

**MINUTES OF REGULAR MEETING  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23  
OCTOBER 12, 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 regular session, open to the public, beginning at 6:30 P.M. at a regular meeting place inside the District on the 12<sup>th</sup> day of October, 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.

Persons also present included:

Charles Mathewes of Woodland West;  
Jeanelle Walker and Wally Byers 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; and  
Michael A. Cole of Michael A. Cole P.C.

and arriving later in the meeting was Piere Abaraca of the Sherriř's Department.

**INVOCATION**

The invocation was given by Director Blackwell in which acknowledgment was made of the tragedy in the Middle East and a request made to the powers that be for guidance and remembrance of our common humanity.

**SECURITY REPORT**

The report was given by the Deputy. The Board heard about a complaint of a resident on Sweetgum Trace who had wanted his entire driveway replaced by the District. At the conclusion of the report **the Board determined to only replace those parts of the driveway for which the District felt it had responsibility and not its entirety notwithstanding the homeowner's desires, since it had no responsibility for the apron of the driveway which was cracked for years nor portions of the driveway that were in acceptable condition.** It was next noted that

some 50 or so folks had gathered near the bayou where they did wheelies and donuts. It was also remarked that an 18 wheeler had been parked by the owner of 7882 Winehill Drive on a District street which is creating problems including the fact that it is illegally parked. The Deputy said he had visited the man and would do so again. Finally, it was remarked that the National Night Out had been a success. The attorney also reported that a fully executed copy of the Security Agreement signed by the District and the County had been received. The report was approved by the Board. The Deputy then excused himself from the meeting.

### **APPOINTMENT OF DIRECTOR**

The completion of this matter was done with the **Board acceptance of the Bond and Oath of Office of Director Charles Mathewes along with his formal appointment as a Director of the District on the motion of Director Shepard, and the second of Director Haney and the unanimous vote of the Board.**

### **ELECTION OF OFFICERS**

**Director Shepard then moved the election of the following officers, which motion was seconded by Director Balckwell and carried unanimously:**

Will Ross	President
Jeff Blackwell	Vice-President
Jim Haney	Secretary
Chrisy Shepard	Treasurer
Charles Mathewes	Assistant Secretary/Treasure

### **AUDIT**

In an abundance of caution the Board again **approved the Audit on the motion and second of Directors Shephard and Blackwell, respectively, and the unanimous vote of the Board.**

### **MINUTES**

Following a review of the minutes by the Board **Director Haney moved the approval of the minutes of the September meeting with corrections noted, which motion was seconded by Director Blackwell and carried by unanimous vote.**

### **CONSENT AGENDA**

### **BOOKKEEPER AND INVESTMENT OFFICER REPORT AND TAX ASSESSOR COLLECTOR REPORT, AND ORDER LEVYING TAXES**

Ms. Landreville told the Board that Positive Pay had been employed and the fate of many Districts avoided with the consequential loss of funds; that the estimated assessed valuation of near \$259,000,000 was achieved; 100% of District taxes are collected and paid; and the District is in

position to **levy a tax of 38.14 cents**. All of the Directors favored levying this rate while Director Haney thought the better course was to save homeowners on average \$42 in ad valorem taxes for the year. The matter was called to a vote and carried **on the motion and second of Directors Ross and Blackwell, respectively, and carried by the vote of all members present excepting Director Haney who voted Nay**. The Tax Assessor Collector was directed to bill the District taxpayers accordingly.

