

MINUTES  
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

July 25, 2022

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session, open to the public, on the 25<sup>th</sup> day of July, 2022, 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
Betty Mancía Alvarenga	Secretary
Cyrus Dumas	Director
Jessica Graham	Director

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

Also present at the meeting were: Kevin Atkinson of Texas Pride Disposal ("Texas Pride"); Lee Crenshaw, resident of the District; Deputy Jimmy Satterfield of the Harris County Sheriff's office; Michael Murr of Murr Incorporated; Kristen Scott of Bob Leared Interests; Claudia Redden of Claudia Redden & Associates; Bart Downum of Environmental Development Partners, LLC ("EDP"); Kelly Wilkinson of IDS Engineering Group ("IDS"); Tonie Pettit, building manager; and Angie Lutz, Allison Leatherwood, and Arlene Catalan of Allen Boone Humphries Robinson, LLP. ("ABHR").

PUBLIC COMMENTS

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

Mr. Atkinson stated that he is in attendance of today's meeting to follow up on the previous meeting's comments and questions. He stated that the recycling collection has been delayed due to a COVID-19 outbreak with the drivers. Mr. Atkinson and Ms. Petit confirmed that the dumpster at the District Building was replaced.

MINUTES

The Board considered approving the minutes of the June 27, 2022, regular meeting. After review and discussion, Director Dumas moved to approve the minutes of the June 27, 2022, regular meetings. Director Graham seconded the motion, which passed unanimously.

## SECURITY REPORT

Deputy Satterfield presented and reviewed the security report, a copy of which is attached. After discussion, Director Dumas 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 and Ms. Pettit gave an update of the installation of the security cameras and alarm system.

Director Dumas stated that iTech has submitted a final invoice, in the amount of \$59,000.00. He said that prior to submitting payment, he would like to ensure that that security cameras and alarm system were all properly installed.

## REPORT ON LANDSCAPE MAINTENANCE

Mr. Murr reported on landscape maintenance in the District.

## 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 new sign circuit for the new building sign was complete.

Mr. Murr stated that he and IDS continue to work on a plan for the grading and desilting of the pilot channel.

Mr. Murr inquired about the Board's preference for the fence surrounding the Water Plant. The Board discussed their preference of installing a painted wooden fence or chain link fence with razor wire. After review and discussion, the Board Directed Mr. Murr to obtain quotes for a chain link fence with razor wire for the area along Morton Road.

Mr. Murr said that old camera poles were not removed by iTech. The Board directed Mr. Murr to remove the old poles and cover any exposed electrical wires.

After review and discussion, Director Dumas moved to: (1) approve the landscape maintenance report; and (2) approve the Park and Trail Report. 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.

Ms. Scott updated the Board regarding the District resident who had previously defaulted on their 2020 and 2021 tax payment plan. She stated that the resident made the payment on the outstanding three months and is now current.

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.

ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2022 TAX YEAR

Ms. Lutz discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. She reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developed District for the 2022 tax year.

Following review and discussion, Director Dumas moved to adopt a Resolution Regarding Development Status for 2022 Tax Year establishing the District as a Developed district for the 2022 tax year, pursuant to Section 49.23602, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District's official records. 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. The Board then reviewed the proposed budget for the fiscal year end August 31, 2023 and regional WWTP account, a copy of which is attached in the regional WWTP bookkeeper's report.

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. Additionally, she reviewed the proposed budgets for the fiscal year end August 31, 2023 operating account, a copy of which is attached.

After review and discussion, Director Dumas moved to approve the District's bookkeeper's report, and the checks presented for payment. Director Alvarenga 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.

Mr. Downum reported that the West Harris County Regional Water Authority has initiated stage 1 of its Drought Contingency Plan ("DCP"). He reminded the Board that stage 1 of the DCP requests all water users to voluntarily reduce their water usage.

After review and discussion, Director Dumas moved to approve the operator's report. 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.

DISCUSS AMENDMENT TO SERVICE AGREEMENT WITH ENVIRONMENTAL DEVELOPMENT PARTNERS, AND APPROVE APPROPRIATE ACTION

There was no discussion on this agenda item.

