

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286

Minutes of Board of Directors Meeting
May 4, 2020

ACTIONS TAKEN

1. The Board approved the minutes of the April 6, 2020 meeting.
2. The Board approved the Tax Assessor-Collector's Report as presented by Utility Tax Service L.L.C., including the checks presented for payment.
3. The Board authorized EDP to handle the recommended repairs as listed on the bi-annual commercial meter testing report.
4. The Board approved the Operations and Maintenance Report presented by EDP.
5. The Board approved the Consumer Confidence Report, contingent on review and approval of same by MRPC, and authorized EDP to distribute same to consumers.
6. The Board approved Pay Estimate No. 8 from CFG Industries in the amount of \$67,500.00 for improvements and painting at Water Plant No. 1.
7. The Board approved Pay Estimate No. 8 from R&B Group Inc. in the amount of \$230,625.00 for improvements and flood mitigation at the Wastewater Treatment Plant and an invoice from CenterPoint Energy in the amount \$10,550.00 for extending the gas line.
8. The Board approved the Engineering Report presented by Eby Engineers, Inc.
9. The Board adopted the Resolution Adopting Rules for Electronic Submission of Bids.
10. The Board approved the Bookkeeper's Report as presented by Claudia Redden & Associates, L.L.C., including the checks presented for payment.

The Board of Harris County Municipal Utility District No. 286 ("District") met in regular session by teleconference on May 4, 2020, in accordance with the duly posted notice of meeting, and the roll was called of the officers and members of said Board of Directors, as follows:

David Geaslen, President
Michael Rhodes, Vice President
Steve Garner, Secretary
Rosalind Theriot, Assistant Secretary
Becky Campbell, Assistant Secretary

All of said persons were present, therefore constituting a quorum.

Also present via teleconference were Claudia Redden of Claudia Redden & Associates L.L.C.; Dennis Eby of Eby Engineers, Inc. ("Eby"); Eric Thiry of Environmental Development Partners, L.L.C. ("EDP"); Roshell Arterburn of Utility Tax Service, L.L.C. ("UTS"); and Kara Richardson and Miranda Jones Rajevac of Marks Richardson PC ("MRPC").

The President called the meeting to order.

APPROVAL OF MINUTES

The Board first considered approval of the minutes of the Board of Directors meeting held on April 6, 2020. After discussion, Director Theriot made a motion to approve the minutes of the April 6, 2020, Board of Directors meeting, as amended. Director Garner seconded the motion, which carried unanimously.

SECURITY PATROL REPORT BY THE CONSTABLE'S OFFICE

The Board next considered the Security Patrol Report, a copy of which is attached hereto as (**Exhibit A**), and the status of security monitoring services within the District. Director Geaslen reviewed the report and noted that activity seems to have increased within the past month. The Board discussed recent car burglaries within the District.

The Board next considered the status of security monitoring services. Director Rhodes stated that there have been no issues at the park.

COMMENTS FROM THE PUBLIC

The Board deferred comments from the public, as no members of the public were present.

DEVELOPERS' REPORTS

The Board next considered the status of development in the District. No one present had anything to report.

TAX ASSESSOR-COLLECTOR REPORT

The Board next considered the Tax Assessor-Collector Report. Ms. Arterburn presented the attached Tax Assessor-Collector Report (**Exhibit B**) dated April 30, 2020. The Board reviewed the total receivables, the cash balance, disbursements, and checks as reflected in the report. After discussion of the report, Director Campbell made a motion to approve the Tax Assessor-Collector Report as presented and to approve the checks identified in the report for payment. Director Theriot seconded the motion, which carried unanimously.

OPERATIONS REPORT

The Board next considered the Operations and Maintenance Report (**Exhibit C**). Mr. Thirty reported that EDP repaired a water main that was damaged by a contractor for Harris County.

Mr. Thirty reported that EDP repaired a leaking packing around the operation wheels inside the meter vault at 11175 Compaq Center Drive.

