

## **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**

Minutes of Meeting of Board of Directors

November 17, 2021

The Board of Directors (the "Board") of Northwest Harris County Municipal Utility District No. 15 (the "District") met in special session, open to the public, at 13927 Boudreaux Road, Tomball, Texas, Harris County, Texas, 77377, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of said Board, as follows:

Lawrence E. LaHaie, Jr., President  
Timothy Anderson, Vice President  
Joseph Turner, Secretary  
George Dupuy, Assistant Secretary  
Royce Beam, Assistant Secretary

and all of said persons were present, except Director Beam, thus constituting a quorum.

Also present were Debra Loggins of L & S District Services, L.L.C. ("L&S"); Jason Johnson of R.G. Miller Engineers, Inc. ("RGM"); Sarah Rowe and Chris Townsend of Water District Management Company, Inc. ("WDM"); Debbie Arellano of Bob Leared Interests, Inc. ("BLI"); David Martin of Porter Hedges; David Kulkarni of Guefen Development Partners ("Guefen"); and Matthew Reed of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before it.

### **PUBLIC COMMENTS**

The Board deferred consideration of comments from the public, as no members of the public were present.

### **APPROVAL OF MINUTES**

The Board considered approval of the minutes of its meeting held on October 27, 2021. After discussion, Director Dupuy moved that the Board approve said minutes, as presented. Director Turner seconded said motion, which unanimously carried.

### **TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. Arellano presented to and reviewed with the Board the Tax Assessor-Collector's Report for the month ended October 31, 2021, a copy of which is attached hereto as **Exhibit A**, including the disbursements presented for payment, as listed therein. After discussion, Director Anderson moved that the Tax Assessor-Collector's Report, and the disbursements listed therein for payment from the Tax Account, be approved. Director Turner seconded said motion, which carried unanimously.

## **DELINQUENT TAX REPORT**

Mr. Reed presented to and reviewed with the Board a Delinquent Tax Report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's Delinquent Tax Collections Attorneys, dated November 17, 2021, a copy of which is attached hereto as **Exhibit B**. It was noted that no action was required at this time.

## **BOOKKEEPER'S REPORT**

Ms. Loggins presented to and reviewed with the Board the Bookkeeper's Report dated November 17, 2021, a copy of which is attached hereto as **Exhibit C**, including the disbursements presented for payment from the District's various accounts. After discussion, Director Dupuy moved that the Bookkeeper's Report dated November 17, 2021, be approved, and that the checks presented for payment from the District's various accounts identified in the Bookkeeper's Report be approved, except check no. 9946 from the General Operating Fund, which was voided. Director Turner seconded said motion, which unanimously carried.

## **COMPLIANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 2265, RELATIVE TO ENERGY REPORTING**

The Board considered the status of compliance by the District with Texas Government Code, Chapter 2265, relative to energy reporting requirements. In connection therewith, Ms. Loggins presented and reviewed with the Board a Utility Usage & Expense report, a copy of which is included with **Exhibit C**. No Board action was required.

## **DRAINAGE AND DETENTION FACILITIES REPORT**

The Board next reviewed the Detention and Drainage Facilities Maintenance Report from SM&M dated November 17, 2021, a copy of which is attached hereto as **Exhibit D**. In connection therewith, Director LaHaie presented to and reviewed with the Board a quote from SM&M to remove and replace the fence at Water Plant No. 1 in an amount of \$6,190.00. Following discussion, Director Turner moved to approve said quote as requested. Director Dupuy seconded said motion, which carried unanimously.

Ms. Arellano and Ms. Loggins exited the meeting at this time.

## **REQUEST FROM GUEFEN DEVELOPMENT PARTNERS ("GUEFEN") FOR ANNEXATION OF 11.567 ACRE TRACT INTO THE DISTRICT**

Mr. Kulkarni introduced himself to the Board and requested, on behalf of Guefen, that the Board consider the annexation of an 11.567 acre tract of land located at 17448 North Eldridge Parkway. He then presented to and reviewed with the Board Guefen's plan for the development of said tract of land, a copy of which is attached hereto as **Exhibit E**. Mr. Johnson then advised the Board that Guefen has deposited \$20,000 with the District to cover the engineering and legal fees, and other expense related to the annexation request. He then presented to and reviewed with the Board a draft annexation feasibility report prepared by RGM,

