

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285

July 20, 2020

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 285 (the "District") met in regular session by teleconference, with access available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 20th day of July, 2020, and the roll was called of the members of the Board being present by telephone:

Walter A. Knowles, Jr.	President/Investment Officer
Jerry L. Allen	Vice President
Rosario Garza	Secretary
Trina Francis	Assistant Vice President
Vacant	Assistant Secretary

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

Also attending the teleconference were Darce' Ahlschlager of Wheeler & Associates, Inc.; Amy Symmank of Myrtle Cruz, Inc.; Mark Swanson and Gregg Haan of LJA Engineering, Inc. ("LJA"); Calvin Browne of Municipal District Services L.L.C. ("MDS"); Arthur K. Marshall of the North Channel Water Authority ("NCWA"); Josh Fort of Champions Hydro-Lawn, Inc. ("Champions"); Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC; Cody Musser of BPI Realty Services, Inc.; and Robert A. Seale, Aaron N. Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP.

Mr. Seale reviewed certain recommended protocols for conducting the District's meeting via teleconference. He announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at [www.districtdirectory.org/agendapackets/hcmud285](http://www.districtdirectory.org/agendapackets/hcmud285).

UPDATE ON OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC

Mr. Browne confirmed that there have been no adverse District service impacts resulting from the COVID-19 epidemic to date.

STATEMENTS AND QUESTIONS FROM THE PUBLIC

Director Knowles offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the

public requesting to make public comment, Director Knowles moved to the next agenda item.

### MINUTES

The Board considered approving the minutes of the June 15, 2020 regular meeting. After review and discussion, Director Francis moved to approve the minutes of the June 15, 2020 regular meeting as submitted. Director Garza seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

### APPROVE AUDIT FOR FISCAL YEAR END MARCH 31, 2020

Mr. Ellis presented the District's audit for fiscal year end March 31, 2020. He also reviewed an audit summary letter, management letter, and Board representation letter. Following review and discussion, Director Knowles moved to approve the audit for fiscal year end March 31, 2020, and direct that the audit be filed appropriately and retained in the District's official records; and (2) authorize Director Knowles to execute the representation letter on behalf of the Board. Director Francis seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

### DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, INCLUDING AWBD SIMPLY VOTING

Mr. Seale stated that the AWBD is using Simply Voting, a web-based online voting system, for its annual Board of Trustees election to occur during the AWBD summer conference beginning August 7, 2020. He said each AWBD member district will be able to cast a ballot by designating a board member as the district's voting member representative to cast the ballot on behalf of the district. After discussion, the Board concurred to designate Director Knowles as the District's voting member representative to cast the District's ballot in the 2020 AWBD Board of Trustees election.

### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Symmank reviewed the bookkeeper's report, budget comparison, schedule of investments, and the District's bills for payment. A copy of the bookkeeper's report is attached. She requested the Board approve check no. 11258 in the amount of \$1,372.16 to ABH Phone and stated that check no. 11258 will replace another check to ABH Phone in the same amount that was lost in the mail. After review and discussion, Director Allen moved to (1) approve the bookkeeper's report, the investment report, and payment of the bills; and (2) approve replacement check no. 11258 to ABH Phone in the amount of

\$1,372.16. Director Francis seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Ahlschlager reviewed the monthly tax report, a copy of which is attached. She stated the District's 2019 taxes are 98.94% collected as of June 30, 2020. The Board then reviewed the delinquent tax report prepared by Perdue, Brandon, Fielder, Collins & Mott, LLP, a copy of which is attached. After review and discussion, Director Knowles moved to (1) approve the tax report and payment of the tax bills; and (2) approve the delinquent tax report. Director Allen seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### WEBSITE MATTERS

There was no discussion on this matter.

#### SECURITY SERVICES REPORT

The Board reviewed the security report from the Harris County Sheriff's Office, a copy of which is attached.

#### DEVELOPMENT IN THE DISTRICT

Mr. Musser gave a report on development in the District.

#### NCWA REPORT

Mr. Marshall reviewed a report on NCWA matters, a copy of which is attached.

#### DETENTION FACILITIES REPORT

Mr. Fort reviewed the Detention and Drainage Facilities Report from Champions, a copy of which is attached. He reported on four-wheel vehicles operating in the New Forest detention pond. The Board discussed installing "no unauthorized vehicle" signs at the New Forest detention pond. Following discussion, the Board requested that Champions present a proposal to install "no unauthorized vehicle" signs next month.

#### GARBAGE COLLECTION AND RECYCLING SERVICES MATTERS

The Board reviewed a report on garbage collection and recycling services from Best Trash, a copy of which is attached.

## ENGINEER'S REPORT

Mr. Swanson reviewed the engineer's report, a copy of which is attached, including the projects specifically addressed as follows:

### APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF FACILITIES IN THE SERVICE AREA

Mr. Swanson gave an update on design of the following projects: (1) detention pond and storm water pump station to serve Beltway 8/US 90 Commercial Subdivision Tract 5; (2) water, sanitary sewer and drainage facilities to serve Beltway 8/US 90 Commercial Subdivision Tract 5; (3) lift station to serve Beltway 8/US 90 Commercial Subdivision Tract 5; and (4) water, sanitary sewer, and drainage facilities to serve New Forest Parkway, Section 2.

