

MINUTES  
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

March 27, 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 27<sup>th</sup> day of March, 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: Deputy Jimmy Satterfield of the Harris County Sheriff's Office; Bob Manning of Boston Fern; Michael Murr of Murr of Murr Incorporated; Kristen Scott of Bob Leared Interests ("BLI"); Claudia Redden of Claudia Redden & Associates; Bart Downum of Environmental Development Partners, LLC ("EDP"); Matt Carpenter of IDS Engineering Group ("IDS"); Tonie Pettit, building manager; Alex Schmid of Texas Pride Disposal ("Texas Pride"); and Nellie Connally and Arlene Catalan of Allen Boone Humphries Robinson, LLP.

PUBLIC COMMENTS

Director Reynolds offered any members of the public attending the meeting the opportunity to make a 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 February 27, 2023, regular meeting. After review and discussion, Director Dumas moved to approve the minutes of the February 27, 2023, regular meeting. Director Alvarenga seconded the motion, which passed unanimously.

SECURITY REPORT

Deputy Satterfield presented and reviewed the security report. After review and discussion, Director Dumas moved to accept the security report. Director Alvarenga seconded the motion, which passed unanimously.

Deputy Satterfield reported that he has recently been promoted to a Sergeant position and will be leaving his position as the District's patrol officer. He stated that a new deputy will be patrolling the District.

#### REPORT ON LANDSCAPE MAINTENANCE

Mr. Manning reported on landscape maintenance in the District. He reported that there is a variety of plants that need to be replaced. The Board directed Mr. Manning to work with Ms. Pettit on replacing dead plants at the District's Building. After discussion, Director Dumas moved to accept the landscape maintenance report. Director Crenshaw 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 trees in the north park need to be pruned. He requested and recommended authorization to have the trees pruned at a cost of \$1,800 per day. He stated that he anticipates that the trees can be pruned in three days.

Mr. Murr reported that there is a sinkhole located near the sidewalk along Dayflower Drive at the North Park. He stated that following investigation by EDP it was discovered that the sinkhole is located near a Harris County sewer inlet.

After review and discussion, Director Dumas moved to: (1) approve the Park and Trail report; and (2) approve the tree pruning at a cost not to exceed \$5,400.00. 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 Crenshaw seconded the motion, which passed unanimously.

#### DELINQUENT TAX MATTERS

Ms. Scott reviewed the delinquent tax report, a copy of which is attached to the tax assessor/collector's report.

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 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 Dumas moved to approve the bookkeeper's report, and the checks presented for payment. Director Graham seconded the motion, which passed unanimously.

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.

The Board conducted the annual review of the Identity Theft Prevention Program (the "Program").

After review and discussion, Director Dumas moved to: (1) approve the operator's report; and (2) 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 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.

## CONDUCT ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

The Board conducted the annual review of the District's Drought Contingency Plan and concurred to make no changes.

## APPROVE ANNUAL REPORT ON IMPLEMENTATION OF WATER CONSERVATION PLAN AND AUTHORIZE SUBMITTAL TO THE TEXAS WATER DEVELOPMENT BOARD

Mr. Downum discussed the annual report on implementation of the District's Water Conservation Plan with the Board. He added that EDP will file the report with the Texas Water Development Board and send a copy to ABHR so it can be filed appropriately and retained in the District's official records.

## CRITICAL LOAD SPREADSHEET

The Board reviewed the critical load spreadsheet. Ms. Connally said the critical load information on the District's facilities is required to be reviewed at least annually and submitted to the Public Utility Commission, the District's electricity provider and other governmental entities, whether or not there are any changes. After review and discussion, Director Dumas moved to authorize ABHR to file the critical load spreadsheet and direct that the spreadsheet be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed by unanimous vote.

## REVIEW EMERGENCY PREPAREDNESS PLAN AND AUTHORIZE FILING OF UPDATES, IF NECESSARY

Mr. Downum discussed the District's Emergency Preparedness Plan and said no updates are necessary at this time.

## ENGINEERING MATTERS

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

Mr. Carpenter reported on the TCEQ's inspection of the Water Plant and stated that IDS will be working with EDP on the three areas of concern to prepare a cost estimate for the Board's consideration.

Mr. Carpenter updated the Board regarding repair of the Waste Water Treatment Plant fence and reviewed and recommended approval of Invoice No. 19322 in the amount of \$23,300, payable to Clements Fence.

Mr. Carpenter stated the next the Regional WWTP Advisory Committee meeting will be held May 4, 2023.

Mr. Carpenter updated the Board regarding the Detention Basin Pilot Channel Desilting project.

SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

There was no report on this agenda item.

DEEDS AND EASEMENTS

There were no deeds or easements presented to the Board.

ASSET MANAGEMENT PLAN

There was no discussion on this matter.

Mr. Carpenter reported that Harris County Precinct No. 3 was scheduled to commence construction on a traffic signal at Clay Road and Dayflower Drive at the end of January.

After review and discussion, Director Dumas moved to: (1) approve the engineer's report; and (2) approve Invoice No. 19322 in the amount of \$23,300. 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.

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 addressed the Board regarding the garbage and recycling services in the District. Director Dumas stated that trash pick up was missed last week and that

residents are requesting a credit for the garbage services missing in December and January. Mr. Schmid stated that Texas Pride would look into providing a credit to residents.

The Board discussed proposals from Best Trash and Royal Eagle Waste for garbage collection and recycling. After review and discussion, Director Dumas moved to (1) terminate the Residential Solid Waste Collection Contract with Texas Pride Disposal; and (2) enter into a Residential Solid Waste Collection Contract with Best Trash, subject to review and finalization by ABHR. Director Crenshaw seconded the motion, which passed unanimously.

#### REVIEW ARBITRAGE REBATE REPORT FOR THE SERIES 2018 BONDS

The Board reviewed the Interim Excess Earning Report prepared by OmniCap Group for the Series 2018 Unlimited Tax Bonds. Ms. Connally said no arbitrage payment was owed to the Internal Revenue Service.

#### ACCEPT RESIGNATION OF DIRECTOR REYNOLDS

Director Reynolds said she is moving and asked the Board to accept her resignation from the Board of Directors.

The Board and consultants thanked Director Reynolds for her service to the District.

The Board considered accepting the resignation of Director Reynolds. After review and discussion, Director Dumas moved to accept the resignation of Director Reynolds. Director Graham seconded the motion, which passed by unanimous vote.

#### ADOPT RESOLUTION COMMENCING WILLIE JO REYNOLDS FOR SERVICE TO THE DISTRICT

The Board considered adopting a Resolution Commending Willie Jo Reynolds for Service to the District. Ms. Connally read the Resolution. After review and discussion, Director Dumas moved to adopt the Resolution and direct that the Resolution be filed appropriately and retained in the District's records. Director Alvarenga seconded the motion, which passed by unanimous vote.

#### AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Connally stated the next Committee meeting will be held on May 4, 2023.

Ms. Connally said that the next Board meeting is scheduled to be held on April 24, 2023.

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



  
Secretary, Board of Directors  
Vice President

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