

**MINUTES OF REGULAR MEETING  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
SEPTEMBER 14, 2023**

**STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §**

The Board of Directors of Harris County Municipal Utility District No. 23 of Harris County, Texas, met in special session, open to the public, beginning at 6:30 P.M. at a regular meeting place inside the District on the 14<sup>th</sup> day of September, 2023, and the roll was called of the duly constituted officers and members of the Board, to-wit:

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

and all of said directors were present, thus constituting a quorum. Note that the Board has voted to make Charles Mathewes the new Director to replace former Director Dominguez which should be completed at the October meeting, assuming Mr. Mathewes is present.

Persons also present included:

Alyssa Saccomen with McCall Gibson;  
Jeanelle Walker of Courtyard Glenn;  
Sean Humble of Sherrington-Humble, LLC;  
Jennifer Landreville of ETI Bookkeeping Services;  
Claudine Pacioni of TNG Utility Corporation;  
Pete Pederson of District 220;  
Robert Atkinson of EHRA and representing Harris County MUD 220;  
Piere Abaraca of the Sheriff's Department; and  
Michael A. Cole of Michael A. Cole P.C.

**APPOINTMENT OF DIRECTOR**

The completion of this matter was deferred because Mr. Mathewes is out of town at a reunion.

**APPROVAL OF AUDIT**

Ms. Saccomen presented the audit. She informed the Board that a clean audit had been rendered and the District is receiving in essence as good an opinion as a water district can get. She reviewed the various details of the audit at the conclusion of which **Director Shepard moved that it be approved by the District and filed with the TCEQ. The motion was seconded by Director**

**Blackwell and carried unanimously.**

### **HOMEOWNERS COMMENTS**

Ms. Walker commented that there had been lots of cars without registration stickers in her subdivision, Courtyard Glenn. It was observed by Director Haney that this may not be legal to leave cars on the streets that evidence not being properly registered, but if indeed they are not moving he would let the Deputy know about them. It was mentioned that a line on Holmwood is in need of repairs and that a fire hydrant on Copperwood needs adjustment. Following some further comments Ms. Walker sat down.

### **MINUTES**

Following a review of the minutes by the Board **Director Blackwell moved the approval of the minutes of the August 10 and August 31 meetings with corrections noted, which motion was seconded by Director Shepard and carried by unanimous vote.**

### **BOOKKEEPER AND INVESTMENT OFFICER REPORT**

Ms. Landreville told the Board that the IRS had communicated with her office and indicated that if any payments are due JRP Tree Services they should instead be sent to the IRS because of the failure of JRP to make payments to the IRS. She next explained the mechanics of “Positive Pay” arrangements which more Districts are using to eliminate the threat of abuse or District’s losing money to criminals who like to wash checks and in essence steal money from water districts. It was explained that the cost to the District is \$125, of which amount \$100 is paid monthly by the Bookkeeper which is billed to the District and \$25 paid directly by the District. **Director Haney moved that this program be used by the Bookkeeper and paid for by the District, which motion was seconded by Director Shepard and carried unanimously.** Director Blackwell commented that if a street light goes out the District would be charged as if it had not unless the outage is reported, and that he has been encouraging the HOA and others to report such outages.

### **TAX ASSESSOR-COLLECTOR REPORT AND TAX RATE CALCULATION**

The Board was told that the collection rate for taxes for 2023 was up to 97.8%. The operator representative said that she would let Bear Oakley know that the District needs the Water Smart Recognition certificate for 2022 and 2023 which he had promised. The Board then discussed authorizing the publication of the maximum tax rate which included the additional amount for a total levy of \$0.3814 which did not obligate the District to actually levy that amount. It was noted that the current rate was 0.395 but that \$0.3814 was the maximum maintenance tax levy. It was also confirmed that the District is a “Developed” District. **Director Ross then moved the publication in the Houston Business Journal of the maximum tax rate of \$0.3814 per \$100 assessed valuation and that the tax hearing be set for October 12<sup>th</sup>, which motion was seconded by Director Shepard and carried by unanimous vote.** Ms. Landreville said she would arrange for the publication and see the Directors at the October 12 meeting.

## SECURITY REPORT

Pierre Abarca reported to the Board on developments in the District including the altercation with the motorist who had jumped from a moving car which subsequently hit another car, and the DWI involving a motorist who is likely to be charged with manslaughter in the death of a man in the car which he hit. On an unrelated matter the Board requested that the Deputy tell Harris County Flood Control District to close the trails in the District. He said that he would attempt to do that. Ms. Walker requested that the Deputy also try to stop the parking on the street of illicit vehicles that lack the proper documentation.

## ENGINEER'S REPORT

The Engineer then commenced to present his report. As a part of these minutes a copy of this report will be made a part of the minutes to best insure the minutes be accurate and descriptive of the work undertaken by the Engineer. Among other actions taken by the Engineer was revising the letter to the Watershed Coordinator requesting permission for the District to route the proposed surface water line which the District needs to connect the two water plants with surface water; rebuilding the Water Plant No. 2 building and refurbishing the Hydro-pneumatic tanks which had been partially repaired but were needing future work; again requesting the City of Houston to increase the District's Take or Pay quantity of water and otherwise correct the deficiencies in the failures of the City to comply with its agreement with the District for the supply of water, and to coordinate how the Audubon subdivision might be served by the District; closing the White Oak Bayou project to the public until it is completed in the spring of 2024; work to see that the 8520 Warren Road gas station and washeteria is completed; see that the CenterPoint process of replacing the District's 269 Halogen streetlights is completed by the end of the first quarter of 2024; and see that the appraisal for the acquisition of the 13.5 acres is completed along with a survey. There was also some discussion of the Shell Station on Fairbanks-North Houston and the fact that it still has a grease trap that needs both inspection and monitoring. **Director Haney moved approval of Whitney & Associates to prepare the appraisal of the 13.5 acres for \$3,500 and that the survey be completed at a cost of \$4,950. The motion was seconded by Director Blackwell and carried by unanimous vote.**

## OPERATOR REPORT

TNG's report reflected a water accountability percentage of 94.40% which Claudine said would be much lower next month. The report is filed in the District's records. It was noted that a portion of the fence upon which some repairs were attempted needs to be replaced in its entirety. **Director Blackwell moved that the fence repair be undertaken with efforts being made to use the portions which had been repaired and to replace it in its entirety if possible for as little as possible but if it can be done for less than the \$1,375 or the \$1,650 then to do so. The motion was seconded by Director Ross and carried unanimously.** It was noted that the water tap charged Houston Northwest Plumbing Company was \$11,000. She also committed to get the plans to the District's water plants so that the District will be in compliance.

**ATTORNEY REPORT**

The Attorney report was submitted and is filed in the District’s records. During the presentation of the report Directors made clear that they oppose efforts by the City of Houston to test for COVID at the District’s Sewage Treatment Plant. A discussion was also had about how best to honor former Director Dominguez and there appeared a consensus that he be invited to the District’s Christmas party. A long discussion followed at the conclusion of which it was agreed that the subject would be reviewed in the future.

**Director Shepard moved that the consent agenda be approved which motion was seconded by Director Ross and carried by unanimous vote.**

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 SEPTEMBER 14, 2023**

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**BOOKKEEPER.** Initiate Positive Pay.

**OPERATOR** to have customer service inspection of the taco truck done to make sure it is not using the grease trap.

**ATTORNEY** file audit when printed and prepare minutes.

**ENGINEER** *work on details of new agreement with City of Houston.*

**TAX ASSESSOR COLLECTOR** publish tax rate for hearing to be held on October 12, 2023.