

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383

May 1, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 383 (the "District") met in regular session, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, on the 1<sup>st</sup> day of May, 2024, and the roll was called of the members of the Board being present:

John Porea	President
John J. Ryan	Vice President
Jeffrey Peters	Secretary
Jean M. Casagrande	Assistant Secretary
Jody Chouinard	Assistant Vice President

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

Also attending the meeting were: Cindy Grimes of Municipal Accounts & Consulting, L.P. ("MAC"); James Parker of Pape-Dawson Engineers ("Pape-Dawson"); Layne Yeager of Double Eagle Erosion Solutions, LLC ("Double Eagle"); Patrick Kohleffel of Lake Pro, Inc. ("Lake Pro"); Kristy Hebert of Tax Tech, Inc. ("Tax Tech"); Avik Bonnerjee and Becky Brewer of B&A Municipal Tax Service, LLC ("B&A"); Scott Shelnett of Municipal Operations & Consulting, Inc. ("MOC"); Brandon West of Touchstone District Services ("Touchstone"); and Adisa Harrington and Whitney Lington of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Director Porea offered any members of the public attending the meeting the opportunity to make public comment.

There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

CONSENT AGENDA

The consultant reports were provided in advance of the meeting. Following review and discussion, Director Peters moved to approve the following items on the consent agenda: (1) the minutes of the April 3, 2024, regular meeting, as presented; (2) District development matters; (3) tax assessment and collection matters; (4) financial and bookkeeping matters; (5) operating matters, including (a) approve the Consumer

Confidence Report ("CCR") subject to finalization; and (b) authorize the operator to deliver the CCR and file a certificate of delivery with the Texas Commission on Environmental Quality ("TCEQ"); (6) channel and pond maintenance matters; (7) website and communications matters; and (8) direct that, where appropriate, items are filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

#### ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the consent agenda.

#### STORM WATER MANAGEMENT PLAN MATTERS, INCLUDING PROPOSALS FOR WORK

A detention facility maintenance report prepared by Storm Water Solutions, LLC was sent to the Board prior to the meeting, a copy of which is attached.

#### ADDITIONAL CHANNEL AND POND MAINTENANCE, INCLUDING UPDATE ON SIDEWALK REPAIRS AT CRESCENT CLOVER POND

Mr. Yeager reviewed a maintenance report regarding repairs identified in the most recent SWS biannual report of detention facilities. A copy of Double Eagle's maintenance report is attached.

Mr. Kohleffel updated the Board on maintenance of District lakes, ponds, and fountains.

Mr. Yeager updated the Board on the GIS utility map of the District.

The Board discussed the sidewalk repairs at Crescent Clover pond. Discussion ensued regarding District facility repairs, including tracking pending and completed repairs. The Board concurred for Director Porea to follow up with Gleannloch Landscaping & Maintenance Company regarding the pending sidewalk repairs and other pending and anticipated repairs.

#### ENGINEERING MATTERS

Mr. Parker reviewed the engineering report, a copy of which is attached.

Mr. Parker updated the Board on the revised path for the proposed waterline loop behind the CVS located on Champion Forest Drive. Mr. Parker requested the

Board approve a \$20,000.00 increase in the time and materials budget for design of the revised path for the waterline loop.

Mr. Parker updated the Board on lift station no. 1 pump and electrical replacement. Mr. Parker recommended approval of Pay Estimate No. 2 from McDonald Municipal and Industrial ("McDonald") in the amount of \$129,090.60, with the District's share being \$10,882.34.

Mr. Parker updated the Board on the construction of the third water well, as reflected in the engineer's report. Mr. Parker recommended approval of Pay Estimate No. 1 from W. W. Payton Corporation ("W.W. Payton") in the amount of \$487,260.00, with the District's share being \$265,605.43.

Mr. Parker updated the Board on the repairs needed for water well no. 1, as reflected in the engineer's report.

Mr. Parker updated the Board on requests for utility commitments, as reflected in the engineer's report. Mr. Parker discussed the Boudreaux Business Park's utility commitment and stated Pape-Dawson is requesting an additional \$10,000.00 from Boudreaux Business Park to cover costs associated with engineering services for the project.

The Board then discussed a utility commitment request from Vietsubs & Boba Tea. The Board concurred to reduce the utility commitment deposit for Vietsubs & Boba Tea to \$2,500.00, due to the limited scope of the project.