Mr. Thirty reported that EDP replaced the leaking sixteen-inch (16”) valve on ground storage tank no. 2 at the Water Plant which was approved at last month’s meeting.

Mr. Thirty reviewed the bi-annual commercial meter testing report including the list of recommended repairs. After discussion, Director Campbell made a motion to authorize EDP to handle the recommended repairs as listed on the report. Director Theriot seconded the motion, which unanimously carried.

Mr. Thirty next presented the attached draft Consumer Confidence Report. He asked the Board whether it would like the Report distributed to consumers by mail or by posting same on the internet. The Board agreed to distribute the Report by mail.

Mr. Thirty next discussed the delinquent notice and service disconnection report. He stated that EDP mailed four (4) delinquent letters this past month. He asked the Board how to handle customers who may not be able to pay their water bills due to the current COVID-19 pandemic and whether to continue with the same process as last month. The Board concurred to continue with the temporary suspension of cut-offs and to offer customers a payment plan if they are unable to pay their water bill. The Board instructed EDP to continue sending delinquent letters but to suspend the hanging of door tags.

After discussion, Director Rhodes made a motion to approve the Operations and Maintenance Report, as presented. Director Garner seconded the motion, which carried unanimously.

CONSUMER CONFIDENCE REPORT

The Board next considered approval of a Consumer Confidence Report. After discussion, Director Rhodes made a motion to approve the Report, contingent upon review by MRPC, and to

authorize the distribution of the Report to consumers by mail. Director Campbell seconded the motion, which passed unanimously.

IMPROVEMENTS AND PAINTING AT WATER PLANT NO. 1

The Board next considered the status of the construction contract with CFG Industries (“CFG”) for improvements and painting at Water Plant No. 1. Mr. Eby reported that the painting is approximately 56% complete and reviewed photos of same. He then presented Pay Application No. 8 in the amount of \$67,500.00 and recommended that the Board approve payment of same. After discussion, Director Campbell made a motion to approve payment of Pay Application No. 8, as set out above. Director Rhodes seconded the motion, which carried unanimously.

IMPROVEMENTS AND FLOOD MITIGATION AT THE WWTP

The Board next considered the status of the construction contract with R&B Group Inc. (“R&B”) for improvements and flood mitigation at the WWTP. Mr. Eby reported that the construction is approximately 76% complete and reviewed photos of the construction progress. He presented Pay Application No. 8 in the amount of \$230,625.00.

Mr. Eby next presented an invoice from CenterPoint Energy in the amount of \$10,500.00 for the fee for extending the gas line and recommended that the Board approve same.

After discussion, Director Campbell made a motion to approve payment of Pay Application No. 8 and the invoice from CenterPoint Energy, all as set out above. Director Garner seconded the motion, which unanimously carried.

ENGINEERING REPORT

The Board next considered the Engineering Report (**Exhibit D**).

Mr. Eby reported on the status of the lift station rehabilitation project. He stated that the project is ninety-nine percent (99%) complete. Mr. Eby stated that CenterPoint Energy set the meter and that the project will be completed within the next couple of weeks.

Mr. Eby reported on the monthly inspection and maintenance of the flare by Patriot Production and stated that he received invoices for the months of March and April. He also presented an updated contract for approval from Patriot Production in the amount of \$3,031 for the first month and \$1,082 each month thereafter. The Board asked about the additional costs for the first month. Mr. Eby stated that he will research the matter. He also stated that he did not receive an executed TEC Form 1295 from Patriot Production. The Board took no action on the matter.

Director Theriot next reported that she has been going to the park and re-installing the tape around the playground equipment and skatepark in an effort to let patrons know that the amenities are closed for the time being. She noted that the sign that was previously installed advising that the playground and skatepark are temporarily closed has been removed and more than half of the

tape has been removed. Mr. Eby stated that he can have a sign made advising of the temporary closure of the playground and skatepark. Ms. Richardson stated that she can provide the language for the sign to Mr. Eby. The Board concurred for Mr. Eby to designate the appropriate location for the sign. Director Campbell stated that she will coordinate with Mr. Eby regarding the installation of same.

