

MINUTES  
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

January 23, 2023

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session, open to the public, on the 23<sup>rd</sup> day of January, 2023, 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
Cyrus Dumas	Vice President
Betty Mancia Alvarenga	Secretary
Jessica Graham	Director
Lee Crenshaw	Director

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

Also present at the meeting were: Kristen Scott of Bob Leared Interests; Bob Manning of Boston Fern; Michael Murr of Murr of Murr Incorporated; Bart Downum of Environmental Development Partners, LLC ("EDP"); Matt Carpenter and Kelly Wilkinson of IDS Engineering Group ("IDS"); Tonie Pettit, building manager; Sarah Redden of Claudia Redden & Associates; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC; Alex Schmid of Texas Pride Disposal ("Texas Pride"); and Angie Lutz and Arlene Catalan of Allen Boone Humphries Robinson, LLP.

PUBLIC COMMENTS

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

MINUTES

The Board considered approving the minutes of the November 28, 2022, and December 26, 2022, regular meetings. After review and discussion, Director Dumas moved to approve the minutes of the November 28, 2022, and December 26, 2022, regular meetings. Director Alvarenga seconded the motion, which passed unanimously.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Lutz reported on the District's Post-Issuance Compliance Policy. She said that no changes are recommended.

AUDIT FOR THE FISCAL YEAR END AUGUST 31, 2021

Mr. Ellis presented and reviewed the District's audit for the fiscal year end August 31, 2022, and the audit for the Mayde Creek Regional Sewage Treatment Plant. After review and discussion, Director Dumas moved to approve the District's audit and the Mayde Creek Regional Sewage Treatment Plant audit, subject to final review. Alvarenga seconded the motion, which passed by unanimous vote.

Director Graham joined the meeting

RENEWAL OF SECURITY AGREEMENT WITH HARRIS COUNTY

There was not discussion on this agenda item.

SECURITY REPORT

Deputy Satterfield presented and reviewed the security report, a copy of which is attached. After review and discussion, Director Alvarenga moved to accept the security report. Director Graham seconded the motion, which passed unanimously.

DISCUSS SERVICE AGREEMENT WITH ITECH MONITORING ("ITECH") FOR SECURITY CAMERAS AND ALARM SYSTEM

Director Dumas gave an update of the installation of the security cameras and alarm system. Mr. Dumas stated that iTech has not sent an invoice for the completed work.

REPORT ON LANDSCAPE MAINTENANCE

Mr. Manning reported on landscape maintenance in the District. After discussion, Director Graham moved to accept the landscape maintenance report. Director Dumas seconded the motion, which passed unanimously.

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

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

Mr. Murr reported that the concrete located near the entrances of the bridge, in the park, has been repaired.

Mr. Murr reported on minor vandalism in the Northwest corner of the North Park. He stated it appears like tire marks were imprinted on the grass. He stated that the grass will be regraded and seeded at the beginning of spring.

Director Crenshaw inquired about lights on the District's trail. Mr. Murr stated that he is aware of the lights and will have them repaired.

After review and discussion, Director Dumas moved to approve the Park and Trail. Director Graham seconded the motion, which passed unanimously.

#### 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 Graham seconded the motion, which passed unanimously.

#### DELINQUENT TAX MATTERS

There was no discussion on this agenda item.

#### 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 Crenshaw seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING

Ms. Redden presented and reviewed the District's bookkeeper's report, a copy of which is attached, and the bills submitted for payment. After review and discussion, Director Graham moved to approve the bookkeeper's report, and the checks presented for payment. Director Dumas seconded the motion, which passed unanimously.

#### ANNUAL DISCLOSURE STATEMENTS FOR INVESTMENT OFFICER AND BOOKKEEPER

The Board reviewed the annual disclosure statement of the Investment Officer and bookkeeper. Director Dumas moved to accept the annual disclosure statement from Claudia Redden and FORVIS, LLP and to authorize ABHR to file the disclosure statement with the Texas Ethics Commission and in the District's official records. Director Graham seconded the motion, which passed unanimously.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH THE DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15c-2-12

Ms. Lutz reviewed the annual Continuing Disclosure Report that was distributed to the Board members. She said that because the District has sold bonds, the District is required to file the annual report. After review and discussion, Director Dumas moved to approve the Annual Report and authorize filing same in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12. Director Graham seconded the motion, which passed unanimously.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance and concurred to make no changes at this time.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

There was no discussion on this agenda item.

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 update the Board on the fire hydrant repairs.

Mr. Downum then requested execution of the Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners Program (the "Resolution") in order to meet the submission deadline. He requested and item be added to next month's agenda to ratify approval of the Resolution.

