

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
NOVEMBER 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 a regular meeting place inside the District on the 10th day of November, 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:

Sean Humble of Sherrington-Humble, LLC;
Debbie Bessire of ETI Bookkeeping and Equi-Tax Inc.;
Doug Jeffrey and Claudine Pacioni of TNG Utility Corp;
Daniel Hayden, Engineer for District 220 and Pete Pederson, Director of District 220;
Wally Byers of Courtyard Glen; and
Michael A. Cole of Michael A. Cole, P.C.

MINUTES

Director Dominguez and Director Blackwell moved and seconded respectfully the approval of the October minutes which motion carried unanimously.

CONSENT AGENDA

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

The reports were presented. It was noted that interest rates at TexPool are up to 2.9336 %, and tax collections for the prior year were 98.4% complete and 100% for out of District payment in lieu of taxes. It was explained that students from North Texas State University are doing a survey on the number of buyouts for flooding and whether buyouts are for properties that actually flooded, it having been established by Directors that some buyouts had occurred without properties actually flooding. Directors were told the queries by the students had taken about 10-15 minutes each.

ENGINEER REPORT

Mr. Humble presented his written report. It was reported that it should take the operator only 15 minutes a week to clear the rags off of the entrance to the drum screen. With regard to the operations of Water Plant #1 the Board was told it couldn't be improved until surface water is extended to Water Plant No. 1, which he will be working on; and that water from the City of Houston might be doable with the City of Houston and Flood Control District's help if they are willing for the District to bring the water from the City in from the west and over the area south of the entrance off of Battle Oak, which had previously been opposed by Flood Control because the North Regional Water Authority had run rough shod over Flood Control.

The Engineer told the Board that he wants to meet with folks in the Subsidence District to make sure that he understands that District's calculation how to get to the surface water transition thresholds and how it makes its calculations, before he embarks on a flow chart of the transition points and the calculations for how much water needs to be taken every year until the transition is complete. **Directors fully endorsed this approach.** It was then mentioned that work of the White Oak Bayou project had been on hold but that bids had just recently been received for the contract on the resumption of that construction which had been abandoned by the contractor. The Engineer explained that progress is being made on the Shell Service Station but it is not clear what had been done with the grease traps upon which the District had insisted and when water service was being reconnected, though it is believed service would be restored in November.

The Engineer said that a request for sanitary sewer service has been received from Flintlock Plumbing but the District does not possess the ability to serve it. He noted that Joga does have a private sanitary sewer service in the area. The Board agreed that it could not serve the party requesting such service, believed to be Houston North West Plumbing Corporation and its facility, which is on the tax rolls for \$603,000 assessed valuation. The District did reserve its option to serve the Audubon Subdivision.

The Engineer then shared a problem that had been discovered in a corner of the District involving a 24" and an 8" sanitary sewer line. It was noted that the 24 inch line is located at about 17' deep and the 8 " line at about 8 feet deep. **Director Blackwell then moved the authorization for the work with the consent of a Director to approve the bypass of the 8" line and a repair of the 24" line, but without specifying who that Director is. The motion was seconded by Director Dominguez and carried by unanimous vote.**

UTILITY OPERATOR

Doug Jeffrey presented his report. He reported the water accountability ratio to be 99.91% with 1208 accounts; an excursion of ammonia on the waste discharge permit; and that a flier should be stuffed in billings advising "no wipes in the pipes" to which suggestion the operator and Board agreed, and further that it should be noted on the website for the District The operator suggested that the cost of same could be \$110 to \$200.

Mr. Jeffrey then introduced Ms. Pacioni to the Board and explained that she would be replacing him in the coming months though both would remain representatives of TNG.

SECURITY REPORT

Director Haney delivered the report in the absence of an actual Deputy. He noted that there had been one burglary of a vehicle and 2 minor thefts.

ATTORNEY REPORT

The report was presented to Directors. The Attorney recommended that the Engineer take the lead in initiating overtures to get the City to approve an amended agreement that cures the problems created by the failure of the City to implement the increases in the take or pay amount of water which the District had asked for as was its right and with no need for City approval, so that “fault” and the possibility of shaming or “being wrong” could be eliminated, and further that the amendment just provide for a straight line projection of increases of 10% a year until the surface water conversions had been fully achieved. **Directors and the Engineer endorsed this approach.** The Attorney mentioned the legislative session starting in January, and finally noted that the power costs would be changing in January given that a new contract had been negotiated by P3. The Chart which had been prepared by P3 was presented. Director Haney said that the rates could be much better than what P3 is proposing and that he could do better just using his own “power to choose” app. The chart provided by P3 was presented and somehow, perhaps through error of the attorney, the notion was created that instead of the rates simply doubling from a little more than 3 cents per kilowatt hour to much over 6 cents a kilowatt hour, had instead gone to 66 cents per kilowatt hour. In any event confusion was created and the attorney suggested that the matter could be deferred, and that of course the District is free to seek its own service or accept that of P3. **All concerned agreed that before approving any service or power rate change everyone needs to be on the same page as to what rates are being accepted and that this item MUST be on the December agenda.**

BUILDING COORDINATOR REPORT

Director Ross submitted his report. Discussion was had concerning the December meeting. It was reported that the National Night Out had gone well; that the camera and alarm for the STP had not yet been purchased but would be; and that the pressure washer may have been located in the area and apparently had been stolen, and it was agreed that the serial number or other identifying number needs to be found. It was promised that this would be pursued. The Board then requested that the time of the next meeting be set for 5:30 on December 8

CONSENT AGENDA

The Consent Agenda was approved on the motion and second of Directors Dominguez 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 NOVEMBER 10, 2022**

BOOKKEEPER

OPERATOR

Correct the meter/billing errors.

ATTORNEY

Add item on next agenda to discuss and consider electric services and the proposed contract renewal of P3.

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; and locate the serial number or other identifying number of the stolen pressure washer.

TAX ASSESSOR COLLECTOR

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