The Board next considered review and approval of a quote from Play Works, Inc. for playground equipment and a quote from Brian Gardens for the installation of kiddie cushion at the park. The Board deferred action on the matter until after hurricane season.

After discussion, Director Campbell made a motion to approve the Engineering Report. Director Rhodes seconded the motion, which carried unanimously.

RESOLUTION ADOPTING RULES FOR ELECTRONIC SUBMISSION OF BIDS

The Board next considered the adoption of a Resolution Adopting Rules for Electronic Submission of Bids. Ms. Richardson noted that, in view of the COVID-19 pandemic, engineers have increasingly requested the ability to solicit electronic bids for District projects. She stated that, pursuant to Section 49.2731, Texas Water Code, the District may not receive electronic bids for District projects under Section 49.273, Texas Water Code, unless the Board adopts rules to ensure the identification, security, and confidentiality of electronic bids and to ensure that the electronic bids remain effectively unopened until the proper time. Ms. Richardson advised the Board that adoption of the proposed Resolution would, subject to the District's receipt of the Engineer's Certificate for Electronic Bidding Software attached to the proposed Resolution, permit the District to receive electronic bids for its projects. After discussion, Director Theriot moved to adopt the Resolution Adopting Rules for Electronic Submission of Bids, attached hereto as **(Exhibit E)**. Director Garner seconded the motion, which unanimously carried.

STATUS OF REQUEST FROM MALCOMSON ROAD UTILITY DISTRICT

The Board next considered the status of the request from Malcomson Road Utility District ("MRUD") for an Amendment to the Emergency Water Supply Contract. Ms. Richardson stated that she has been exchanging emails with the engineer and attorney for MRUD.

DISCUSS HIKE AND BIKE TRAIL ALONG CYPRESS CREEK

The Board next considered a discussion regarding the hike and bike trail along Cypress Creek. Director Geaslen reported that the District sent correspondence to Commissioner Cagle at Harris County Precinct 4 on April 7, 2020 requesting that the Harris County Precinct 4 Parks and Trails Department assist the District in making repairs of anticipated damages to the trails caused by on-going construction by Harris County Flood Control District. He stated that a response has not yet been received.

The Board next discussed removing damaged concrete from an area along the trail under the bridge and replacing same with black top. Mr. Eby stated that it was his understanding that

the subject area had to be concrete and any replacement would need to be approved by Harris County. He stated that he will look into the matter.

BOOKKEEPING REPORT


The Board next considered the Bookkeeper's Report. Ms. Redden reviewed the Bookkeeping Report (**Exhibit F**), including the checks presented for payment. Director Geaslen asked Ms. Redden to send all invoices and amounts relative to the flood mitigation at the WWTP to EDP. Mr. Thiry agreed to research the status of finalization of the project once all the information has been received. The Board next noted that invoice nos. 4945 and 4946 were both issued to AT&T and asked about the charges. Mr. Eby stated that he will research the AT&T charges. He also noted that invoice no. 4956 issued to Eby was included twice on the bookkeeper's report. Ms. Redden stated that it was an inadvertent duplication on the report. After discussion, Director Rhodes made a motion to approve the Bookkeeper's Report, including the checks presented for payment. Director Campbell seconded the motion, which carried unanimously.

ITEMS FOR FUTURE AGENDAS

The Board next considered matters for possible placement on future agendas. The Board noted that the next meeting will be on June 1, 2020 and concurred to hold the meeting via teleconference.

ADJOURNMENT OF BOARD MEETING

There being no further business to come before the meeting, it was adjourned.

DocuSigned by:

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Secretary, Board of Directors

LIST OF EXHIBITS

May 4, 2020

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| Exhibit A | Patrol Report |
| Exhibit B | Tax Assessor-Collector's Report |
| Exhibit C | Operations and Maintenance Report |
| Exhibit D | Engineering Report |
| Exhibit E | Resolution Adopting Rules for Electronic Submission of Bids |
| Exhibit F | Bookkeeping Report |