

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
JULY 8, 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 8th day of July, 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, excepting Directors Ross and Blackwell, thus constituting a quorum. The meeting was convened when a quorum was established.

Persons also present included:

Essa Ibrahim of the Sheriff's Department;
Jeanelle Walker and Wally Byers of Courtyard Glen;
Laurie and Bill Matthews, residents of Courtyard Glen;
Daniel Hayden, Engineer for District 220;
Trina Janowski, bookkeeper and Debbie Bessire of ETI Bookkeeping and Equi-Tax Inc.;
Doug Jeffrey of TNG Utility Corp; and
Michael Cole of Michael A. Cole, P.C.

DISTRICT CUSTOMER COMMENTS

Jeanelle Walker appeared to express her ongoing gratitude to the Board for its assistance and to introduce Laurie and Bill Matthews of Holmwood Drive. The Matthews explained that years ago there had been a hole that developed in their backyard and the operator for the District came out to fix it and determined that there was a problem not caused by the homeowner but ostensibly related to the District's line as they understood it. Those efforts seemed to cure the problem for a time but that with the passage of time another hole or depression occurred in the backyard in the same area and that this has continued to happen with their getting soil to fill in the area of depression which remains about 3 feet by 3 feet. The operator said that he would come out to inspect the problem and that if it were in the District's line to have it fixed. A question was raised as to where the demarcation for responsibility would be. The Attorney said that if there was a wye stack and it occurred there it was usually the District's problem. At any rate the Board said it would investigate

and work to resolve the problem.

SECURITY REPORT

The Deputy presented his report. In the course of his report he and Director Haney discussed allegations concerning two catalytic converters being stolen from vehicles in the District. Director Haney repeated his oft quote saying that if a resident fails to call about and file a police report on an alleged theft of property, then law enforcement has no way of investigating or taking any action on the matter. The conversation seemed to indicate that no report was made to law enforcement and therefore there is nothing that can be done at present. There was some further discussion about the possibility of auto parts being taken off of vehicles but without specifics offered. The officer excused himself from the meeting.

MINUTES

Director Dominguez moved the approval of the June 10, 2021 meeting minutes, which motion was seconded by Director Shepard and carried by unanimous vote.

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORTS

During the presentation of the reports, Director Shepard requested that a per diem be authorized for work done by Director Blackwell at the Plant and along Haney Lane which Directors agreed to do. At the conclusion of the reports presented by Ms. Janowski, Debbie Bessire presented her report related to taxes which reflected among other matters a 97.8% collection rate for the 2020 levy and 100% for the out of District properties.

ENGINEER REPORT

Mr. Sherrington was not able to be present so Director Dominguez read his report, copies of which all Directors will be receiving. It was mentioned that a property had inquired about service but since they were located much closer to Sunbelt than the District and it would be difficult to reach and provide service, the Board concluded it would not pursue the matter.

UTILITY OPERATOR

The Operator presented his report which reflected there being 1210 accounts; a water accountability percentage of 95.97%; the STP operating fully within permit; and still some minor water loss where the City of Houston Water enters the system, which loss he suggested could be minimized by regular maintenance of the valve at the connection. It was reported that the water accountability ratio for actual water production from the District's wells was 96.85%. He explained to Directors that the installation of inflow protectors in certain areas had seemed to work well in limiting inflow from heavy rainfall. He then reviewed with the Board the 16 accounts on what he

termed the “cut list”. The attorney then interjected that it appeared the list was not about customers who had been given a chance to protest their termination following the meeting but rather for terminations that would occur after the next meeting, which was something wholly different from what Directors and the attorney thought was being done. In fact, the attorney suggested that this is not at all what the Board has been doing for decades. It was then explained by the operator that 16 accounts were those who could protest termination at the August meeting and that the list of 8 accounts was the list of those who had been approved by the Board at the June meeting to be given notice of their opportunity to protest their termination at tonight’s meeting though some had already been terminated earlier today. Mr. Jeffrey said that the operator has been using two lists for a long time, one of which was accounts that were delinquent and would be getting notice of the next meeting to contest terminations and a separate list for terminations. The Attorney said this was news to him and was not what the Board had ever intended and needed to be corrected. The operator indicated he would work further with the Attorney on this outside the meeting.

On other matters he reported that Well # 2 had been pulled and he is hoping that it is all good but has not yet received a report to that effect. The Board was told that the Drum Screen failed as soon as it was put under load and consequently it would not be used and he would await the installation of the new screen. On yet another matter, he said that the 7/11 Store, previously a Stripes Store, had usage of 100,000 gallons more than normal because of a mechanical problem and was looking for some relief on its sanitary sewer bill from the District. After it was made clear that there is actually a part of the bill which is wholly attributable to water usage, even though it is a sewer bill, Directors determined that a \$100 credit could be given on the sewer bill but nothing on the water bill of the 7/11 Store.

The Board next considered the gates at the STP and on Haney Lane. At first it was reported that one bid had been received to create a new gate at the STP for \$19,500 without factoring in the cost of getting electrical power to it. A long discussion followed and it was determined to create a solar drive gate at the entrance to the site along Haney Lane and to seek 3 competitive bids for the STP gate and put it on the next agenda. The Board also directed Directors Haney and Blackwell to get bids for trimming trees along Haney Lane as well as cutting the underbrush and to make a recommendation to the Board at the next meeting.

ATTORNEY REPORT

The Attorney presented his report which noted that the agreement with District 220 had been executed and sent back to its attorney; that the District seemed in compliance with arbitrage requirements; that the District enjoyed good garbage collection rates at \$14.10 a connection; that cyber security training was no longer necessary as of mid-May 2021; that customers confidentiality was presumed and no longer needed to be required to be effective; and that with regard to virtual meetings, the Governor’s suspension of those laws expires on September 1, 2021 and there after only a meeting where both audio and video are required, as well as, a physical presence of a quorum at the District’s regular meeting place is required and at a minimum an audio recording of the meeting must be made available of the public. The Attorney also noted that an Annual Election Report, which he had never heard of before, had been timely filed for the District.

BUILDING COORDINATOR REPORT

The written report was provided to Directors. It indicated increased rental use of the building. He also explained that his last day was the end of July, after which Director Ross would step in as Building Coordinator.

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 JULY 8, 2021**

BOOKKEEPER

None.

ATTORNEY

Emboss the document signed by Director Haney with the District's seal and return by mail to the him to get additional signatures; place items on next agenda concerning bids for STP gate and bids for trimming trees along Haney Lane and cutting underbrush; and prepare minutes.

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 tree and brush trimming and clean-up including trimming around the cul de sac light on Gulfbank.

OPERATOR

Get bids for new gate at entrance to STP and perhaps solar driven gate on Haney Lane.

TAX ASSESSOR COLLECTOR

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