

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

Minutes of Board of Directors Meeting

August 7, 2023

ACTIONS TAKEN

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1. The Board approved the minutes of the July 10, 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 an Amendment to the District Information Form and authorized the Board members in attendance to execute same
4. The Board approved the Operations and Maintenance Report presented by EDP.
5. The Board approved the renewal Agreement from Patriot for the maintenance of the flare stack, effective July 1, 2023.
6. The Board approved the Engineering Report presented by Eby Engineers, Inc.
7. The Board approved the Bookkeeper's Report as presented by Claudia Redden & Associates, L.L.C., including the checks presented for payment.
8. The Board approved participation in the annual water conservation meeting and authorized spending up to \$3,000 for the event.

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 August 7, 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, except Director Geaslen, 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"); Sergeant Westmoreland and Deputy Kromah of Harris County Constable's Office Precinct Four ("HCCO"); and Kara Richardson of Marks Richardson PC ("MRPC").

The Vice 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 July 10, 2023. After discussion, Director Theriot made a motion to approve the minutes of the July 10, 2023, Board of Directors meeting, as presented. Director Campbell 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. Deputy Kromah reviewed the report and discussed the activity within the past month. The Board noted that there has been increased visibility of patrol officers in the neighborhood.

The Board noted that there was nothing new to report regarding security monitoring services.

Sergeant Westmoreland and Deputy Kromah exited the meeting at this time.

#### **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 B**) dated July 31, 2023. The Board reviewed the total receivables, the cash balance, disbursements, and checks as reflected in the report. Ms. Arterburn next presented a list of uncollectible accounts and recommended moving same to uncollectible. After discussion of the report, Director Theriot made a motion to approve the Tax Assessor-Collector Report as presented, to approve the checks identified in the report for payment and to approve moving the list of subject accounts to uncollectible. Director Garner seconded the motion, which carried unanimously.

## **AMENDMENT TO DISTRICT INFORMATION FORM**

Ms. Richardson next presented and reviewed with the Board an Amendment to the Second Amended and Restated District Information Form in connection with the recent legislative updates. After discussion, Director Garner moved to approve the amendment and to authorize the Board members in attendance to execute same. Director Theriot seconded said motion, which unanimously carried.

## **OPERATIONS REPORT**

The Board next considered the Operations and Maintenance Report (**Exhibit C**). Mr. Cardenas reported on the remaining amounts to be paid by the Federal Emergency Management Agency totaling approximately \$150,000. Mr. Cardenas stated that EDP provided FEMA with additional information requested by FEMA to support the additional amounts owed to the District but has not yet received a response. Mr. Thiry stated that Director Geaslen emailed Cohen Reznick a couple of weeks ago to check the status of the claim and was advised it was still under review.

Mr. Cardenas stated that EDP issued a credit to the District relative to the televising at 11543 Lakewood Place.

Director Campbell stated that she has been smelling chlorine in the water at her home recently. Mr. Thiry stated that the water accountability was low this past month and noted that EDP has been receiving complaints about the taste of surface water from other client districts. He stated that the chlorine smell occurs when there is not the correct ratio of chlorine to ammonia and it is likely not the result of too much chlorine. Mr. Thiry stated that he will ask for an update on the ratios to see if that might be the issue. Mr. Eby stated that he has also heard numerous residents complaining about water quality at other client meetings lately.

Director Theriot stated that she will be meeting with Mr. Thiry tomorrow regarding subdivision/district boundary maps to ensure that EDP billings are accurate.

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

Ms. Redden entered the meeting at this time.

## **ENGINEERING REPORT**

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

Mr. Eby next reported on the status of the exposed water line in Faulkey Gulley. He stated that the plans have been approved by Harris County and the Harris County Flood Control District. He stated that he is currently advertising for bids which will be taken on August 30, 2023

Mr. Eby next reported on the status of the Sanitary Sewer Rehabilitation, Phase 1 project. He stated that he will be taking bids for the project on August 30, 2023.

Mr. Eby reported that he has not yet received the monthly checklist or invoice for the month of July from Patriot Production & Rental Services, LLC ("Patriot").