Mr. Parker updated the Board on the joint Capital Improvement Plan ("CIP") and discussed anticipated projects over the next ten years. Mr. Parker then requested Board approval for a \$35,000 increase in the time and materials budget for updating the CIP, thereby increasing the total budgeted amount to \$65,000.00, to be split 50/50 with Harris County Municipal Utility District No. 367 ("MUD 367"). Discussion ensued.

Mr. Parker then discussed the potential expansion of the wastewater treatment plant. Mr. Shelnuttt noted that he is exploring options for diverting flow from the wastewater treatment plant to a neighboring district during major repairs. Mr. Parker presented a proposal from Pape-Dawson in the amount of \$40,800.00 to investigate options for maintaining the plant's capacity during major repairs. Discussion ensued.

Mr. Parker updated the Board on the preparation of bond application no. 12, as reflected in the engineer's report.

The Board discussed engineering projects and requirements for Board approval of pond repairs. It was noted that Directors Ryan and Casagrande are authorized to approve time-sensitive pond repairs under \$5,000 between Board meetings.

Following review and discussion, and based on the District engineer's recommendation, Director Peters moved to: (1) approve the engineer's report; (2) approve an additional \$20,000.00 for the redesign of the proposed waterline loop behind the CVS located on Champion Forest Drive; (3) approve Pay Estimate No. 1 from W. W. Payton in the amount of \$487,260.00, with the District's share being \$265,605.43, for the construction of the third water; (4) approve Pay Estimate No. 2 from McDonald in the amount of \$129,090.60, with the District's share being \$10,882.34, for lift station no. 1 pump and electrical replacement; (5) approve additional funding for the Time and Materials budget for updating, in the CIP, in the amount of \$65,000.00, to be split 50/50 with MUD 367; and (6) approve the proposal from Pape-Dawson in the amount of \$40,800.00 to investigate options for maintaining the wastewater treatment plant's capacity during major repairs. Director Casagrande seconded the motion, which passed unanimously.

#### ADDITIONAL TAX MATTERS

Mr. Bonnerjee reviewed a Sales Tax Permit Audit prepared by B&A with regard to sales tax revenue received by the District pursuant to its Strategic Partnership Agreement, a copy of which is attached. Following review and discussion, Director Peters moved to accept the Sales Tax Permit Audit. Director Casagrande seconded the motion, which passed unanimously.

#### ADDITIONAL BOOKKEEPING MATTERS

Ms. Harrington discussed the District's Travel Reimbursement Guidelines (the "Guidelines") in connection with the upcoming AWBD summer conference. Following discussion, Director Peters made a motion to authorize up to four per diems, three hotel nights, and reasonable meals for each director attending the AWBD summer conference, all to be submitted in accordance with the District's Guidelines. Director Casagrande seconded the motion, which passed unanimously.

#### ADDITIONAL OPERATING MATTERS

Mr. Shelnutt presented a list of delinquent customers to the Board 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.

Mr. Shelnutt updated the Board regarding a change in the electronic payment program vendors. He requested the Board approve electronic payment processing agreements with Paymentech, LLC ("Paymentech").

The Board discussed security measures that have been implemented at District facilities. Mr. Shelnutt noted that MOC is not recommending any additional security measures at this time.

Mr. Shelnutt reviewed the Consumer Confidence Report ("CCR"), a copy of which is included in the operator's report. Discussion ensued regarding the reported water violation in 2022. The Board provided input regarding updates to be included in the CCR.

Following review and discussion, Director Peters 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) approve electronic payment processing agreements with Paymentech. Director Casagrande seconded the motion, which passed unanimously.

#### RENEWAL OF DISTRICT'S INSURANCE POLICIES

Ms. Harrington stated the District's current insurance policies with Arthur J. Gallagher & Co. ("Gallagher") expire on August 1, 2024, and the Board may renew the policies or request proposals from additional insurance carriers. After discussion, the Board requested ABHR obtain a renewal proposal from Gallagher for Board consideration and provide the proposal to Director Casagrande for review prior to the Board meeting.

#### REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS ON DISTRICT MATTERS

There were no additional reports.

#### ATTORNEY'S REPORT

Ms. Harrington discussed the action list.

