

MINUTES  
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

June 22, 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 22nd day of June, 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 Mancia 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"); Michael Murr of Murr Incorporated; Bob Manning of Boston Fern; Tonie Pettit, building manager; Deputy Morris Thomas of the Harris County Sheriff's office; Daniel Forrest of Advantage Security Integration ("ASI"); Steve Startzell of WCA Waste Corporation ("WCA"); Bryan Dotson and George VanZant, trail advocates; and Angie Lutz, Nellie Connally, and Arlene Catalan of Allen Boone Humphries Robinson, LLP ("ABHR").

Ms. Lutz 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](http://www.districtdirectory.org/agendapackets/maydecreekmud).

#### PUBLIC COMMENTS

Director Reynolds offered any members of the public attending the meeting by telephone the opportunity to make public comment.

Mr. Startzell addressed the Board regarding the Board's decision to not renew the District's contract with WCA and requested feedback. The Board discussed why the decision was made to not renew the District's contract with WCA.

Mr. VanZant addressed the Board regarding the trails located north and south of Interstate 10 and requested the District's support in financing the construction of the Cullen Park Trail Connection. Mr. VanZant and Mr. Dotson responded to the Board

members' questions and comments regarding the matter. The Board took no action and requested an item be added to the following agenda to further discuss.

### MINUTES

The Board considered approving the minutes of the May 26, 2020, meeting. After review and discussion, Director Dumas moved to approve the minutes of the May 26, 2020, meeting. Director Alvarenga seconded the motion, which passed unanimously.

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

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

### SECURITY REPORT

Deputy Thomas reported on security matters. After discussion, Director Dumas moved to accept the security report, a copy of which is attached. Director Alvarenga seconded the motion, which passed by unanimous vote.

### SECURITY AGREEMENTS; CAMERAS; ALARM MONITORING

Mr. Forrest addressed the Board regarding the cameras in the District's parks. He stated that the current cameras are eight years old and that the conduit wiring is no longer working. Mr. Forrest responded to Board members' questions and comments regarding the District cameras and the needed repairs. The Board took no action on the matter.

### 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.

### DELINQUENT TAX MATTERS

Ms. Scott said she will ask the delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, PLLC ("Perdue Brandon") to provide a delinquent tax report for the August Board meeting.

### AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

The Board considered authorizing the delinquent tax attorney to proceed with the collection of delinquent taxes. After discussion, Director Dumas moved to

authorize Perdue Brandon to proceed with the collection of delinquent taxes. Director Graham seconded the motion, which passed by unanimous vote.

### SB 2 TRANSPARENCY REQUIREMENTS

Ms. Lutz reviewed a memorandum regarding transparency requirements in Sections 26.17 and 26.18, Tax Code, as enacted by Senate Bill 2, the "Texas Property Tax Reform and Transparency Act of 2019." She discussed financial and tax rate information that must be posted on a website maintained or accessible to the District. She also discussed tax-related information that must be included in a property tax database maintained by the appraisal district, some of which must be provided by the District.

Ms. Scott presented a proposed amendment to the contract between Bob Leared Interests and the District for implementation of the transparency requirements. She said the amendment reflects that Bob Leared Interests will host and maintain a generally accessible website containing the required information. Ms. Scott said the amendment also reflects that Bob Leared Interests will provide required data to the appraisal district to include in its property tax database. She discussed the fees associated with implementation of the requirements contained in Sections 26.17 and 26.18, Tax Code, as reflected in the contract amendment.

After review and discussion, Director Dumas moved to approve the amendment to the contract between the District and Bob Leared Interests as presented. Director Graham seconded the motion, which passed unanimously.

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

Mr. Murr presented and reviewed the Park Maintenance Report, a copy of which is attached.

Mr. Murr reported the can light installation throughout the building is almost complete and anticipates it will be finished at the end of the week.

Mr. Murr stated five Lexan lenses of the trail lights were damaged and need to be replaced. He said the cost to replace the Lexan lenses is \$1,625.

Mr. Murr said the in-stone holder for the north park sign needs to be reinstalled and estimates the cost will be between \$700 to \$800.