Mr. Eby next presented a renewal Agreement from Patriot that includes an initial fee of \$4,052.00 for the first month and \$1,320.00 for each month thereafter for the maintenance of the flare stack, effective July 1, 2023. He stated that the cost is more expensive for the first month because that is when Patriot's liability insurance is due. After discussion, Director Garner made a motion to approve the renewal Agreement from Patriot as detailed above. Director Campell seconded the motion, which unanimously carried.

Mr. Eby next reported on the status of repairs to the park equipment and replacement of the spring rider by Playground Solutions. He stated that installation of the spring rider and benches are complete at the park. He stated that he is still waiting for the delivery of larger tables and benches.

Mr. Eby stated that he found graffiti at the skate park, and he will handle painting over same.

Mr. Eby reported that EDP is draining the clarifier tank at the WWTP and will inspect the tank next week to assess the need for any repairs. He stated that Mr. Jeff Cotten advised that the air conditioning unit in the building at the WWTP needs to be repaired or replaced. Mr. Eby stated that he will be meeting with someone to inspect same.

Mr. Eby reported on the review of the Capital Improvements Plan. He stated that he will coordinate with EDP to prepare an update for the Board's review.

Mr. Eby reported on the status of the Phase 1 Cleaning and Televising of the sanitary sewer lines in the District. He stated that the plan was designed to be completed in three phases based on the priority areas of the District which were separated by the ages of the lines. Mr. Eby stated that phase 1 is complete, and he asked the Board if it would like to proceed with phase 2. The Board requested that Mr. Eby bring details of phase 2 for the meeting next month. Mr. Eby stated that phase 2 encompasses a residential area, and that the lines in that area are not as old as the lines

comprising the commercial area in phase 1. He stated that he will bring maps and projected costs for the Board's review at the next meeting.

Director Garner next asked what happened with the water usage that was reflected on the interconnect with Harris County MUD No. 468 last month. Mr. Thiry stated that the reports reflected usage on the meter, but, that after some research, he found that the valves were turned off and not transferring water. Mr. Thiry stated that EDP may have been misreading the meter and that he will research the matter.

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

### **BOOKKEEPING REPORT**

The Board next considered the Bookkeeper's Report. Ms. Redden reviewed the Bookkeeping Report (**Exhibit E**), including the checks presented for payment. After discussion, Director Theriot made a motion to approve the Bookkeeper's Report, including the checks presented for payment and authorized the investments as discussed above. Director Garner seconded the motion, which carried unanimously.

### **ADOPT OPERATING BUDGET**

The Board next considered adoption of the operating budget for the fiscal year ending September 30, 2023. Ms. Redden reviewed the draft budget with the Board. The Board deferred adoption of the budget until next month's meeting.

### **CONSIDER REVIEW OF UPDATE OF 88<sup>TH</sup> TEXAS LEGISLATURE**

Ms. Richardson next presented and reviewed the attached Legislative Update of the 88<sup>th</sup> Regular Session of the Texas Legislature prepared by MRPC.

### **DISCUSS ANNUAL WATER CONSERVATION MEETING**

The Board next discussed the annual water conservation meeting. Director Theriot asked the Board if it would like to participate in the meeting in conjunction with National Night Out on October 3, 2023. She requested approval to spend up to \$3,000 for the event. Mr. Thiry noted that a representative from EDP will also be available to be present. After discussion, Director Theriot made a motion to participate in the annual water conservation meeting and to authorize spending up to \$3,000 for the event. Director Garner seconded the motion, which unanimously carried.


Director Theriot stated that she sent the Board examples of District-branded shirts for the directors to purchase. After discussion, Director Campbell made a motion to authorize moving forward with the purchase of District-branded shirts for Board members to be worn at District events or conferences. Director Garner seconded the motion, which unanimously carried.

**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.

A handwritten signature in black ink, appearing to read "Stephen J. Barman". The signature is written in a cursive style with a horizontal line drawn through the middle of the letters.

Secretary, Board of Directors