

MINUTES
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

May 26, 2020

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 26th day of May, 2020, and the roll was called of the members of the Board being present by telephone:

Willie Jo Reynolds	President
Jorge Diaz	Vice President
Betty Mancía Alvarenga	Secretary
Cyrus Dumas	Director
Jessica Graham	Director

and all of the above were present, thus constituting a quorum.

Also attending the teleconference were Kristen Scott of Bob Leared Interests; Teague Harris of IDS Engineering Group ("IDS"); Bart Downum of Environmental Development Partners, LLC ("EDP"); Claudia Redden of Claudia Redden & Associates; Michael Murr of Murr Incorporated; Tonie Pettit, building manager; Deputy Morris Thomas of the Harris County Sheriff's office; Steve Startzell of WCA Waste Corporation ("WCA"); Matthew May of Best Trash, LLC ("Best Trash"); Tiana Smith of Waste Management, Inc. ("Waste Management"); Kevin Atkinson of Texas Pride Disposal ("Texas Pride"); Jacque Freeman and Nick Nicoletti, representatives of the Westfield Homeowners Association ("HOA"); Daniel Forrest of Advantage Security Integration ("ASI"); and Nellie Connally and Arlene Catalan of Allen Boone Humphries Robinson, LLP ("ABHR").

Ms. Connally reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at www.districtdirectory.org/agendapackets/maydecreekmud.

OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19
EPIDEMIC AND RATIFICATION OF ANY EMERGENCY ACTIONS, IF NECESSARY

Ms. Connally and Mr. Downum confirmed there were no operations or service requirements related to COVID-19 epidemic to present for ratification by the Board.

PUBLIC COMMENTS

Director Reynolds offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, Director Reynolds moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the April 27, 2020, meeting. After review and discussion, Director Graham moved to approve the minutes of the April 27, 2020, meeting. Director Dumas seconded the motion, which passed unanimously.

2020 DIRECTORS ELECTION

The Board discussed the 2020 Directors Election.

CERTIFICATE OF ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Jorge Diaz, Jessica Graham, and Cyrus Dumas to the Board of Directors of the District each for a four-year term. After review and discussion, Director Dumas moved to approve the Certificate of Election and the distribution of same to Directors Diaz, Graham, and Dumas, and direct that the Certificate of Election be filed appropriately and retained in the District's official records. Director Alvarenga seconded the motion, which passed by unanimous vote.

DIRECTORS' SWORN STATEMENTS AND OATHS OF OFFICE

Ms. Connally reviewed the Sworn Statement and Oath of Office for Directors Diaz, Graham, and Dumas. After review and discussion, Director Dumas moved to approve the Sworn Statement and Oath of Office and direct that the documents be filed in the official records of the District, and that the Oath of Office be filed with the Secretary of State, as required by law. Director Alvarenga seconded the motion, which passed by unanimous vote.

REORGANIZE THE BOARD

The Board considered reorganizing the Board. After discussion, Director Diaz motioned that all Board members would retain their current positions. Director Alvarenga seconded the motion, which passed by unanimous vote.

DISTRICT REGISTRATION FORM

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the

terms of the newly elected directors and the reorganization of the Board. Following review and discussion, Director Diaz moved to authorize filing of the updated District Registration Form with the TCEQ, and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed by unanimous vote.

GARBAGE SERVICES

There was no report on this matter.

REVIEW PROPOSALS FOR DISTRICT GARBAGE SERVICES, TERMINATE EXISTING GARBAGE SERVICE CONTRACT, IF APPLICABLE, AND APPROVE NEW GARBAGE SERVICE CONTRACT WITH PROVIDER

Ms. Reynolds stated that the District has received proposals from WCA, Best Trash, Waste Management, and Texas Pride for garbage collection and recycling, copies of which are attached

Mr. Startzell, Mr. May, and Ms. Smith presented each proposal, respectively, to the Board.

TAX ASSESSMENT AND COLLECTION

Ms. Scott reviewed the tax assessor/collector's report, including a list of bills submitted for payment and list of delinquent taxpayers, a copy of which is attached. After review and discussion, Director Dumas moved to approve the tax assessor collector's report and authorize payment of the bills submitted. Director Diaz seconded the motion, which passed unanimously.

