

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

Minutes of Board of Directors Meeting  
March 6, 2023

ACTIONS TAKEN

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1. The Board approved the minutes of the February 6, 2023, 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 and adopted a Resolution Concerning Exemptions from Taxation granting a \$350,000 exemption from ad valorem taxation on residential homesteads for persons under a disability or sixty-five years of age or older and a 20% general residential homestead exemption for the year 2023.
4. The Board approved an estimate from EDP in the amount of \$36,500 for valve repairs.
5. The Board approved an estimate from EDP in the amount of \$10,835 to complete a manhole survey.
6. The Board approved an estimate from EDP in the amount of \$16,507 to repair the vacuum blower no. 1 at the WWTP.
7. The Board approved the Operations and Maintenance Report presented by EDP.
8. The Board approved a proposal from Playground Solutions of Texas in the amount of 7,590 for benches and tables at the park.
9. The Board authorized Director Campbell to act on behalf of the Board and the District to approve a proposal from Playground Solutions of Texas for repairs at the park.
10. The Board approved a proposal from Brian Gardens in the amount of \$45,559.84 for landscape maintenance services.
11. The Board approved a proposal in the amount to \$24,185.00 for phase 1 of the cleaning and televising of sanitary sewer lines in the District.
12. The Board approved the Engineering Report presented by Eby Engineers, Inc.
13. The Board adopted the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects.
14. The Board approved the Bookkeeper's Report as presented by Claudia Redden & Associates, L.L.C., including the checks presented for payment.

15. The Board authorized the Bookkeeper and Tax Assessor Collector to prepare and file 2021 Unclaimed Property Reports prior to the July 1, 2022, deadline.

The Board of Harris County Municipal Utility District No. 286 ("District") met in regular session at 13850 Cutten Road, Houston, Harris County, Texas 77069 on March 6, 2023, 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 were Claudia Redden of Claudia Redden & Associates L.L.C.; Dennis Eby of Eby Engineers, Inc. ("Eby"); Eric Thiry and Robert Cardenas of Environmental Development Partners, L.L.C. ("EDP"); Roshell Arterburn of Utility Tax Service, L.L.C. ("UTS"); Simon Van Dyk of Touchstone District Services (Touchstone"); Sergeant Westmoreland and Deputy Jones of Harris County Constable's Office Precinct Four ("HCCO"); and David Marks of Marks Richardson PC ("MRPC").

The President called the meeting to order.

#### **APPROVAL OF MINUTES**

As the first order of business, the Board considered approval of the minutes of the Board of Directors meeting held on February 6, 2023. After discussion, Director Rhodes made a motion to approve the minutes of the February 6, 2023, Board of Directors meeting, as presented. Director Theriot seconded the motion, which carried unanimously.

#### **SECURITY PATROL REPORT BY THE CONSTABLE'S OFFICE**

The Board next deferred consideration of the Security Patrol Report and the status of security monitoring services within the District until later in the meeting.

Director Rhodes stated that he had nothing new to report regarding security monitoring services.

#### **COMMENTS FROM THE PUBLIC**

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

#### **TAX ASSESSOR-COLLECTOR REPORT**

The Board next considered the Tax Assessor-Collector Report. Ms. Arterburn presented the attached Tax Assessor-Collector Report (**Exhibit A**) dated February 28, 2023. 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 Rhodes seconded the motion, which carried unanimously.

Mr. Marks next presented the attached list of delinquent accounts, dated March 6, 2023, as prepared by the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P. (**Exhibit B**).

### **RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION**

The Board next considered granting exemptions from taxation for 2023. Mr. Marks outlined for the Board the various tax exemptions available for the District, including the exemptions provided for by Article VIII, Section 1-b of the Texas Constitution, and Sections 11.13 and 11.184 of the Property Tax Code. After discussion, Director Garner made a motion 1) to grant a \$350,000 exemption from ad valorem taxation on residential homesteads for persons under a disability or sixty-five years of age or older for the year 2023, 2) to grant a 20% residential homestead exemption for the year 2023, and 3) to approve and adopt the Resolution relative to the granted exemptions (**Exhibit C**). Director Campbell seconded the motion, which carried unanimously.

