

MINUTES  
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

April 22, 2019

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session, open to the public, on April 22, 2019, at the Mayde Creek Event Center, 19600 Misty Cove, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Willie Jo Reynolds	President
Jorge Diaz	Vice President
Jean Chevalier	Secretary
Betty Mancia Alvarenga	Director
Cyrus Dumas	Director

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

Also present at the meeting were Kristen Scott of Bob Leared Interests; Angela Howes of IDS Engineering Group ("IDS"); Bart Downum of Environmental Development Partners, LLC ("EDP"); Michael Murr of Murr Incorporated; Claudia Redden of Claudia Redden & Associates; Tonie Pettit, building manager; Bob Manning of Boston Fern; Mary Dubois of Acclaim Energy; Deputy Morris Thomas of the Harris County Sheriff's office; Joe Woodard and Semalee Bilbrey of Clay Road Municipal Utility District; Jessica Graham, a resident of the District; and Angie Lutz and Sharon Covan of Allen Boone Humphries Robinson, LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board considered approving the minutes of the March 25, 2019, meeting. After review and discussion, Director Diaz moved to approve the minutes of the March 25, 2019, meeting. Director Dumas seconded the motion, which passed unanimously.

GARBAGE SERVICES

Director Reynolds said she has received complaints about garbage services, including debris left in the street, bins being cracked, and garbage truck drivers not obeying safe driving procedures. Director Reynolds said Felix DeLeon of WCA Waste Corporation of America ("WCA") is not responding to her e-mails. Director Chevalier

said she talked to a WCA supervisor. After discussion, the Board asked Ms. Lutz to send a letter to WCA regarding the garbage complaints.

#### SECURITY REPORT

Deputy Thomas reported on security matters and distributed a report from the Harris County Sheriff's Office, a copy of which is attached, was distributed. After discussion, Director Chevalier moved to accept the security report. Director Alvarenga seconded the motion, which passed by unanimous vote.

#### SECURITY AGREEMENTS; CAMERAS; ALARM MONITORING

There was no report on this matter.

#### ENERGY MATTERS

Ms. Dubois distributed a summary of energy market conditions prepared by Acclaim Energy, a copy of which is attached, and reviewed pricing options in the market place. The Board agreed to discuss the rates and terms at the May Board meeting.

#### 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 Diaz moved to approve the tax assessor collector's report and authorize payment of the bills submitted. Director Dumas seconded the motion, which passed unanimously.

#### DELINQUENT TAX MATTERS

The Board reviewed a Delinquent Tax Report, a copy of which is attached, prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

#### FINANCIAL AND BOOKKEEPING

Ms. Redden reviewed the bookkeeper's report, a copy of which is attached, and the bills submitted for payment. Ms. Redden asked if the Board desired to renew the Certificate of Deposit at Central Bank. After review and discussion, Director Dumas moved to authorize renewal of the Certificate of Deposit at Central Bank and to accept the bookkeeper's report. Director Alvarenga seconded the motion, which passed by unanimous vote.

## REPORT ON LANDSCAPE MAINTENANCE

Mr. Manning reported on the status of landscaping. He said the gazebo landscaping has been completed and the fire ant treatment and fertilizer has been applied. Mr. Manning said algae problems in the pond will be addressed.

After discussion, Director Chevalier moved to accept the landscape maintenance report. Director Alvarenga seconded the motion, which passed by unanimous vote.

## PARK AND TRAIL REPORT

Mr. Murr reviewed the Park Maintenance Report, a copy of which is attached. He said one exercise station was repaired and a ballast in the kitchen needs to be replaced. After review and discussion, Director Diaz moved to accept the Park Maintenance Report. Director Alvarenga seconded the motion, which passed by unanimous vote.

## OPERATION OF DISTRICT FACILITIES

Mr. Downum reviewed the Operator's Report, a copy of which is attached. He said the Texas Commission on Environmental Quality ("TCEQ") annual Homeland Security update for the wastewater treatment has been submitted to the TCEQ.

