

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 365

December 16, 2021

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 365 (the "District") met in regular session, open to the public, on the 16th day of December, 2021, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Joe Myers	President
Greg Coleman	Vice President
Alan Silverman	Secretary
Cathy Cropper	Assistant Secretary
Angela Small	Assistant Vice President

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

Also present at the meeting were Sherrie Greenwood of BKD, LLP; Michael Murr of Murr Incorporated ("Murr"); Chris Burke of Burke Engineering, LLC; and Whitney Higgins and Holly Huston of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established videoconference and telephone options for members of the public to listen to the meeting and to address the Board. Also attending via teleconference or videoconference were Mary Jarmon of MCI; Eric Badertscher of Off Cinco; Odett McMullin of Bob Leared Interests, Inc.; and Brian Bare of Si Environmental, LLC.

CONSENT AGENDA

Director Myers offered Board members and consultants the opportunity to remove items from the consent agenda for individual discussion. Director Myers requested the Board remove the Engineer's report from the consent agenda and remove it from all future consent agendas. Director Cropper then moved to approve all items on the consent agenda, except for the item removed. Director Small seconded the motion, which passed by unanimous vote. Copies of all documents approved as part of the consent agenda are attached.

PUBLIC COMMENT

Director Myers offered any members of the public attending the meeting the opportunity to make public comment. There being no public comments, Director Myers moved to the next agenda item.

AUDIT FOR THE FISCAL YEAR ENDING AUGUST 31, 2021

Ms. Greenwood reviewed the District's draft audit and management letter for fiscal year ending August 31, 2021, a copy of which is attached to these minutes. Upon a motion made by Director Coleman, seconded by Director Small, the Board voted unanimously to approve the audit and management letter, subject to final review.

SECURITY MATTERS

Discussion ensued regarding security matters within the District.

ENERGY PRICING REPORT

The Board reviewed a Pricing Report from Acclaim Energy, a copy of which is attached.

ADDITIONAL BOOKKEEPING MATTERS

Ms. Higgins discussed with the Board the District's Travel Reimbursement Guidelines with respect to the upcoming Association of Water Board Directors winter conference in Galveston. Upon a motion by Director Small and a second by Director Cropper, the Board voted unanimously that a director attending the conference would be eligible for three per diems and two nights' hotel stay, and reimbursement for reasonable and necessary meals.

ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

There was no discussion on this agenda item.

SMART METERS

There was no discussion on this agenda item.

ADDITIONAL OPERATING MATTERS

There were no additional operating matters.

HEARING ON TERMINATION OF WATER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

The Board then conducted a hearing on the termination of utility service to delinquent accounts. Mr. Bare reported that the persons on the termination list

provided to the Board were mailed written notice prior to this meeting in accordance with the Rate Order, notifying them of the opportunity to appear before the Board of Directors to explain, contest, or correct the utility service bill and to show reason why utility service should not be terminated for reason of nonpayment. Director Small moved that, since the customers on the termination list were neither present at the meeting nor had presented any statement on the matter, utility service should be terminated in accordance with procedures set forth in the District's Rate Order. Director Cropper seconded the motion, which carried unanimously.

ENGINEERING SERVICES

Mr. Burke presented and reviewed an engineer's report. A copy of which is attached.

Mr. Burke stated that four bids were received on December 14, 2021, for the Water Plant Coatings project (the "project"). He stated that the lowest bidder, D&M Tank, LLC ("D&M") submitted the lowest bid in the amount of \$206,395.00, however after discussion with D&M, he discovered that they did not bid the specified product. Mr. Burke then recommended the Board award the project to the second lowest bidder, Blastco Texas, Inc. in the amount of \$213,217.00. Discussion ensued regarding award of the contract and related qualifications for award of the same. Following discussion, the Board concurred to (1) defer award of the project; and (2) authorize Burke to follow up with D&M and request additional information as requested by the Board from the contractor to determine if the lowest bidder had a qualifying bid or intended to withdraw its bid.

Mr. Burke reviewed a memorandum on the Coles Crossing Subdivision Drainage project for Harris County Flood Control District (the District"). Discussion ensued regarding the project and related communications between HCFCD and the District.

RECLAIMED WATER SYSTEM

Mr. Burke updated the Board regarding the status of design of the reclaimed water system. He requested Board authorization to conduct an underground investigation for the proposed filter basin in an approximate amount of \$2,000. The Board concurred to authorize the request.

PUBLIC COMMUNICATIONS

There was no discussion on this agenda item.

RECREATIONAL AND LANDSCAPE FACILITIES

Mr. Murr presented and reviewed a landscape maintenance report, a copy of which is attached. He discussed ongoing maintenance within the District, including

phase 1 and 2 of the pedestrian trail extensions, Boardwalk repairs, and maintenance of the District's facilities.

Mr. Murr reviewed a proposal from Hayden Paving in the amount of \$28,962.00 to repair and replace asphalt along the District's trails. Following review and discussion, Director Small moved to award the contract for asphalt repairs to Hayden in the amount of \$28,962 subject to the following terms: (1) Murr prepares a memo on the contractors he solicited bids from to provide proof of solicitation; (2) approve the proposal but strike item 2 which states that the price is subject to change due to any freight increases, liquid asphalt increased, and fuel surcharges incurred; (3) approve the contract based upon the landscape architects' recommendation and 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 (4) authorize Director Myers to approve the contract once all items are received. Director Cropper seconded the motion, which passed by a unanimous vote.

Mr. Murr then addressed the Board regarding the concrete fencing project. He then reviewed a revised Excavation Authorization Form (the "Form"), provided by Fencecrete America, Inc. ("Fencecrete"). Discussion ensued regarding further amendments to the form. Mr. Murr then presented and reviewed a layout of the project. He requested Board authorization to clear debris from the path of the fence in an amount not to exceed \$2,000. Following review and discussion, Director Small moved to (1) authorize ABHR to submit revisions to the Form for Fencecrete's approval; and (2) authorize Murr to clear debris from the path of the fence in an amount not to exceed \$2,000. Director Coleman seconded the motion, which passed by a unanimous vote.

ATTORNEY'S REPORT

Ms. Higgins reported that ABHR has filed the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas.

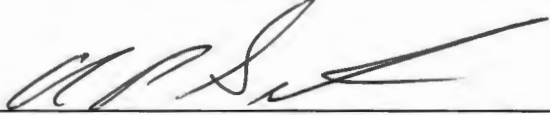
Ms. Higgins reviewed with the Board a memorandum regarding designating addresses and methods for receipt of requests for public information under the Texas Public Information Act ("TPIA Requests"). The Board considered designating a mailing address and an email address and approving other methods for receipt of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. After review and discussion, Director Coleman moved to: (1) adopt a Resolution Establishing Addresses and Methods for Texas Public Information Act Requests ("Resolution") to (a) designate the address of the District's official office as the mailing address and har365@txdistricts.info as the email address for receipt of TPIA Requests to the District, and (b) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government Code; and (2) direct the Resolution to be filed appropriately and retained in the District's official records. Director Small seconded the motion, which passed unanimously.

JANUARY MEETING SCHEDULE

The Board discussed meeting on the following dates in January 2022: January 20, regular meeting and January 10, special meeting.

There being no further business brought before the Board, Director Coleman moved to adjourn the meeting. The motion was seconded by Director Cropper, which carried unanimously.





Secretary, Board of Directors

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