

**MINUTES OF REGULAR MEETING  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
JULY 14, 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 14th day of July 2022, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Christy Shepard	President
William E. Ross	Vice President
Oscar Dominguez	Secretary
Jeff Blackwell	Treasurer
Jim Haney	Assistant Secretary/Treasurer

and all of said directors were present thus constituting a quorum.

Persons also present included:

Officer Morrow of the Sheriff's Office;  
Sean Humble of Sherrington-Humble, LLC;  
Debbie Bessire of ETI Bookkeeping and Equi-Tax Inc. ;  
Doug Jeffrey of TNG Utility Corp;  
Daniel Hayden, Engineer for District 220; and  
Michael A. Cole of Michael A. Cole, P.C.

**MINUTES**

**Director Dominguez moved the approval of the June 9 meeting minutes , which motion was seconded by Director Blackwell and carried unanimously.**

**SECURITY REPORT**

The Officer Morrow made his security report to the Board in place of the regular representative of the office. He reported there having been 3 wrecks or accidents to have recently happened. Director Haney read in the report from the Sheriff's Office. There had been a report of credit having been stolen and in response to a query of Director Blackwell, Officer Morrow said he did watch over Director Blackwell's home in his absence. It was also said that Essa was having back surgery and would be out for a couple of weeks. The Officer then excused himself from the meeting.

## CONSENT AGENDA

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

It was noted that Central Bank and not Allegiance was the depository bank for the District and therefore there was no need for any actions regarding the Depository Bank. The Board was told that almost all of the CDs had been redeemed or closed out and that the check for Electric charges had been voided. It was announced that complete tax rolls should be coming out in late August and that the AWBD "2022" Water Wise participation acknowledgment had been received and Director Haney acted to have it placed on the wall.

### ENGINEER REPORT

Mr. Humble presented his written report. He reported that the wastewater discharge permit for the next 5 years had been received; that the drum screen had been installed; and that the coating of the rest of the device which had rusted would be painted with a 3 coat epoxy if approved by the Board at a price of \$4,600. **A motion to this effect was made by Director Blackwell and seconded by Director Dominguez and carried unanimously.** The report continued with discussion concerning project surveillance, the installation of a master control panel for the blowers at a cost of \$4,295.74, which had been approved earlier, and that the Engineer was preparing an exhibit for submittal to HCFCD for routing of the surface water line to the Plant which had been discussed by the Board as a future project. With regard to Water Plant No. 2 the Engineer had authorized Phoenix Coating Systems to provide an assessment of the conditions of the piping, buildings, tanks and overall equipment for which the Engineer said he should present something at a future meeting. The attorney was asked to put an item on the next agenda concerning work on Water Plant No. 1.

With regard to the White Oak Bayou Project the Board was told that the contractor had pulled off the job and was apparently abandoning the project, defaulting and leaving a lot of equipment behind and that BSI, the contractor, was to be replaced by the County. An update on the project was provided to the Board. The Engineer explained that approximately 65% of the upstream portions of the project had been completed and only 35% of the downstream work had been completed. The Engineer reported that the County is working to stabilize all parts of the project and appreciates the public's patience of its efforts to complete this important flood risk reduction project. The Engineer also noted that the Attorney had asked him to take the lead in getting a handle on the GRP benchmarks and when it could transition to completion and ultimate compliance, which he would do. With regard to the Shell station he said that the tanks had been covered over and the concrete paved.

### UTILITY OPERATOR

Doug Jeffrey presented his report. He reported that the new mailbox to be installed in the District's fence around the building had been "lost in the mail" but it is now being sent directly to the Operator's home and would be installed soon. Of the 1208 accounts in the system there had been 99.24% water accountability; 3 main breaks; 2 terminations one of which has continued; and there were no egregious delinquencies. He also said that the District is still set to have 5G by the end of the year though the system is still being operated by 3G.

## **ATTORNEY REPORT**

The Attorney made the take or pay increase statement to the City of Houston but it has become clear that the City may not be converting requests of the District into actual action, and that it is going to take the involvement of the bookkeeper in doing this because the City no longer lets the District know about when it changes the amount and it is not shown in the monthly billing. The Attorney noted that while this has been changed at times in the past the last time may have been 2 or 3 years ago, and he is having the Bookkeeper make a detailed analysis of this and that when that is done the Attorney, Engineer and Bookkeeper will meet to discuss this before scheduling a meeting with the City. The Attorney also reported that changes had been made to the website of the District; that fraud had been encountered by many districts; and that a Plant Tour had been scheduled for September. He also noted that the Cyber-Security training should now be up for Directors to complete. Director Dominguez reported that he would be out in August.

## **BUILDING COORDINATOR REPORT**

The Building Coordinator said there had only been one rental for the last month, and that some wind damage had been experienced around the building which required some trash to be picked up, but that it was not a problem given a bank balance above \$6,000. He said that he had fixed the urinal, and that Earthcare Management is following up on its commitments to the District. It was determined that Director Ross had paid the cleaning lady; that there had been two rentals of the District's building; and three rentals for the coming period. Toward the end of the report, a discussion was had concerning the rate order and it was determined at the insistence of Director Dominguez that the matter be on the next agenda.

Director Blackwell said that he had visited with Harris County Flood Control District about the disappeared sidewalk being replaced but that it had not yet taken any action on this.

## **CONSENT AGENDA**

**The Consent Agenda was approved on the motion and second of Directors Blackwell and Shepard, respectively, and the unanimous vote of the Board.**

There being no other business to come before the Board the meeting was adjourned.

(SEAL)

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Secretary, Board of Directors

**COMMITMENTS FOR ACTION  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
MEETING OF JULY 14, 2022**

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**BOOKKEEPER**

Delve into City of Houston Invoices to comply with Attorney request regarding changes in the take or pay amount regarding how much water is being taken by the District and when such changes had been made and then follow-up with a meeting with the Attorney and Engineer regarding same.

**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; 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; prepare Special Meeting agenda for a tour of the District's Sewage Treatment Plant; and meet with Bookkeeper and Engineer regarding take or pay amounts and when changes had been requested..*

**ENGINEER**

Following up on meeting commitments including meeting with Bookkeeper and Attorney re take or pay requests.

**BUILDING COORDINATOR**

*Director Haney and/or Blackwell to meet with attorney on letter to get the sidewalk replaced.*

**OPERATOR**

*Advise Accurate Meters on end-point work and check on 5 G compliance and install mailbox..*

**TAX ASSESSOR COLLECTOR**

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