Mr. Downum said the 16" T was replaced at 19402 Misty Cove at a cost of \$25,994.70. Mr. Downum discussed the annual commercial meter testing. He requested approval to replace the 4" commercial meter at 3900 Dayflower at a cost of \$10,000.

Mr. Downum said the Consumer Confidence Report ("CCR") has been prepared and will be submitted to the TCEQ. He asked if the Board wanted to mail the CCR to District customers or post it on the District's website.

The Board reviewed the delinquent account report. After review and discussion, Director Dumas moved to: (1) authorize mailing of the CCR to District customers and posting it on the District's website through a link from EDP's website; (2) authorize replacing the 4" commercial meter on Dayflower at a cost of \$10,000; and (3) approve the operator's report. 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 Dumas moved that, because the customers on the list were not present at the meeting, nor had presented any written statement on the matter, all utility services should be terminated, if their utility bills are not paid in accordance with the District's Amended Rate Order. Director Diaz seconded the motion, which passed by unanimous vote.

#### IDENTITY THEFT PREVENTION PROGRAM

The Board conducted the annual review of the Identity Theft Prevention Program (the "Program"). After review and discussion, Director Dumas moved to accept the report on the Program from EDP and to make no changes, and direct that the report be filed appropriately and retained in the District's official records. Director Chevalier seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Ms. Howes reviewed the engineering report, a copy of which is attached.

#### REGIONAL WASTEWATER TREATMENT PLANT REHABILITATION

Ms. Howes discussed the scope of the regional wastewater treatment plant rehabilitation and reviewed the latest cost estimate that was reviewed by Ricewood Municipal Utility District ("Ricewood") and Clay Road Municipal Utility District ("Clay Road"). Discussion ensued regarding financing. Ms. Howes said the design phase will take four to five months. She said she will prepare an estimated time table for the design through construction phases.

#### WASTEWATER TREATMENT PLANT LIFT STATION CONVERSION TO SUBMERSIBLE PUMPS

There was no discussion on this matter.

#### SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

There was no discussion on this 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 accept 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, and reported on building matters, scheduled events, and marketing efforts. She said that Boston Fern completed the gazebo pavers and a partial power washing of the garden bricks, balcony and gazebo was performed. Discussion ensued regarding power washing the building roof. Mr. Murr said there is mildew on the roof that needs to be chemically treated. After discussion, the Board authorized Mr. Murr to obtain proposals for power washing and treating the mildew on the roof. Director Chevalier said the exterior building windows have not been cleaned. Mr. Murr said the windows contain Argon Gas that makes them appear cloudy.

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

#### SENATE BILL 239

The Board discussed Senate Bill 239 that would apply to municipal utility districts and require a video and audio record of each board meeting and workshop, require archiving the recordings and making them available on the Internet, and require meetings to be held inside the district (or not farther than 10 miles from the district if there is not a suitable in-district meeting place).

Director Chevalier discussed allowing Ricewood Municipal Utility District and Clay Road Municipal Utility District to hold Board meetings at the Mayde Creek event center at no cost. Ms. Lutz said she would review the regulations on district meetings and the use of the building.

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

There was no report on the WHCRWA.

#### REPORTS FROM DIRECTORS

Director Reynolds discussed the April 23, 2019, monthly Harris County Sheriff's volunteer fire department meeting.

#### AGENDA ITEMS FOR NEXT BOARD MEETING

There was no discussion on items for the next Board meeting to be held on May 20, 2019.

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

(SEAL)

  
Secretary, Board of Directors



ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
report from the Harris County Sheriff's Office.....	2
summary of energy market conditions.....	2
Tax assessor/collector's report .....	2
Delinquent Tax Report .....	2
Park Maintenance Report .....	3
Operator's Report.....	3
Engineering report.....	4
Building Manager's Report .....	5