### **STATUS OF INSURANCE AND FEMA CLAIMS RELATIVE TO HURRICANE HARVEY DAMAGES**

The Board next considered the status of insurance and Federal Emergency Management Agency ("FEMA") claims relative to Hurricane Harvey damages. Mr. Thiry reported that the updated SAM.gov application was submitted to the Texas Department of Emergency Management today. He stated that he will follow up on the status and report to the Board.

### **OPERATIONS REPORT**

The Board next considered the Operations and Maintenance Report (**Exhibit D**). Mr. Thiry reported that the booster pump was installed at Water Plant No. 1.

Mr. Thiry reported that the annual testing of the District's fire hydrants will begin this week.

Mr. Thiry reported that EDP completed the valve survey and he stated that the estimate for repairs is \$36,500. After discussion, Director Rhodes made a motion to approve an estimate in the amount of \$36,500 for valve repairs. Director Theriot seconded the motion, which unanimously carried. Mr. Thiry reported that EDP will begin with the priority 1 items.

Mr. Thiry reported next presented an estimate in the amount of \$10,835 to complete a manhole survey for one hundred ninety seven (197) manholes at \$55.00 each. After discussion, Director Rhodes made a motion to approve an estimate in the amount in the amount of \$10,835 to complete a manhole survey. Director Theriot seconded the motion, which unanimously carried.

Mr. Thiry reported that vacuum blower no. 1 at the WWTP failed and needs to be repaired or replaced. He presented an estimate in the amount of \$57,970 to replace the blower and an estimate in the amount of \$16,507 to repair the blower. After discussion, Director Theriot made a motion to approve an estimate in the amount of \$16,507 to repair the vacuum blower no. 1 at the WWTP. Director Rhodes seconded the motion, which unanimously carried.

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

## **ENGINEERING REPORT**

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

The Board next discussed the Chasewood Park mitigation project. Mr. Eby stated that the project is 100% complete. He stated that the contractor has made all repairs. Mr. Eby stated the final inspection is pending due to heavy rainfall.

Mr. Eby reported on the status of the permit application for the WWTP Discharge Permit renewal. He stated that he is awaiting the final permit from the Texas Commission on Environmental Quality.

Mr. Eby reviewed the Water Plant No. 1 monthly checklists for the month of February from Patriot Production & Rental Services, LLC along with the related invoice and recommended payment of same.

Mr. Eby next presented a quote from Playground Solutions of Texas in the amount of \$7,590 for the installation of benches and tables. He reminded the Board that it previously approved such items from Total Recreation but same was never received or installed. Mr. Eby next presented a quote in the amount of \$27,000 for the installation of benches and tables. After discussion, Director Campbell made a motion to approve a quote from Playground Solutions of Texas in the amount of \$7,590 for the installation of benches and tables. Director Rhodes seconded the motion, which unanimously carried.

Mr. Eby next presented a quote from Playground Solutions of Texas in the amount of \$3,061.57 for swing repairs. After discussion, the Board concurred to add the spring rider to the list of items to be repaired, that such quote be revised to include same and authorize Director Campbell to approve same on behalf of the Board and the District.

Director Campbell stated that she would still like new playground equipment designed for use by older children and will obtain a proposal for same.

Mr. Eby reported that the parking lot at the park will need some detention area added. He stated that the estimated cost is \$50,000 to \$100,000. The Board then discussed options for same.

The Board next deferred consideration of an update on Microgrid implementation until after the Texas Legislature has adjourned.

The Board next considered the review and approval of proposals for landscape maintenance services, and approval of a rate increase by Brian Gardens Landscape for landscape maintenance services. Mr. Eby presented a landscaping bid tab handout from Brian Gardens for landscape maintenance services for an annual total of \$45,559.84 and from Vista for an annual total of \$42,312.00 and reviewed same with the Board, a copy of which is attached to the engineer's report. After discussion, Director Campbell made a motion to approve the proposal from Brian Gardens in the amount of \$45,559.84. Director Theriot seconded the motion, which unanimously carried.