Ms. Harrington noted that the annual and five-year reports for the District's Water Conservation Plan need to be completed by MOC and provided to ABHR.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

*J. M. Casagrande*  
Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	<u>Page</u>
Tax report.....	1
Bookkeeping report .....	1
Operator's report.....	1
GLAMCO channel and pond maintenance report.....	2
Website and communications report .....	2
SWS detention facility maintenance report.....	2
Double Eagle maintenance report .....	2
Engineering report.....	2
Sales Tax Permit Audit.....	4

ACTION LIST

Action Item/Date Assigned	Status/Comments
Tax Tech	
MAC/MFS	
MOC	
Update CCR (4/3/24)	
Coordinate with Pape-Dawson to conduct diagnostic testing of water well no. 1 (12/6/23)	Diagnostic testing complete; emergency repairs authorized at 4/3/24 meeting; project is underway and expected to be complete by the end of June
Sanitary Sewer Video Inspection	4/3/24 - Phase 4 being conducted 1/3/24 - Still waiting on video data, MOC will inform contractor that the video data must be provided by no later than 3/1/24
Pape-Dawson	
Coordinate with Harris County regarding Boudreaux Boulevard realignment project and possible Interlocal Agreement (3/6/24)	
Update CIP to include project costs and split project costs (3/6/24)	Ongoing. Latest draft presented at the May 21, 2024 joint special board meeting.
Schedule facilities tour (3/6/24)	
Coordinate with GLAMCO to prepare an inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24)	
Coordinate with MOC to conduct diagnostic testing of water well no. 1 (12/6/23)	Diagnostic testing complete; emergency repairs authorized at 4/3/24 meeting; project is underway and expected to be complete by the end of June
Obtain documentation/information needed to evaluate NewQuest's request for reimbursement of detention pond construction costs (11/1/23)	Site visit conducted with GLAMCO (12/6/23) Pape-Dawson is reviewing the documentation
Review and, where applicable, reclassify engineering fees relating to Jiffy Lube, Digestive Center and First Hartford (10/4/23)	
Prepare bond application no. 12 (9/6/23)	Update exhibits and certificate (5/1/24)  Remove waterline loop and water well no. 1 repairs from bond application (3/6/24)  Engineer is finalizing report based on consultant comments
Oversee repair work identified in two most recent Storm Water Solutions Biannual Audits	12/6/23 and 3/6/24 - contracts awarded to Double Eagle; both projects are now complete



Action Item/Date Assigned	Status/Comments
<b>GLAMCO</b>	
Meet with Directors Chouinard and Casagrande to inspect the sidewalk at Crescent Clover pond and confirm the repairs needed (4/3/24)	GLAMCO to provide update on repairs at the 6/5/24 meeting
Place caution tape around e-inlet (2/7/24)	
GLAMCO will coordinate with Costello to prepare inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24)	
<b>Lake Pro</b>	
<b>Directors</b>	
Director Porea will meet with Mr. Swonke to discuss maintenance of District facilities (5/1/24)	
Directors Chouinard and Casagrande will meet with Mr. Swonke to inspect the sidewalk at Crescent Clover pond and confirm the repairs needed (4/3/24)	GLAMCO to provide update on repairs at the 6/5/24 meeting
Director Porea and Ryan will monitor water well no. 1 and water plant no. 3 repairs and provide recommendations to the Board, as appropriate (2/7/24)	
Director Ryan will follow up on HOA contribution (3/6/24)	
<b>KGA/DeForest</b>	
<b>Touchstone</b>	
<b>ABHR</b>	
Review amounts owed by Enclave of GFPB and Jiffy Lube and coordinate with the bookkeeper regarding collection options (4/3/24)	
Schedule joint meeting with 367 to discuss CIP and DCP (4/3/24)	Joint meeting held Tuesday 5/21/24 at 4:30pm
If appropriate, prepare interlocal agreement with District and Harris County - Boudreaux Boulevard realignment project (3/6/24)	
Prepare wastewater service agreement with Adkisson for Boudreaux Business Park (3/6/24)	Pending
Review and, where applicable, reclassify legal fees relating to Jiffy Lube, Digestive Center and First Hartford (10/4/23)	

Action Item/Date Assigned	Status/Comments
<b>Public Power Pool (P3)</b>	
<b>McCall Gibson</b>	