## **ENGINEER'S REPORT**

The Engineer then commenced to present his report. It was reported that the request and proposal of the Engineer including his request that the County agree with his proposal to allow the District's water interconnect line to be placed within HCFCD land to avoid substantial costs and delays if allowed and rather than being forced to dig up streets in the District at much greater expense and inconvenience to residents....and that this "routing" of this request was hoped to get an affirmative response from HCFCD and avoid unhelpful reactions from the County. He also discussed his meeting with the City of Houston concerning the District's agreement with the City for water, its (the City's) inability to supply all the water requested by the District even though such a position violated or breached its agreement with the District which it readily admitted is the case, and the District's wanting to avoid all of these results by eventually agreeing to have an agreement or amendment that favorably resolved such breaches going forward. The City appeared to express its wanting the same outcome and admitted that it may be possible to achieve this in 2025 with a new or amended contract. The City acknowledged and appeared to thank the Engineer for not involving the District's attorney or City Legal in this matter in which all present expressed appreciation. It was also said that serving Audubon could be accomplished if that is what all the parties desire. The Engineer said that it is an open question as to which option the District 220 folks prefer. With regards the White Oak Bayou project it was noted that this first phase of the project should be completed in the spring of 2024 and the latter part later in the fall of 2024 with all trails being closed until later in 2024. On other matters it was noted that the construction of the gas station and washeteria at 8520 Warren Road is continuing with the understanding that a private arrangement is being worked out with an adjoining property owner for sanitary sewer service which still means the District will be compensated for sewer service though such cost will be what is paid through the private party; that the street lights project is proceeding; and that the District needs to address what it proposes for the 13.5 acre tract owned by Mr. Mosaffa Mohammed. With regards the Groundwater Reduction Plan it was noted that the conversion dead line for 60% conversion is 2025 and for the 80% conversion is 2035. Director Blackwell noted that 24 lights are out in the District and that he will tell the Board when they have been repaired. Director Haney expressed his desire that eventually he wants the area comprising the District to be known by a more descriptive name or phrase rather than "District No. 23". All present seemed to agree with this sentiment. Discussion was had concerning testing of lines and both the Operator and Engineer indicated they would investigate what has already been done and what remains to be done so that a plan of action can be created. The Engineer also agreed that a fly over and pictures will be taken at the end of the year so that the District will have documentation as of the end of the year as to what is present in the District. He indicated he would talk to Jennifer about seeing that this is done.

## **OPERATOR REPORT**

It was noted that there had been 4 line breaks since the last meeting, and that the drought seems to be ending. Ms. Pacioni stated that the District has 1220 connections; had used 17,000,000 gallons of water within the last month; had an accountability percentage of 97.12%; had had only 4 necessary terminations all of whom had paid; and that there would have to be 71 turn offs necessary this month. The Board requested that the Dominguez Resolution be checked to make sure that it is accurate which the attorney said he would do including Oscar having served 35 years. The Attorney said he would have his office make certain it was accurate in so far as he could access records. The Board also asked that the Resolution be framed and presented at the Christmas party to which he and his wife would be invited.

## **BUILDING MANAGER REPORT**

It was reported that there had been 2 bookings made for the next month and that no problems have been encountered in the management of the Building. It was agreed that food for the Christmas party would be Mexican, there would not be Margarites served, that Director Blackwell was not asking for per diems for the lights he was reporting, and that the HOA is still having problems with tree limbs hitting passing traffic. The HOA is looking for a contractor to replace Earth Care because the HOA thought it is not doing a good job and that there remained some issues about how to proceed with efforts to acquire the Mosaffa Mohammed land. After a lengthy discussion of the last item, it was decided that Directors Haney and Ross would be authorized to negotiate for the District's acquiring the Mosaffa land for a value range specified and that Sean and Director Ross would meet with Mosaffa to discuss an arrangement for conveyance of the land to the District, after a **motion having been made by Director Ross that the land be acquired by the District which was seconded by Director Blackwell and carried unanimously**. It was also made clear to those present that the HOA for Woodland Trails West had conveyed what has become known as "Acid Park" to the District. Director Ross confirmed that the District would accept the park conveyance from the HOA, which property it was speculated might then be available for trade to the owner of the land near the District's wastewater treatment plant.

## **ATTORNEY REPORT**

The Attorney report was submitted and is filed in the District's records.

## **APPROVAL OF CONSENT**

**Director Shepard moved that the consent agenda be approved which motion was seconded by Director Blackwell 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 OCTOBER 12, 2023**

**BOOKKEEPER** *nada.*

**OPERATOR** make turn offs and check reports on what has been done in terms of assessing need to repair or replace sanitary sewer lines; make driveway repairs, and customary work.

**ATTORNEY** prepare minutes, check accuracy of Dominguez record on years of service.

**ENGINEER** work on details of new agreement with City of Houston; work on acquisition of land from Mosaffa Mohammed; and complete the survey of sanitary sewer lines that may need replacement or repair.

**TAX ASSESSOR COLLECTOR** send out tax bills.

**BUILDING COORDINATOR** invite Oscar Domiguez to Christmas party and order frame for resolution.