Mr. Eby next presented a proposal in the amount of \$24,185 for the cleaning and televising of the older sanitary sewer lines in the District (phase 1). He stated that the cleaning and televising will likely be completed in three (3) or four (4) phases. After discussion, Director Campbell made a motion to approve the proposal in the amount to \$24,185.00 for phase 1 of the cleaning and televising of sanitary sewer lines in the District. Director Theriot seconded the motion, which unanimously carried.

After discussion, Director Rhodes made a motion to approve the Engineering Report. Director Theriot 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 F**), and the status of security monitoring services within the District. Deputy Jones reviewed the report and discussed the activity within the past month.

#### **REVIEW AND APPROVAL PROPOSALS FOR LANDSCAPE MAINTENANCE SERVICES, AND APPROVAL OF RATE INCREASE BY BRIAN GARDENS LANDSCAPE**

The Board next deferred review and approval of proposals for landscape maintenance services as same was previously discussed in the meeting.

#### **RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE**

The Board next considered the annual review of the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects and consideration of authorizing a survey of wages. Mr. Marks presented a spreadsheet reflecting Prevailing Wage Rates for Construction Projects for the Harris County Department of Labor (**Exhibit G**) and reviewed the Resolution with the Board. After discussion, Director Theriot made a motion to adopt the Resolution Adopting Prevailing Wage Rate Scale For Construction Projects based on the Department of Labor rates. Director Rhodes seconded the motion, which carried unanimously.

## **PRESENTATION FROM KOMPAN PLAYGROUND EQUIPMENT FOR THE PARK**

The Board next deferred a presentation from Kompan Playground Equipment for the park as same was discussed under the engineer's report.

## **BOOKKEEPING REPORT**

The Board next considered the Bookkeeper's Report. Ms. Redden reviewed the Bookkeeping Report (**Exhibit H**), including the checks presented for payment. After discussion, Director Garner made a motion to approve the Bookkeeper's Report, including the checks presented for payment. Director Campbell seconded the motion, which carried unanimously.

## **STATUS OF INVESTMENTS BY DAWSON FINANCIAL SERVICES**

The Board next considered the status of investments by GK Capital Advisors LLC. Director Geaslen stated that GK Capital Advisors is unable to work with the District due to specific regulations in Texas and the need to be pre-approved within the regulatory environment. He stated that Bank of Texas is approved to work with the District. Ms. Redden stated that she will investigate the matter.

## **UNCLAIMED PROPERTY REPORT**

The Board next considered authorizing the bookkeeper and tax assessor to prepare a 2022 Unclaimed Property Report and the filing of same with the State Comptroller prior to the July 1, 2023 deadline. After discussion, Director Rhodes made a motion to authorize the District's consultants to research the District's accounts to determine the necessity of preparing an Unclaimed Property Report, and, if such report is necessary, authorize the District's Bookkeeper to file same with the State Comptroller prior to July 1, 2023. Director Campbell seconded the motion, which carried unanimously.

The Board next questioned Mr. Thiry regarding Inframark issues with the City of Houston.

## **ITEMS FOR FUTURE AGENDAS**

The Board next considered matters for possible placement on future agendas.

## **ADJOURNMENT OF BOARD MEETING**

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



Secretary, Board of Directors

**LIST OF EXHIBITS**

March 6, 2023

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| Exhibit A | Tax Assessor Collector's Report  |
| Exhibit B | Delinquent Tax Report  |
| Exhibit C | Resolution Concerning Exemptions from Taxation                           |
| Exhibit D | Operator's Report  |
| Exhibit E | Patrol Report  |
| Exhibit F | Engineering Report   |
| Exhibit G | Resolution Adopting Prevailing Wage Rate Scale for Construction Projects |
| Exhibit H | Bookkeeping Report   |