After review and discussion, Director Dumas moved to approve (1) the Park and Trail Report; (2) the replacement of the five trail light Lexan lenses at a cost of \$1,625; and (3) the reinstallation of the North park sign in-stone holder at a cost not to exceed \$800. Director Alvarenga seconded the motion, which passed by unanimous vote.

## BUILDING REPAIRS AND MAINTENANCE, INCLUDING RATIFYING PREVIOUS WORK ORDER

There was no report on this matter.

## REPORT ON LANDSCAPE MAINTENANCE

Mr. Manning 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.

## 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 Diaz seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING

The Board 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 on a cracked sidewalk located at 19411 Glen Landing Drive. He said EDP is investigating the matter to assess if the sidewalk was damaged by the District's facilities.

After review and discussion, Director Dumas moved to approve the operator's report. Director Diaz 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. Discussion ensued regarding the economic impacts of COVID-19 on District customers. After review and discussion, Director Dumas moved to move forward with termination of delinquent accounts, subject to EDP being authorized to offer up to a six-month payment plan to delinquent customers and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Diaz 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 and reviewed and recommended approval of Pay Estimate No. 2 in the amount of \$124,087.50, payable to Sustanite Support Services LLC.

#### 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. 5, in the amount of \$94,317.75, payable to JTR Constructors.

Mr. Harris reviewed and recommended approval of Change Order No. 3 to the contract with JTR Constructors to increase the contract in the amount of \$87,488. The Board determined that Change Order No. 3 is beneficial to the District. After review and discussion,

Mr. Harris gave an update on the Regional WWTP Advisory committee meeting on June 4, 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 reported the owner has hired an engineer to prepare the lift station and sanitary force main plans. Mr. Harris stated he has worked with the newly hired engineer in the past and they are very knowledgeable. He noted IDS is now working with the engineer in the matter.

## 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 approve: (1) Pay Estimate No. 2 in the amount of \$124,087.50; (2) Pay Estimate No. 5 in the amount of \$94,317.75; (3) Change Order No. 3 in the amount of \$87,488 as a increase to the contract with JTR Constructors, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation; and (4) the engineer's report. Director Alvarenga 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 stated Air Tech completed the quarterly inspection and they are preparing a proposal for the cleaning of the drip pans. She said it would be ready for the Board's review at the following meeting.

Ms. Pettit said she continues to work with clients on rescheduling or canceling events due to COVID-19.

Director Dumas reported that the District's Building only has hot water in the kitchen. He noted the building is plumbed for hot water and a plumber may need to be hired to address the situation. Discussion ensued. After discussion, the Board instructed Mr. Murr to contact a plumber and request a quote to make hot water available throughout the whole building.

Ms. Pettit addressed the Board regarding the Building shutdown and when to recommence booking events. Discussion ensued.

After discussion, Director Dumas moved to (1) accept the Building Manager's Report and (2) authorize the continuance of the Building shutdown. Director Alvarenga seconded the motion, which passed by unanimous vote.

## WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("WHCRWA")

Ms. Lutz reported the District received a letter from the Harris-Galveston Subsidence District ("HGSD") regarding the disruption of the Water Conservation Program by COVID-19. She said HGSD reported that not all of the Waterwise Kits were delivered to schools, and they are requesting the District's direction on the

allocation of the 87 District sponsored Waterwise Kits. The Board took no action on the matter.

### GARBAGE SERVICES

There was no report on this matter.

### REPORTS FROM DIRECTORS

There was no report on this agenda item.

Ms. Lutz reported the Association of Water Board Directors is providing the option of a virtual conference. She stated that Directors should confirm if they are still planning to attend.

### AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Lutz stated the joint operations meeting with Ricewood, Clay Road, and the District will be held on July 2, 2020 via teleconference.

There was no further discussion on items for the next Board meeting to be held on July 27, 2020.

### AMENDMENT TO SERVICE AGREEMENT WITH BOSTON FERN

Mr. Manning addressed the Board regarding his agreement with the District and requested a 15% raise. Discussion ensued. The Board took no action on the matter and requested Mr. Manning provide a breakdown of the request.

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



/s/ Betty Mancía Alvarenga  
Secretary, Board of Directors

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