

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
MAY 12, 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 12th day of May 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 and Jeanell Walker of Courtyard Glen;
Lillian Krolczyk, Mary Ann Martinez and other residents South of the Bayou;
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.

CUSTOMER COMMENTS

Ms. Krolczyk expressed appreciation for the installation of the camera South of the Bayou and asked who is monitoring it. She was told Director Haney and the Sheriff's Department Director Haney said that the Sherrif's office is trying to discourage squatters and the homeless from using lands in Section 1 for occupancy or living. He also stated that Harris County Flood Control owns some land in Section 1 and is also trying to discourage squatting there. He stated that areas without the camera are having less success than District 23. In a disjointed conversation it was noted that walkways behind the subdivision on Bond Street are being piled up with debris that might imperil a home nearby and that there has been some dumping of palm trees which the County is promising to haul off and that mosquito problems at a cul de sac need attention from Precinct 1. These residents thanked Directors Blackwell and Ross for their work and what they have done to make the area better and safer. It was also mentioned that there had been a shooting experienced in the neighborhood which as Director Haney observed had been out of sight but not earshot. It was also mentioned that a little bridge needs removal and that the HOA needs to take more action and be more involved in the efforts to improve the areas South of the Bayou.

Mark, a District resident, related his tales of woe with regards the District's late fees of which he complained long and loud. Much was said on the subject and actions that could be taken. Mr. Jeffrey said the District could change its delinquency date. It was determined to put the rate order on the next meeting agenda. **Director Haney moved the waiver of the late fee for Mark which was seconded by Director Ross and carried unanimously.** It was determined to have the Amendment of the Rate Order on the next agenda.

SECURITY REPORT

Essa Ibrahim reported the cameras are working well. It was explained that the Fairbanks Crossing Apartments Project was indeed dead and that the State had turned down the application notwithstanding the proponents' unbridled optimism. It was reported that the cameras are properly working.

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER, TAX-ASSESSOR COLLECTOR REPORTS AND BUDGET

The foregoing was **all approved on the motion of Director Dominguez, the second of Director Shepard and the unanimous vote of the Board.** As a part of the Tax Assessor-Collectors report it was noted that collections were 95% complete, and the preliminary assessed valuations should be out shortly. It was also noted that out-of-District taxes are fully collected.

MINUTES

Director Shepard moved the approval of the minutes with a striking of the reference to apartments, which motion was seconded by Director Ross and carried unanimously.

ENGINEER REPORT

Mr. Humble presented his written report. He explained that the permit renewal is okay; the fine screen should be completed and installed by the next meeting; there was a **change of valve on the fine screen at a cost of \$16,402 which was approved on the motion and second of Directors Shepard and Ross, respectively, and the unanimous vote of the Board;** the master control panel for the Blowers should be installed next month; a **\$1,500 change order for water improvements at Water Plant #2 is needed which was approved on the motion and second of Directors Ross and Shepard, respectively, and the unanimous vote of the Board;** that there is an electronic Fence which needs to be cut after calling Joan Nieto first; that Flood Control District needs to have a final approval of its Bayou project especially south of the Bayou with its wet clay bottom pond and slew or meandering channel if this is the option selected and which homeowners seem to prefer; and that a buy out of the remaining homeowners of which there are 42, not all of whom care to be bought out nor which option has yet to be accepted by Commissioner's Court.

The Board determined to have the matter of amending the Rate Order on the next Agenda in June. **Director Haney moved the waiver of the penalty with regard to the customer which motion was seconded by Director Ross and carried unanimously.**

UTILITY OPERATOR

Doug Jeffrey presented his report. He reported that the water accountability ratio had been 97.97% for the prior period; that there had been no excursions at the plant; and that the CCR is ready for Board review and acceptance. **Director Shepard moved the approval of the CCR and its publication and distribution in the most convenient manner permissible. The motion was seconded by Director Dominguez and carried unanimously.** The Board directed that a copy be put on the District's website. The operator stated that numerous grease bags and rags had been found in the system and disposed of which when done regularly as the operator intends should lessen the problem. He noted the start of this program is in Courtyard Glen. It was also asserted that Cable TX Communications was unlawfully and without permission or notice taking water from the District and is in need of being arrested for theft of water. At a minimum the Board directed that it be charged for use of water at a minimum. **It was directed that this item be on the next agenda and that there be a minimum charge of \$150 established for each such incidence. A motion to this effect was made by Director Dominguez, seconded by Director Shepard and carried unanimously.** The operator stated that he had not yet received a quote for a "blind flange" on which the Board was to act today but cannot because it has no quote. **Director Shepard then moved that a letter be authorized to the City of Houston and prepared by the District's attorney for increasing its take or pay quantity of water from 4,991,000 to 5,481,000 a month and for such increase to be effective ASAP, which motion was seconded by Director Ross and carried unanimously.** The Board directed that the website be updated to reflect this amount as of May 31, 2022. The Board also directed the audit to be on its website, an update of the elections, the website updated for the change in rates, where to take hazardous waste, put in the phone number for the garbage contractor, GFL, and when known the contact information of the new contact person, as well as details about meetings of the District, and any other needed updates, including updates of minutes, security, officer updates, bookkeeper, engineer's name and new address, removal of Troy Lively but keep that part of the report the same, note that the District is now within Precinct 1 and update the pictures of the Walking Trail and signs.

ATTORNEY REPORT

The Attorney provided copies of the report including a draft of the take or pay increase amount letter to the City of Houston as authorized by the Board; notice that GFL had increased its rate effective July 1, 2022 to \$14.60 from \$14.00; that officers need to be elected by the Board; and that oaths of office and statement of officers had been received. The Board continued its tradition of the officers changing with the President becoming the Assistant Secretary/Treasurer and every officer below President moving up to the next office above what they had previously occupied.

BUILDING COORDINATOR REPORT

It was determined that Earth Care Management would manage and maintain the perimeter of the Wastewater Treatment Plant with two cuts of grass every 2 weeks in the summer season and once a month at other times for the agreed upon sums, and to use chemicals and herbicides to keep the growth between the fences at about three feet. **A motion to authorize this was made by Director Ross, seconded by Director Dominguez and approved by unanimous vote.** A formal motion for officers as mentioned above was made by Director Shepard and seconded by Director Ross and approved by unanimous vote.

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 MAY 12, 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 side walk; and add items to next agenda to consider amending the District's rate order and to consider minimum charge of \$150 to Cable TX Communications for unlawful taking of District water.

ENGINEER

Followup on getting Master control panel installed; and complete the capital improvement budget for next month (if not done already).

BUILDING COORDINATOR

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

OPERATOR

Advise Accurate Meters on end-point 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.