ENGINEERING MATTERS

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

Ms. Wilkinson gave an update on the renewal of the District's Wastewater Discharge Permit to the Texas Commission on Environmental Quality.

Ms. Wilkinson updated the Board regarding the Wastewater Treatment Plant LED Lighting Upgrade project.

Ms. Wilkinson gave an update on the WWTP Capital Improvement Plan.

Ms. Wilkinson stated that following the televising of the Regional Trunk Sewer Lines IDS discovered three deficiencies. She stated that EDP is moving forward with the manhole top adjustment and the coating of the manhole connection with exposed rebar. Ms. Wilkinson stated pricing is pending for the 30-inch mechanical cleaning of the ductile iron pipe.

Ms. Wilkinson gave an update on the Regional WWTP Advisory Committee (the "Committee") meeting held on July 7, 2022. She stated that the Committee has confirmed meet in-person on a quarterly basis in lieu of a monthly basis.

SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

Ms. Wilkinson reported that IDS is in the process of reviewing plans and specification for the development of the 2.03-acre tract located on Brannan Drive and Clay Road by F&B Properties, LLC.

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 the engineer's report. 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's new sign will be installed in the upcoming weeks, pending final payment.

Ms. Pettit reported that she is in the process of working on upgrading the District Building's internet.

Ms. Pettit requested that the Board authorize Ms. Redden to provide Ms. Pettit with the checks refunding customers their deposit in lieu of mailing them.

After discussion, Director Dumas moved to: (1) accept the Building Manager's Report; and (2) authorize Ms. Redden to provide Ms. Pettit customer refunding checks. Director Graham seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

This agenda item was covered in the operation's report.

REPORTS FROM DIRECTORS

There was no report on this agenda item.

GARBAGE SERVICES

There was no discussion on this agenda item

APPOINTMENT OF NEW

Ms. Lutz stated Director Diaz has submitted his resignation from the Board of Directors. After review and discussion, Director Dumas moved to accept the resignation of Director Diaz. Director Graham seconded the motion, which passed by unanimous vote.

The Board considered appointing a director to serve the remainder of Director Diaz's term. Mr. Crenshaw was introduced as a person both willing and qualified to serve on the Board of Directors. After discussion, Director Dumas moved to appoint Lee Crenshaw to the Board of Directors for a term that expires in May 2024. Director Graham seconded the motion, which passed by unanimous vote.

APPROVE SWORN STATEMENT, OFFICIAL BOND AND OATH OF OFFICE FOR NEW DIRECTOR

Ms. Lutz reviewed the Sworn Statement, Official Bond and Oath of Office for Director Crenshaw. After review and discussion, Director Dumas moved to approve the Sworn Statement, Official Bond 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 Graham seconded the motion, which passed by unanimous vote.

REORGANIZE BOARD; DISTRICT REGISTRATION FORM

The Board considered reorganizing the Board of Directors. Following discussion, Director Dumas moved that Director Dumas serve as Vice President, Director Crenshaw serve as Director, and all other Directors retain their current positions. Director Graham seconded the motion, which passed by unanimous vote.

The Board considered authorizing the execution of the District Registration Form, updated to reflect the appointment of Lee Crenshaw. Following review and discussion, Director Dumas moved to authorize the execution of the District Registration Form and direct that the Registration Form be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed unanimously.

OPEN MEETINGS ACT TRAINING REQUIREMENTS

Ms. Lutz said the Texas Legislature requires each elected or appointed public official to complete a course of training regarding the responsibilities of the governmental body and its members under the Texas Open Meetings Act within ninety days of receiving the appointment.

CONFLICT OF INTEREST DISCLOSURE; LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Lutz reviewed Chapter 176 of the Texas Local Government Code, which requires directors and consultants to disclose certain conflicts of interest.

Ms. Lutz stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers. The Board reviewed the List of Local Government Officers. After review and discussion, Director Dumas moved to approve the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed by unanimous vote.

AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Lutz stated the next Committee will be held on August 4, 2022.

Ms. Lutz said that the next Board meeting is scheduled to be held on August 22, 2022.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY

The Board did not convene in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board did not convene in executive session.

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.



*Pomanen G.*

Secretary, Board of Directors



ATTACHMENTS TO MINUTES

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