

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
MARCH 10, 2022**

**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 March 2022, 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

Persons also present included:

Essa Ibrahim of the Sheriff's Office;
Sean Humble of Sherrington-Humble, LLC;
Debbie Bessire of ETI Bookkeeping and Equi-Tax Inc.;
Wally Byers of Courtyard Glen;
Lillian Krolczyk, a resident of the District;
Pete Pederson of District 220;
Doug Jeffrey of TNG Utility Corp;
Daniel Hayden, Engineer for District 220; and
Michael A. Cole of Michael A. Cole, P.C.

SECURITY REPORT

Essa reported that there had been no security incidents in the District in February but during March there had been a robbery of a car that has since been recovered. It was seen on camera he said but the plates were not readable and there were more and more incidents of robbers using paper license plates to obscure their identity. It was also said that there were numerous incidents of catalytic converters being stolen off of vehicles. A resident of the District living south of the Bayou noted a problem with vehicles in her area and wants restrictions to in and out traffic. Director Haney suggested going to the County and requesting the placement of barriers. Director Haney said that he had asked Commissioner Ellis about replacing the sidewalk constructed by the District which the contractor working on the Bayou had removed. He said that while the Commissioner had been polite he had said that is not the County's responsibility but rather the HOAs. He further explained that since the contractor had moved off that he should wait to pursue this until the contractor was back and the Bald Eagle had left in mid May. Director Ross said that he had requested patrols by the County along the Bayou. In response to what Wally had requested he had responded that putting in a camera was expensive but that it can if it wishes put in its own camera but that there is no way it could be made a

part of the District's camera coverage. With regard to the camera on the South side of the Bayou he said it was installed on Tuesday and seems to have helped.

MINUTES

Following a review of the minutes of the February meeting, **Director Shepard moved their approval with corrections noted by Director Dominguez including that Chip Callegari was not present, that the take or pay increases could be 10% without need of City approval, that "ast" before \$480 needed to be omitted, and the deletion of the reference to having to pressure wash sidewalks around the building. The motion was seconded by Director Ross and carried unanimously.**

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORTS AND HOMESTEAD TAX EXEMPTIONS AND DELINQUENT TAX ATTORNEY PENALTY

During the presentation of the reports by Ms. Bessire it was noted that 92% of the taxes were collected and 100% of the PILOTS were collected and that one refund had been turned down because the delinquent notice had been sent to the correct address and not been paid. No relief was afforded the taxpayer. At the conclusion of the reports, **Director Dominguez moved the approval of the same set of homestead tax exemptions as adopted in prior years including a \$25,000 resident homestead tax exemption, which motion was seconded by Director Blackwell and carried by unanimous vote. Director Shepard then moved the adoption of a 20% delinquent attorney penalty, which motion was seconded by Director Dominguez and carried by unanimous vote.**

ENGINEER REPORT

Mr. Humble presented his written report. He explained that the second notice for the permit renewal had or was being done; that the drum screen was due to be shipped at the end of March; that the master control panel did come in and should be in place by the beginning of the month; that the re-coating of Water Plant No. 1 was complete and a release of lien was being sent this week; and finally that the capital improvement budget should be ready for review this next month. It was also expressed that the State cannot say when the buyout of houses in the area south of the Bayou would occur but within the District will occur. It was explained that a design study will need to be completed before there could be any move to buy out homes and that time could not be predicted. It was stated however that there are no plans for having a food truck at the Shell station moving forward. With regard to the Fairbanks Apartment project, Sean said that he had told representatives of the Apartment project that the District would not be providing utility services and that the State Representative had opposed the project, even as the County inexplicably approved it with no explanation as to how it would receive water and sanitary sewer service.

UTILITY OPERATOR

Doug Jeffrey presented his report. He reported that the water accountability ratio had been 98.22% for the prior period; that there had been a single grab sample violation at the wastewater treatment plant but that there would be no letter from the State and it would not trigger any adverse

consequences for the District; and further that there had been no large delinquencies. It was noted however that there was one renter account with a big delinquency of \$600+ where the renter had moved out of the District and there needed to be clarity about how the District was going to handle the service delinquency. The Board debated the issue briefly before Director Haney suggested that the answer moving forward appeared to be setting a higher deposit with \$150 for owners and \$250 for renters and that if no delinquency then compliant renters or owners would not be charged anything extra, but the deposit amounts would be required of all others.

The Board then reviewed a suggested menu of rate changes for the Utility Operator's contract. During the review of the rates the operator noted that there had been work done in Courtyard Glenn where improvements were made to eliminate some of the clogging problems. Director Dominguez commented upon the work as well.

At the completion of the review of the rate increases suggested by the Operator, **Director Shepard moved the rate increases listed be incorporated into the contract effective April 1, 2022 along with the contract provisions in textual form, which motion was seconded by Director Ross and carried unanimously.** The amendments are here to attached. The Operator said he would work with the Attorney to revise the rate order. The Board also decided to put the Website on the agenda for the next meeting.

ORDER CANCELLING THE DIRECTOR ELECTION AND DECLARING DIRECTORS ELECTED

Director Shepard moved the authorization for cancelling the Directors Election and declaring the candidates elected because there are no more candidates than positions to be elected. The motion was seconded by Director Blackwell and carried by unanimous vote.

ATTORNEY REPORT

The Attorney's report was presented to the Board. The Board was told that the Arbitrage Committee of the Financial Advisor, Director Shepard, the Attorney and the Engineer, had essentially agreed that the District was in compliance. The other aspects of the report had been covered in the meeting already.

BUILDING COORDINATOR REPORT

Director Haney submitted to the Board a vision of a walking trail sign that is metal and powder coated which he and Director Blackwell had helped fashion which a contractor had fashioned into a proposal. The Board decided that it needs to be made into a bid proposal and that there should be an attempt to get two or more proposals for the next meeting, as well as, a proposal for Courtyard Glenn. Director Haney and the Building Coordinator said they would work on getting that done for presentation. It was also determined that the refurbishment of the metal garbage cans was needed and that replacing the cans was not the best option but rather getting a proposal to steel brush the cans clean and repaint them. The Board also discussed recreating the 5 foot buffer along Haney Road and to keep it clear. Doug Jeffrey said he would work at getting this done. The Board also determined to bill the contractor for the destruction of the side walk between the breeze way and Woodland Trails West running north to the Bayou Bridge. The Board wanted its attorney to write a letter to the contractor to

replace the sidewalk which the County ordered the contractor to remove. The Board asked the attorney to contact Director Haney concerning how the letter should be written.

The Building Coordinator then explained that the woman's commode in the Woman's Bathroom had been repaired.

CONSENT AGENDA

The Consent Agenda was approved on the motion and second 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 MARCH 10, 2022**

BOOKKEEPER

None.

ATTORNEY

Monitor website and make additions/corrections where warranted; perform on the commitments made in the minutes including writing the letter to the contractor to replace the sidewalk, and change rate order and contractor contract for Utility operations.

ENGINEER

Pursue permit renewal; followup on getting Master control panel installed; send a release of lien for the contractor on Water Plant # 1 and complete the capital improvement budget for next month.

BUILDING COORDINATOR

Director Haney to meet with attorney on letter to get the sidewalk replaced.

OPERATOR

Advise Accurate Meters on endpoint work.

TAX ASSESSOR COLLECTOR

Provide a statement of value of the Joga property and improvements and Warehouses off of Warren Road for District's Attorney.