

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285

April 18, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 285 (the "District") met in regular session, open to the public, on the 18th day of April, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

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 present at the meeting were Darce' Ahlschlager, Autumn Clark, and Derek Michael of Wheeler & Associates, Inc. ("Wheeler"); Amy Symmank of Myrtle Cruz, Inc.; Gregg Haan of LJA Engineering, Inc. ("LJA"); Arthur K. Marshall of the North Channel Water Authority ("NCWA"); Mike Scott of Champions Hydro-Lawn, Inc. ("Champions"); Calvin Browne of Municipal District Services L.L.C. ("MDS"); and Robert A. Seale, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP.

STATEMENTS AND QUESTIONS FROM THE PUBLIC

There were no statements or questions received from the public.

MINUTES

The Board considered approving the minutes of the March 21, 2022 regular meeting. After review and discussion, Director Allen moved to approve the minutes of the March 21, 2022 regular meeting, as submitted. Director Francis seconded the motion, which passed unanimously.

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. After review and discussion, Director Garza moved to approve the bookkeeper's report, the investment report, and payment of the bills. Director Francis seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Ahlschlager reviewed the monthly tax report, a copy of which is attached. She stated the District's 2021 taxes are 98.27% collected as of March 31, 2022. 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 Allen moved to (1) approve the tax report and payment of the tax bills; and (2) approve the delinquent tax report. Director Francis seconded the motion, which passed unanimously.

Mr. Michael presented a report on the District's sales tax revenue accounts, a copy of which is attached, and reviewed the new and revised sales and use tax permits issued since the last report for businesses located within the District's Strategic Partnership Agreement ("SPA") boundaries. Mr. Michael discussed certain tracts of land ("Tracts") available to be annexed for limited purposes into the District pursuant to SPA between the District and the City of Houston (the "City"). Following review and discussion, Director Knowles moved to (1) accept the report on the District's sales tax revenue accounts; and (2) direct Wheeler to request the preparation of an amended and restated SPA with the City to provide for the limited-purpose annexation of Tracts into the District. Director Allen seconded the motion, which passed unanimously.

## WEBSITE MATTERS, INCLUDING EMERGENCY ALERT/MESSAGING SERVICES

Director Francis provided an update on resident registration for the District's emergency alert/messaging service. The Board requested Mr. Browne to confirm that the notice to allow District residents to opt-in to the District's emergency alert/messaging services is being included on the water bills.

## 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

There was no discussion 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. Scott reviewed the Detention and Drainage Facilities Report from Champions, a copy of which is attached.

Mr. Scott presented a proposal from Champions, a copy of which is attached, for mowing and maintenance of the District's detention and drainage facilities in the total annual amount of \$153,048.00.

Mr. Scott then reviewed a form for Harris County to acknowledge that the District will maintain the detention basin and storm water quality feature for the New Forest Town Center detention pond.

Following review and discussion, Director Allen moved to (1) approve the proposal from Champions in the annual amount of \$153,048.00; and (2) authorize execution of the Harris County acknowledgement form for the New Forest Town Center detention pond. Director Garza seconded the motion, which passed unanimously.

#### GARBAGE COLLECTION AND RECYCLING SERVICES MATTERS

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

#### ENGINEER'S REPORT

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

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

Mr. Haan 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. He also gave an update on the acquisition of the remaining necessary easement from Equistar Chemicals, LP for the project and reported that Phelps Dunbar LLP, the District's special counsel in this matter, filed a Petition and Statement of Condemnation with the Harris County Clerk and the Special Commissioners have been appointed by the court.

##### DETENTION POND AND STORM WATER PUMP STATION TO SERVE BELTWAY 8/US 90 COMMERCIAL SUBDIVISION TRACT 5

Mr. Haan gave an update on construction of the detention pond and storm water pump station to serve Beltway 8/US 90 Commercial Subdivision Tract 5. He recommended approval of Pay Estimate No. 10 to RT Ellis, Inc., in the amount of \$47,796.74.

WATER, SANITARY SEWER, AND DRAINAGE FACILITIES TO SERVE NEW FOREST PARKWAY, SECTION 2

Mr. Haan gave an update on construction of the water, sanitary sewer, and drainage facilities to serve New Forest Parkway, Section 2. He noted that the first and second stages of work are complete and erosion control measures need to be installed.

PAVING OF NEW FOREST PARKWAY, SECTION 2

Mr. Haan gave an update on construction of the paving to serve New Forest Parkway, Section 2. He stated that New Forest Parkway has been constructed and the right turn lanes and connection to the feeder road is pending.

LIFT STATION TO SERVE BELTWAY 8/US 90 COMMERCIAL SUBDIVISION TRACT 5

Mr. Haan gave an update on construction of the lift station to serve Beltway 8/US 90 Commercial Subdivision Tract 5 and stated that the contractor is working on enabling electrical service.

WATER, SANITARY SEWER, AND DRAINAGE FACILITIES TO SERVE BELTWAY 8/US 90 COMMERCIAL SUBDIVISION TRACT 5

Mr. Haan gave an update on construction of the water, sanitary sewer, and drainage facilities to serve Beltway 8/US 90 Commercial Subdivision Tract 5, as well as the acquisition of the necessary waterline and force main easements for the project.