After review and discussion, Director Dumas moved to: (1) approve the operator's report; and (2) authorize execution of the Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners Program. Director Graham seconded the motion, which passed unanimously.

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. Following 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. The motion was seconded by Director Graham, which passed unanimously.

PUBLIC UTILITY COMMISSION RULES REGARDING EXTREME WEATHER EMERGENCIES, INCLUDING ISSUANCE OF ONE-TIME NOTICE TO CUSTOMERS AND ADOPT AMENDED RATE ORDER

Ms. Lutz discussed rules adopted by the Public Utility Commission of Texas ("PUC") to implement legislation prohibiting certain retail water or sewer providers from imposing late fees or terminating service for nonpayment of water bills that are due during a period when the previous day's highest temperature and the predicted temperature for the next 24 hours is not higher than 28 degrees Fahrenheit. Mr. Downum reviewed and discussed the one-time notice of the requirements that must be sent to utility customers by January 31, 2023. Ms. Lutz then presented a proposed Amended Rate Order incorporating the provisions of the PUC rules, including terms for customers to request and receive a payment schedule for payment of bills due during such an extreme weather emergency. After review and discussion, Director Dumas moved to authorize the operator to send the one-time notice to District customers and to adopt the Amended Rate Order and direct that it be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed unanimously.

ENGINEERING MATTERS

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

Ms. Wilkinson reported that no deficiencies were found at the one-year warrant inspection for the regional waste water treatment plant ("WWTP") rehabilitation.

Ms. Wilkinson presented and reviewed a proposal from Clements Fence in the amount of \$23,300, for the replacement of the fence located at the WWTP. The Board discussed receiving final approval from the Regional WWTP Advisory Committee

("Advisory Committee") for the proposal. Ms. Catalan noted that a service agreement will be necessary for the work.

Ms. Wilkinson stated that bids were received for the Detention Basin Pilot Channel Desilting Project. She recommended that the Board award the contract to Storm Water Solutions, LLC ("Storm Water Solutions") in the amount of \$72,692. The Board concurred that, in its judgment, Storm Water Solutions was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

#### SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

Ms. Wilkinson updated the Board on the Newcastle Investment development.

#### DEEDS AND EASEMENTS

There were no deeds or easements presented to the Board.

#### ASSET MANAGEMENT PLAN

There was no discussion on this matter.

Ms. Wilkinson reported that Harris County Precinct No. 3 is scheduled to commence construction on a traffic signal at Clay Road and Dayflower Drive at the end of the month.

After review and discussion, Director Dumas moved to: (1) approve the engineer's report; (2) approve the proposal from Clements Fence in the amount of \$23,300, subject to final approval from the Advisory Committee; and (3) award the contract for Detention Basin Pilot Channel Desilting Project to Storm Water Solutions in the amount of \$72,692, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Graham seconded the motion, which passed unanimously.

#### BUILDING MANAGER'S REPORT AND BUILDING MATTERS

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

Ms. Pettit reported that the District Building holiday lights have been uninstalled.

Ms. Pettit reported that she is in the process of obtaining bids for power washing the roof and the cleaning of the banquet chairs.

After discussion, Director Dumas moved to accept the Building Manager's Report. Director Graham seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

There was no report on this agenda item.

REPORTS FROM DIRECTORS

There was no report on this agenda item.

GARBAGE SERVICES

Mr. Schmid apologized for the garbage and recycling service lapse in December. He stated that Texas Pride has restructured their staff in order to improve their services. The Board discussed the lapse of services and customer inquiries received. Mr. Schmid said that Texas Pride is requesting to suspend the proposed contract amendment.

AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Lutz stated the next Committee will be held on February 2, 2023.

Ms. Lutz said that the next Board meeting is scheduled to be held on February 27, 2023.

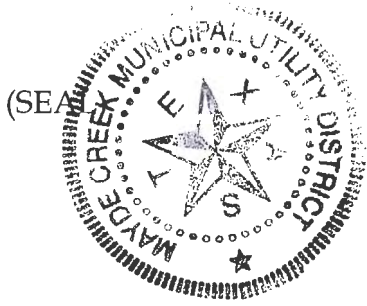
CONVENE IN EXECUTED SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE

The Board convened in executive session at 7:09 p.m. pursuant to Section 551.074, Texas Government Code. The Board, and Ms. Lutz and Ms. Catalan were in attendance in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE

The Board reconvened in open session at 7:17 p.m.

There being no further business to come before the Board, Director Dumas moved to adjourn the meeting. Director Graham seconded the motion, which passed unanimously.



  
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Secretary, Board of Directors  
Vice President



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