, had been compiled and sent to her by the Engineer as requested by the Attorney. Some discussion was then had on how best to permanently disable the interconnect and remove devices from the surface. The Engineer offered his ideas.

BUILDING COORDINATOR REPORT

The written report was provided to Directors. Director Haney reported the number of rentals had increased for the last month and that he now wants to retire as the building coordination in favor of Director Ross who had volunteered. A question was raised as to what to do with the TV monitor purchased for use during the pandemic, to which the Board concluded it would think further on this subject. Directors agreed not to pay anything more for zoom calls and that the biggest monitor should be put on the wall between the clock and the door to the hall, as suggested by Director Shepard. Directors complimented Director Haney on his years of service as building coordinator. He said he would continue his service until the end of June or until Director Ross could settle in to the new position and its responsibilities.

CONSENT AGENDA

Approval of the consent agenda was had on the **motion of Director Shepard, the second of Director Dominguez 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 JUNE 10, 2021**

BOOKKEEPER

None.

ATTORNEY

Emboss the document signed by Director Blackwell with the District's seal and return by mail to the bookkeeper; prepare minutes; and call Environmentalist regarding Eagle protections and impact on vegetation trimming.

ENGINEER

Follow-up on completion of punch list to contractor and execution of change order; pursue preparing fine screen replacement for bidding; follow-up on pursuing contracting and construction of at plants; and investigate what entity is serving warehouses and other facilities on or near Bondale; provide Directors and consultants with a more legible print out of Capital Improvement Plan and Schedule;

BUILDING COORDINATOR

To get bids for the installation of a walk in gate separate from the chain driven gate used by vehicles.

OPERATOR

Both operator and Engineer work on an option for automatic gate openers to or at STP.

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. Perform the brush work authorized, subject to environment query; and provide Daniel with numbers for water use through the interconnect between the Districts for the period(s) of the freeze and what the normal average for the same period is.

TAX ASSESSOR COLLECTOR

Provide a statement of value of the Joga property and improvements and Warehouses off of Warren Road.