REVIEW PROPOSALS FOR DISTRICT GARBAGE SERVICES, TERMINATE EXISTING GARBAGE SERVICE CONTRACT, IF APPLICABLE, AND APPROVE NEW GARBAGE SERVICE CONTRACT WITH PROVIDER (CONTINUED)

Ms. Atkinson presented Texas Pride's proposal to the Board.

The Board discussed proposals from WCA, Best Trash, Waste Management, and Texas Pride for garbage collection and recycling. After review and discussion, Director Diaz moved to (1) not renew the Residential Solid Waste Collection Contract with WCA with a service end date of August 1, 2020; and (2) enter into a Residential Solid Waste Collection Contract with Texas Pride, effective August 1, 2020, for a 3-year term with a fixed-rate, including twice a week trash and heavy trash pick-up, once a week recycling pick-up, and 95-gallon garbage and 65-gallon recycling carts to be provided by Texas Pride, at a cost of \$17.15 per connection, and two six (6) yard dumpsters, at a cost of \$52.50 each per month, subject to review and finalization by ABHR. Director Alvarenga seconded the motion, which passed unanimously.

SECURITY REPORT

Deputy Thomas reported on security matters. After discussion, Director Alvarenga moved to accept the security report. Director Graham seconded the motion, which passed by unanimous vote.

SECURITY AGREEMENTS, INCLUDING WESTFIELD HOMEOWNER'S ASSOCIATION FLOCK SECURITY CAMERA SYSTEM

Mr. Nicoletti addressed the Board regarding the Flock Safety cameras in the HOA's neighborhood. He requested that the District split the total cost of \$16,000 for eight cameras in half with the HOA. He stated the District's share would be \$8,000 annually. He said that Silvermill Homeowner's Association ("Silvermill HOA") continues to deliberate on whether to add six cameras in their neighborhood. Discussion ensued regarding the Flock cameras. Ms. Connally stated ABHR would prepare a letter agreement between the HOA and the District.

After discussion, Director Alvarenga moved to approve an \$8,000 annual payment for two years to the HOA for half the cost of the eight cameras installed in the Westfield neighborhood, subject to a letter agreement between the HOA and the District. Director Diaz seconded the motion, which passed by unanimous vote.

The Board then discussed concern regarding lack of security coverage in the District if Silvermill HOA does not add cameras in their neighborhood. The Board realized there was confusion by the terms of the motion presented and approved.

After discussion, Director Dumas moved to amend the motion and approve an \$8,000 annual payment for two years to the HOA for half the cost of the eight cameras installed in the District, subject to an additional agreement with Silvermill HOA where the District will pay \$6,000 annually to the Silvermill HOA for half the cost of the six additional cameras, and subject to a letter agreement between the HOA and Silvermill, respectively, and the District. Director Diaz seconded the motion, which passed by unanimous vote.

PARK AND TRAIL REPORT, INCLUDING PARK AND BUILDING MAINTENANCE; EXERCISE EQUIPMENT; AND SPORTS EQUIPMENT

The Board reviewed the Park Maintenance Report, a copy of which is attached. After review and discussion, Director Diaz moved to approve the Park and Trail Report. Director Dumas seconded the motion, which passed by unanimous vote.

REPORT ON LANDSCAPE MAINTENANCE

Director Reynolds reported on landscape maintenance in the District. After discussion, Director Dumas moved to accept the landscape maintenance report. Director Diaz seconded the motion, which passed by unanimous vote.

BUILDING REPAIRS AND MAINTENANCE, INCLUDING RATIFYING PREVIOUS WORK ORDER

There was no report on this matter.

DELINQUENT TAX MATTERS

There was no report on this matter.

REGIONAL WASTEWATER TREATMENT PLANT ("WWTP") FINANCIAL AND BOOKKEEPING MATTERS, AND PAYMENT OF THE BILLS AND REVIEW OF INVESTMENTS

The Board reviewed the regional WWTP bookkeeper's report, a copy of which is attached, and the bills submitted for payment. After review and discussion, Director Dumas moved to accept the regional WWTP bookkeeper's report and the bills submitted for payment. Director Graham seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING

Ms. Redden presented and reviewed the bookkeeper's report, a copy of which is attached, and the bills submitted for payment. After review and discussion, Director Dumas moved to accept the bookkeeper's report, and the bills submitted for payment. Director Alvarenga seconded the motion, which passed by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Downum presented and reviewed the Operator's Report, a copy of which is attached, including system repairs and maintenance. He reported on pending and completed repairs and improvements to the District's water and sanitary sewer systems.

