

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286**

Minutes of Board of Directors Meeting

August 3, 2020

ACTIONS TAKEN

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1. The Board approved the minutes of the July 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 approved the First Amendment to Agreement for Services of Tax Assessor and Collector, and authorized the President and Secretary to execute same on behalf of the Board and the District.
4. The Board approved the calculation of the cost of water at \$0.88 per 1,000 gallons of water for the emergency interconnect with Malcomson Road Utility District ("MRUD") and authorized EDP to invoice MRUD for the months of June of July.
5. The Board authorized EDP 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.
6. The Board approved the Operations and Maintenance Report presented by EDP.
7. The Board approved Pay Estimate No. 11 from CFG Industries in the amount of \$32,130.00 for improvements and painting at Water Plant No. 1.
8. The Board approved Pay Estimate No. 11 from R&B Group Inc. in the amount of \$18,720.00 for improvements and flood mitigation at the Wastewater Treatment Plant.
9. The Board approved Pay Estimate No. 10 and Final from T&C Construction, Ltd. in the amount of \$11,467.00 for the lift station rehabilitation project.
10. The Board approved the Engineering Report presented by Eby Engineers, Inc.
11. 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 August 3, 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"); Mike Arterburn of Utility Tax Service, L.L.C. ("UTS"); Sergeant Garza of the Harris County Constable's Office Precinct Four ("HCCO"); and David Marks 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 July 6, 2020. After discussion, Director Rhodes made a motion to approve the minutes of the July 6, 2020, Board of Directors meeting, as presented. 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. Sergeant Garza reviewed the report and discussed the activity within the past month. He stated that there has been an uptick in the car burglaries, including three (3) that occurred at the Spring Hill Suites. Director Garza stated that due to the increased activity, HCCO will have more presence near Chasewood Drive and Spring Hill Suites. Director Theriot reported that her home was burglarized. Director Garza stated that he responded to the call and that HCCO will have additional presence in the area to hopefully apprehend the suspect. Director Theriot stated that she sent an email to District residents advising of the home burglary. Director Rhodes asked the Board about adding an additional deputy to the day-time shift. Director Geaslen asked how long it takes to have an additional deputy added to the contract. Sergeant Garza stated that it could take approximately three (3) to five (5) months to have a deputy added to the contract. The Board requested that an item be added to the agenda for next month's meeting to consider adding an additional deputy to the contract with HCCO.

The Board next considered the status of security monitoring services. Director Rhodes stated that the internet is still out at the park. Mr. Eby stated that he has contacted Comcast three (3) times and has not yet received a response.

### **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. Mr. Arterburn presented the attached Tax Assessor-Collector Report (**Exhibit B**) dated July 31, 2020. The Board reviewed the total receivables, the cash balance, disbursements, and checks as reflected in the report. After discussion of the report, Director Theriot made a motion to approve the Tax Assessor-Collector Report as presented and to approve the checks identified in the report for payment. Director Campbell seconded the motion, which carried unanimously.

### **REVIEW AND APPROVE AMENDMENT TO AGREEMENT FOR SERVICES OF TAX ASSESSOR AND COLLECTOR**

The Board next considered the review and approval of a First Amendment to the Agreement for Services of Tax Assessor and Collector. Mr. Arterburn presented the First Amendment to the Board and discussed the revised schedule of fees and charges related to the implementation of Senate Bill 2 reporting requirements. After discussion, Director Garner made a motion to approve the First Amendment to Agreement for Services of Tax Assessor and Collector and authorize the President and Secretary to execute same on behalf of the Board and the District. Director Theriot seconded the motion, which unanimously carried.

### **OPERATIONS REPORT**

The Board next considered the Operations and Maintenance Report (**Exhibit C**). Mr. Thiry reported on significant utility repairs within the past month. He stated that 1) EDP replaced the probes in the hydropneumatics tank at the Water Plant, 2) the contractor installed the platform for the transformer, 3) EDP performed the semi-annual preventive maintenance on the equipment at the WWTP and 4) EDP completed repairs and maintenance to the rental dialers at the lift station.

Mr. Thiry reported that EDP submitted documents to the Federal Emergency Management Agency ("FEMA") requesting partial payment for the WWTP project prior to completion of the project and that FEMA has acknowledged receipt of the request. He then reviewed the spreadsheet related to the status of the FEMA projects.