### WATER, SANITARY SEWER, AND DRAINAGE FACILITIES TO SERVE BELTWAY 8/US 90 COMMERCIAL SUBDIVISION TRACTS 4 & 6

Mr. Swanson reported that LJA initiated advertisement and received bids for construction of the water, sanitary sewer, and drainage facilities to serve Beltway 8/US 90 Commercial Subdivision Tracts 4 & 6. He recommended the Board award the contract to the lowest bidder, Blazey Construction Services, LLC ("Blazey"), in the amount of \$431,089.91. The Board concurred that, in its judgment, Blazey was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

### WATER PLANT EXPANSION, INCLUDING STORM WATER PUMP STATION AND FORCE MAIN

Mr. Swanson gave an update on construction of the water plant expansion project, including the storm water pump station and force main at the water plant site, as well as the acquisition of two remaining necessary easements for the project.

### DRAINAGE FACILITIES TO SERVE NEW FOREST PARKWAY, SECTION 1

Mr. Swanson gave an update on construction of the drainage facilities to serve New Forest Parkway, Section 1.

### DEEDS, EASEMENTS, PLATS, SURVEYS, AS-BUILT CERTIFICATIONS, APPRAISALS, CONSENTS TO ENCROACHMENT, AND ABANDONMENT OF EASEMENT

Mr. Swanson presented and requested the Board's approval and acceptance of a storm sewer easement (0.718-acre) and four sanitary sewer easements (0.153-acre, 0.529-

acre, 0.083-acre, and 0.251-acre) required for the Beltway 8/US 90 Commercial Subdivision project.

#### UTILITY COMMITMENT REQUESTS

Mr. Swanson discussed with the Board the status of the proposed Phase II New Forest multi-family development located on the New Forest Town Center site and a proposed "micro" hospital facility. He reported LJA provided a capacity reservation letter for 13 ESFCs of water and wastewater capacity and 3 ESFCs for irrigation capacity to serve a proposed shopping center to be located at the northwest corner of Carpenters Landing Way and Wallisville.

After review and discussion, based on the engineer's recommendations, Director Allen moved to (1) approve the engineer's report; (2) award the contract in the amount of \$431,089.91 to Blazey for construction of the water, sanitary sewer and drainage facilities to serve Beltway 8/US 90 Commercial Subdivision Tracts 4 & 6, subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (3) accept and authorize execution of the storm sewer easement, and the sanitary sewer easements and direct that the easements be filed appropriately and retained in the District's official records. Director Knowles seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

#### UPDATE ON APPLICATION FOR ACQUISITION OF ROAD POWERS

Mr. Seale updated the Board on the road powers application and stated that the application is under review by the Texas Commission on Environmental Quality.

#### OPERATIONS REPORT

Mr. Browne reviewed the monthly operations report, a copy of which is attached, and reviewed the maintenance and repair items included in the report.

Mr. Browne reported that violation notices for Wastewater Treatment Plant Nos. 1 and 2 from Harris County Pollution Control Services ("HCPCS") arrived in the mail on the day of the meeting. He stated MDS will respond to HCPCS and that he will include copies of the correspondence in the operations report next month.

After review and discussion, Director Knowles moved to approve the operations report. Director Allen seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## HEARING REGARDING TERMINATION OF SERVICE

Following discussion, Director Knowles moved to (1) continue suspension of termination of water and sewer service to delinquent customers and waive late fees and penalties for the current billing cycle; and (2) authorize MDS to set up payment plans with District customers on an as-needed basis until further notice. The motion was seconded by Director Allen. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## SUPPLEMENTAL REPORT ON OPERATION AND MAINTENANCE OF DISTRICT FACILITIES

Mr. Haan reviewed the supplemental report on the District's wastewater treatment plants and lift stations, a copy of which is attached.

## INTERLOCAL AGREEMENT WITH HARRIS-GALVESTON SUBSIDENCE DISTRICT FOR WATER WISE PROGRAM

Mr. Seale reviewed an Interlocal Agreement between the District and the Harris-Galveston Subsidence District for sponsorship of the Water Wise Program at James B. Havard Elementary School. After review and discussion, Director Knowles moved to approve the Interlocal Agreement with the Harris-Galveston Subsidence District and direct that the Agreement be filed appropriately and retained in the District's official records. Director Allen seconded the motion, which was approved by unanimous roll call vote.

## RENEWAL OF DISTRICT'S INSURANCE POLICIES

Mr. Seale stated that the District's insurance policies placed through Arthur J. Gallagher and Company ("Gallagher") will expire on October 1, 2020. Following discussion, the Board directed ABHR to obtain a proposal for renewal of the District's insurance policies from Gallagher.

## DISTRICT MEETING SCHEDULE

The Board concurred to hold its next regular meeting on Monday, August 17, 2020, at 6:30 p.m.

## CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIVERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board did not convene in Executive Session.

There being no further business to come before the Board, the meeting was adjourned by agreement.

(SEAL)

/s/ Rosario Garza  
Secretary, Board of Directors



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