Mr. Downum reported the WWTP received a noncompliance notification regarding an effluent violation due to E. coli issues. He stated this occurred because of the valve repair that was completed at the WWTP's east clarifier.

Mr. Downum requested Board approval to modify the non-potable system at the WWTP at a cost of \$5,000. He said that currently the suction line is at the bottom of the basin; he would like to relocate the suction line to the side for better access and easier maintenance.

Mr. Downum reported EDP submitted the TCEQ 2020 Homeland Security Form for the WWTP on behalf of the District.

Mr. Downum requested Board approval on the updated language, in English and Spanish, to be used on door reminders, providing delinquent customers information regarding payment options.

After review and discussion, Director Alvarenga moved to (1) approve the operator's report; (2) approve modification of the non-potable system at a cost of \$5,000; and (3) approve of the updated language in both English and Spanish for the door reminders. Director Dumas seconded the motion, which passed by unanimous vote.

HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

The Board reviewed the list of delinquent accounts. Mr. Downum informed the Board that the residents on the termination list were delinquent in payment of their utility bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bill and show reason why utility services should not be terminated for reason of nonpayment. The Board conducted a hearing regarding water and sewer service termination. After review and discussion, Director Alvarenga moved to continue suspending termination of water and sewer service to delinquent customers and waive late fees and penalties until further notice, and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Dumas seconded the motion, which passed by unanimous vote.

ENGINEERING MATTERS

Mr. Harris reviewed the engineering report, a copy of which is attached.

WASTEWATER TREATMENT PLANT ("WWTP") LIFT STATION CONVERSION TO SUBMERSIBLE PUMPS

Mr. Harris updated the Board regarding the regional WWTP onsite lift station rehabilitation and conversion to submersible pumps project. He stated Sustanite Support Services submitted Change Order No. 1, to increase the contract in the amount of \$8,500, for the addition of a scum line bypass. Mr. Harris reported the Regional WWTP Advisory committee meeting determined that Change Order No. 1 is beneficial to the project. He added that Directors Dumas and Graham approved Changed Order No. 1, so as not to delay the contractor's progress.

REGIONAL WASTEWATER TREATMENT PLANT REHABILITATION

Mr. Harris updated the Board regarding construction of the Regional WWTP rehabilitation project including the new sulfur dioxide building and reviewed and recommended approval of Pay Estimate No. 4, in the amount of \$128,489.40, payable to JTR Constructors.

Mr. Harris gave an update on the Regional WWTP Advisory committee meeting on May 7, 2020.

SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

Mr. Harris gave an update on the construction of the sanitary sewer extension for the Louisiana Chicken restaurant at the Petroleum Wholesale Gas Station on 3716 Greenhouse Road. He said IDS has reviewed the site development plans and established the plans are incomplete.

DEEDS AND EASEMENTS

There were no deeds or easements presented to the Board.

ASSET MANAGEMENT PLAN

There was no discussion on this matter.

After review and discussion, Director Dumas moved to (1) ratify Change Order No. 1; (2) approve Pay Estimate No. 4, in the amount of \$128,489.40; and (3) approve the engineer's report. Director Diaz seconded the motion, which passed by unanimous vote.

BUILDING MANAGER'S REPORT AND BUILDING MATTERS

Ms. Pettit distributed the Building Manager's Report, a copy of which is attached.

Ms. Pettit said she has continued working with clients on rescheduling or canceling events without any penalties due to COVID-19. Discussion ensued regarding the District's building event bookings. Ms. Pettit said she has commenced giving tours of the building but to no more than 2 people at a time.

Ms. Pettit stated the elevator inspection has been completed.

After discussion, Director Dumas moved to accept the Building Manager's Report. Director Alvarenga seconded the motion, which passed by unanimous vote.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("WHCRWA")

There was no report on this agenda item.

REPORTS FROM DIRECTORS

There was no report on this agenda item.

AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Catalan stated the joint operations meeting with Ricewood, Clay Road, and the District will be held on June 4, 2020 via teleconference.

There was no further discussion on items for the next Board meeting to be held on June 22, 2020.

There being no further business to come before the Board, Director Dumas moved to adjourn the meeting. Director Diaz seconded the motion, which passed by unanimous vote.



/s/ Betty Mancia Alvarenga
Secretary, Board of Directors

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