Mr. Thiry reported that EDP and Eby calculated the cost of water provided to Malcomson Road Utility District (“MRUD”) pursuant to the emergency interconnect with MRUD to be \$0.88 per 1,000 gallons. There was a lengthy discussion by the Board regarding the methodology used to calculate such cost. After discussion, Director Rhodes made a motion to approve the calculation of the cost of water at \$0.88 per 1,000 gallons of water for water provided to MRUD pursuant to the emergency interconnect agreement, and to authorize EDP to invoice MRUD for the months of June and July. Director Campbell seconded the motion, which unanimously carried.

Mr. Thiry next discussed the delinquent notice and service disconnection report. He asked the Board how it would like 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 proceed with the normal procedures outlined in the District’s Rate Order relative to delinquencies and disconnections.

After discussion, Director Rhodes made a motion to approve the Operations and Maintenance Report, as presented. Director Campbell seconded the motion, which carried 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 75% complete and reviewed photos of same. He then presented Pay Application No. 11 in the amount of \$32,130.00 and recommended that the Board approve payment of same. After discussion, Director Rhodes made a motion to approve payment of Pay Application No. 11, as set out above. Director Garner 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 90% complete and reviewed photos of the construction progress. He presented Pay Application No. 11 in the amount of \$18,720.00. After discussion, Director Theriot made a motion to approve payment of Pay Application No. 11, as set out above. Director Campbell 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 with T&C Construction, Ltd. (“T&C”). He stated that the project is complete and the final inspection was conducted last week. He presented Pay Application No. 10 and Final in the amount of \$11,467.00. After discussion, Director Rhodes made a motion to approve payment of Pay Application No. 10 and Final, as set out above. Director Campbell seconded the motion, which unanimously carried.

Mr. Eby reported on the monthly inspection and maintenance of the flare by Patriot Production and stated that a report and invoice were received for the month of July.

Mr. Eby reported that Brian Gardens is scheduled to start on the repair of the fence at the park today.

Mr. Eby reported that Pavement Constructors is scheduled to start on the parking lot and curb striping at the parking lot in the park soon.

Mr. Eby stated that the tot swing for the park has been ordered.

Mr. Eby reported that he has been in contact with the new owners of the HP CCM-3 building. He stated that the new owners are considering installation of a new parking lot.

Mr. Eby reminded the Board that he sent correspondence to Dannenbaum Engineering Corporation providing comments related to the review of the Chasewood Technology Park Mitigation and Grading Plans.

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

### **DISCUSS HIKE AND BIKE TRAIL ALONG CYPRESS CREEK**

The Board next considered a discussion regarding the hike and bike trail along Cypress Creek. Mr. Eby reported that he is coordinating with Harris County on the repairs to the black top in the area of the hike and bike trail.

### **BOOKKEEPING REPORT**

The Board next considered the Bookkeeper's Report. Ms. Redden reviewed the Bookkeeping Report (**Exhibit E**), including the checks presented for payment. Ms. Redden stated that the check issued for payment to Patriot Production will be paid next month.

Director Geaslen asked Mr. Eby to review the telephone charges from AT&T. Mr. Eby stated that he will research the matter. Ms. Redden stated that she will forward the invoices from AT&T to Mr. Eby for review.

Ms. Redden stated that the operating budget will need to be adopted next month and requested that the Board review the draft operating budget and provide her with any comments prior to the next meeting.

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.

**APPOINT BOARD MEMBER**

The Board next considered the appointment of a Board member to serve as the District’s voting member representative for purposes of the 2020 Association of Water Board Directors (“AWBD”) Trustee election. The Board concurred not to appoint a Board member to serve as the District’s voting member representative for purposes of the 2020 AWBD Trustee election since the Board has not historically voted in such election in the past.

**DISCUSSION REGARDING PROCEDURES FOR SEPTEMBER BOARD MEETING**


The Board next discussed procedures for the September Board meeting. After discussion, the Board concurred to hold the next Board meeting via teleconference on Tuesday, September 8, 2020.

**ITEMS FOR FUTURE AGENDAS**

The Board next considered matters for possible placement on future agendas. After discussion, the Board concurred to add an item to the agenda for the next meeting to consider adding an additional deputy to the security patrol contract with HCCO.

**ADJOURNMENT OF BOARD MEETING**

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

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Secretary, Board of Directors

**LIST OF EXHIBITS**

August 3, 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 | Bookkeeping Report                |