

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
OCTOBER 13, 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 a regular meeting place inside the District on the 13th day of October, 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 excepting Director Dominguez, thus constituting a quorum.

Persons also present included:

Officer Cisneros of the Sheriff's Office;
Sean Humble of Sherrington-Humble, LLC;
Jennifer Landreville of ETI Bookkeeping and Equi-Tax Inc.;
Doug Jeffrey of TNG Utility Corp;
Daniel Hayden, Engineer for District 220 and Pete Pederson of District 220;
Jeanelle Walker and Wally Byers of Courtyard Glen;
Lillian Krolczyk of Woodland Trails West; and
Michael A. Cole of Michael A. Cole, P.C.

RESIDENT COMMENTS

Ms. Walker and Mr. Byers made brief remarks. It was noted that the company that had stolen water from the District had eventually used a District meter to properly meter and pay for water. It was also noted that someone is parking a flatbed trailer on the street and that both the truck and trailer might be the subject of a call to the Sheriff to have them towed away if they are seen to be a recurring problem. Residents were complimentary about the installation of the drop box at the entrance to the District's office building and meeting place. Some discussion was also had concerning street lights in Section 1. The Engineer stated that almost all of the lights being attributable to the District had been located and that very few omissions actually had occurred, meaning that the District is not being overcharged nearly like what the District had imagined or maybe not at all.

SECURITY REPORT

It was reported that there had been one invasion of a home in the District this month; and that

the neighborhood night out event had been very successful, in part due to the organization by Director Haney and that it had gone well for all.

MINUTES

Director Blackwell moved the approval of the August minutes which motion was seconded by Director Ross and carried unanimously.

CONSENT AGENDA

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

The reports were presented by Ms. Landreville. During her report Director Blackwell asked her to explain "I" Bonds and she said that a follow-up explanation would be given. It was noted that of the taxes levied for 2021 the levy was 98.2% collected. The tax levy was discussed and Director Haney suggested that the District could afford to levy \$0.3950 rather than the \$0.40 which had been published. The Attorney noted that the Financial Advisor had no problem with that. Director Haney suggested that residents need acknowledgment that tax relief is needed. **The motion was then made by Director Haney and seconded by Director Ross and carried by the vote of all Directors present.** The Board also authorized the filing of an information form amendment reflecting such levy. The Board stated that the Consent Agenda item would take care of all of the other agenda items. Ms. Landreville included the reports from her two offices as well as a tax rate analysis for tax rates ranging from 35 cents to 40 cents.

ENGINEER REPORT

Mr. Humble presented his written report dated October 13 which is included herein by reference. He reported on 4 items under the Drum Screen including a change order, a final payment in the amount of \$37,580 to C3 Constructors, an Inspector's fee of \$2,529, and another inspector fee in the amount of \$462. **All of these items were authorized and approved by the Board.** With regard to the Water Plants it was noted that a revised exhibit had been submitted to Flood Control for routing of the surface water line and for replacement of the booster pump building. With regard to the Capital Improvement budget that should be addressed in April.

With regard to the water supply contract with the City the Attorney suggested that hoping the City would be able to figure out the billing which should be revised and its failure to change the take or pay quantity was a hopeless enterprise, and for that reason it would be far better for the District to propose a resolution that involves doing a progressive stair-step annual increase in the take or pay amount until the remaining bench mark mandates have been achieved. To accomplish this he suggested that Sean work up an Excel spread sheet which could be used as the basis for an amendment to the Agreement. The Attorney also suggested that if Audubon were to be served by the District, this could be worked into the Agreement. **Board members indicated their acceptance of this approach.** A discussion was then had on street lights which is shown in the report. It was noted that the Engineer had prepared a large spread sheet for the last three years with the actual amount of water taken, its costs and whether this had worked to the advantage of the District. The Engineer and Attorney stated that the City had absolutely NOT changed the take or pay amounts as requested by the District. He said that on

balance it appears to have saved the District money in terms of what it had to pay out, though conversely it provided no benefit to the District in terms of over conversion.

UTILITY OPERATOR

Doug Jeffrey presented his report. He reported the water accountability ratio to be 109.01%. Director Haney said that it was not the District's fault that all these meters had failed but rather that it was a transmitter problem which had given the District a black eye. It was a problem of some of the end points not working and yielding an image and for that a fix was needed from the contractor. He said that his office would work to correct the problem. It was reported that the receivable for the prior month had been \$127,000, the overall water accountability ratio being 97.34%, and that the STP had operated very well for the month. It was also noted that a \$5,000 power washer had been stolen from the Plant and he recommenced not bothering to replace it since his office could bring one to the District when its use was needed. Director Haney suggested the need to install some cameras that would deter thefts like that of the power washer. Mr. Jeffrey said he would put contractors in touch with Director Haney and Director Ross said he would do the same. The representatives of Courtyard Glen said they would as well like to have cards of companies or camera companies for the installation possibly of cameras. Miscellaneous matters were discussed like root intrusion problems, a two year delinquency, and a vendor improperly disposing of concrete. The Utility Operator for his part said that he would work to see how some of these problem might be better handled.

ATTORNEY REPORT

The report was presented to Directors and the Attorney suggested that everything in his report had already been addressed or covered.

BUILDING COORDINATOR REPORT

Director Ross submitted his report and made clear that he and Mr. Jeffrey had installed the lock box with the steel plate front on the fence in front of the District's office building and meeting place. It was also noted that a security phone had been purchased which could be integrated with the phone of a Director. A miscellaneous matter was discussed of plans which need to be sent by Sean so that it could be forwarded to Mr. Bubbler for irrigating the trees along the trail.

CONSENT AGENDA

The Consent Agenda was approved on the motion and second of Directors Haney and Blackwell, respectively, 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 OCTOBER 13, 2022**

BOOKKEEPER

OPERATOR Correct the meter/billing errors.

ATTORNEY

ENGINEER

Follow up on meeting commitments including send plans to Mr. Bubbler; and work on details for new contract with City of Houston.

BUILDING COORDINATOR

Begin use of new phones and integrate them with personal phones.

TAX ASSESSOR COLLECTOR

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