DEEDS, EASEMENTS, PLATS, SURVEYS, AS-BUILT CERTIFICATIONS, APPRAISALS, PHASE I ENVIRONMENTAL ASSESSMENTS, AND CONSENTS TO ENCROACHMENT

Mr. Seale reviewed a Special Warranty Deed for the conveyance of three parcels of land (0.0222 acre, 0.1151 acre, and 0.1228 acre) from the Uvalde Realty Partners, LLC ("Uvalde") to the District related to dedication of right-of-way, which is necessary to accommodate the right turn lanes for New Forest Parkway and the New Forest Town Center lift station access road.

Mr. Seale then reviewed a 0.0131 acre water meter easement, which is necessary for the proposed multi-family development located on the New Forest Town Center tract.

Mr. Seale also reviewed a proposal from Berg Oliver Associates, Inc. in the amount of \$3,328.00 to conduct a phase I environmental assessment before the District acquires tracts of land from FVNA Properties, Ltd.

#### UTILITY COMMITMENT REQUESTS

Mr. Haan discussed with the Board the status of a proposed jewelry store to be located at the southeast corner of Beltway 8 and Auburn Knoll Drive and a proposed multi-family development located on the New Forest Town Center tract.

#### UPDATE ON BOND APPLICATION NO. 14

Mr. Haan gave an update on preparation of bond application no. 14.

After review and discussion, and based on the engineer's recommendation, Director Knowles moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 10 to RT Ellis, Inc., in the amount of \$47,796.74, for construction of the detention pond and storm water pump station to serve Beltway 8/US 90 Commercial Subdivision Tract 5; (3) accept the Special Warranty Deed from Uvalde; (4) accept and authorize execution of the 0.0131 acre water meter easement; and (5) approve the proposal from Berg Oliver Associates, Inc., and direct that the proposal be filed appropriately and retained in the District's official records. Director Allen seconded the motion, which passed by unanimous vote.

#### HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 51 WATER PLANT REHABILITATION AND UPGRADE PROJECT

There was no discussion on this matter.

#### 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 reviewed a report on the Identity Theft Prevention Program (the "Program"), a copy of which is attached to the operations report. He stated that the report indicates no significant incidents of identity theft detection and recommends no changes to the Program. The Board concurred that it was not necessary to adopt a Program amendment.

After review and discussion, Director Allen moved to (1) approve the operations report; and (2) approve the annual report on the Program and direct that the report be filed appropriately and retained in the District's official records. Director Knowles seconded the motion, which passed unanimously.

## HEARING REGARDING TERMINATION OF SERVICE

Mr. Browne presented a list of delinquent customers and reported the customers on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Following review and discussion, Director Allen moved to (1) authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records; and (2) continue to authorize MDS to set up a payment plan with a term not to exceed six months with District customers on an as-needed basis until further notice. The motion was seconded by Director Knowles and passed by unanimous vote.

## APPROVE AND AUTHORIZE OPERATOR TO PREPARE ANNUAL WATER LOSS AUDIT

Mr. Browne reviewed a water loss audit computing the District's most recent annual system water loss. He stated MDS will file the water loss audit with the Texas Water Development Board ("TWDB"). Following review and discussion, Director Allen moved to approve the water loss audit, authorize MDS to file the audit with the TWDB, and direct that the audit be filed appropriately and retained in the District's official records. Director Knowles seconded the motion, which passed unanimously.

## SMART METER MATTERS

The Board discussed the installation of electronic water meters ("Smart Meters") in the District.

Mr. Browne reviewed an updated MDS rate schedule with the Board, proposed to be effective May 1, 2022, reflecting updates for Smart Meters.

The Board considered amending the District's Rate Order. Following discussion, the Board directed ABHR to prepare an amended District Rate Order for adoption at the May meeting reflecting necessary Smart Meter updates.

After review and discussion, Director Knowles moved to approve the proposed rate schedule and authorize execution of a Fourth Amendment to Service Agreement between the District and MDS to be effective as of May 1, 2022. Director Allen seconded the motion, which passed by unanimous vote

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES AND AUTHORIZE ANNUAL FILING

The Board reviewed an updated Critical Load Spreadsheet ("CLS") for the District's facilities. Mr. Seale stated that the District is required to report its critical load facilities annually to the Harris County Emergency Management Coordinator, the Public Utility Commission of Texas, the Division of Emergency Management of the Governor's office, the District's retail electric provider, and the District's transmission and distribution utility company. Mr. Seale noted that the CLS has been reviewed by the District's operator, engineer, and bookkeeper prior to the meeting. Following review and discussion, Director Knowles moved to (1) approve the CLS; and (2) authorize ABHR to file the CLS with the Harris County Emergency Management Coordinator, the Public Utility Commission of Texas, the Division of Emergency Management of the Governor's office, the District's retail electric provider, and the District's transmission and distribution utility company. Director Allen seconded the motion, which passed by unanimous vote.

REVIEW OF EMERGENCY PREPAREDNESS PLAN

Mr. Browne discussed the District's Emergency Preparedness Plan and said no updates are necessary.

DISTRICT MEETING SCHEDULE

Following discussion, the Board concurred to hold its next regular meeting on Monday, May 23, 2022, at 6:30 p.m. at ABHR's offices.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE 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)



  
Secretary, Board of Directors

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