a copy of which is attached hereto as **Exhibit F**. Mr. Reed advised the Board that, if the Board is interested in the annexation, then it should (i) authorize RGM to complete the annexation feasibility study, and (ii) authorize SPH to prepare a Development, Financing and Annexation Agreement, Utility Development Agreement, and a Utility Commitment between the District and Guefen. Following discussion, Director Turner moved to (i) authorize RGM to move forward with completion of the annexation feasibility study; (ii) authorize RGM to communicate with the participants in the Northpointe Regional Wastewater Treatment Plant regarding available capacity for sale; and (iii) authorize SPH to draft said agreement between the District and Guefen, as discussed. Director Dupuy seconded said motion, which carried unanimously.

### **ENGINEER'S REPORT**

Mr. Johnson presented to and reviewed with the Board an Engineering Report dated November 17, 2021, a copy of which is attached hereto as **Exhibit G**. In connection therewith, he advised the Board that WDM is planning on conducting a sanitary manhole survey and recommended the Board authorize RGM to create a GIS application to implement the survey. Mr. Johnson then presented to and reviewed with the Board a work authorization for said GIS application for Board approval. Following discussion, the Board concurred to authorize the work as requested in an amount not to exceed \$5,000.

### **REQUEST BY PAUL EVANS FOR ANNEXATION OF PLAZA ONE INTO THE DISTRICT**

The Board next considered the ratification of its prior authorization for RGM to perform an annexation feasibility report, subject to the receipt of an initial deposit in the amount of \$20,000 to cover the engineering and legal fees, and other expense related to the annexation request. Upon review, Director Turner moved that the District's prior authorization for RGM to perform and prepare an annexation feasibility report in connection with the Plaza One annexation request upon the District's receipt of a \$20,000 deposit be ratified. Director Dupuy seconded said motion, which carried unanimously.

### **REQUEST BY UMANZORS FOR ANNEXATION OF ONE ACRE TRACT OF LAND INTO THE DISTRICT**

The Board next considered the status of the proposed annexation of a certain one-acre tract of land at 11710 Spring Cypress Road into the boundaries of the District, as requested by Michelle Umanzor. Mr. Reed reminded the Board that there is a high outstanding balance due from the property owner. He further reminded the Board that it previously authorized SPH to proceed with the proposed annexation upon receipt of a positive response to RGM from the Umanzors. Following discussion, the Board requested that RGM and SPH continue reaching out to the property owner regarding the high outstanding balance.

### **REQUEST BY FOUR SEASONS FOR ANNEXATION REGARDING 25 ACRE TRACT**

The Board next considered the status of the proposed annexation of a 25 acre tract of land located along the east side of State Highway 249 into the boundaries of the District, at the

request of Mr. Efrain and Mr. Kubeczka, on behalf of Four Seasons. No Board action was required related to this matter.

### **OPERATIONS AND MAINTENANCE REPORT**

Ms. Rowe and Mr. Townsend presented to and reviewed with the Board the Operations Report dated November 17, 2021, a copy of which is attached hereto as **Exhibit H**. Ms. Rowe advised the Board of the current status of various projects and responded to the inquiries of the Board concerning same. In connection therewith, Ms. Rowe advised the Board that there is one (1) account to be sent to collections this month in an amount of \$12.15.

Ms. Rowe next advised the Board that there are 76 stuck water meters. She then reminded that the Board that it previously authorized WDM to proceed with obtaining three (3) water meter collector upgrade kits.

### **ATTORNEY'S REPORT**

Mr. Reed next advised the Board that Chapter 2206, Texas Government Code requires each public and private entity in the State of Texas authorized to exercise the power of eminent domain to file an annual eminent domain report with the Texas Comptroller of Public Accounts (the "Comptroller") before February 1 of each year. After discussion, it was moved by Director Turner, seconded by Director Anderson and unanimously carried, that the Board authorize SPH to file the annual eminent domain report with the Comptroller prior to February 1, 2022 on behalf of the District.

Mr. Reed next advised the Board as to efforts in connection with amending the Detention Pond and Drainage Reserves Maintenance Agreement between the District and the Trails of Cypress Lake Community Association ("HOA"), as discussed at prior meetings. It was noted that no Board action was required at this time.

### **CLOSED SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071**


The Board concurred that a Closed Session would not be required in connection with today's meeting.

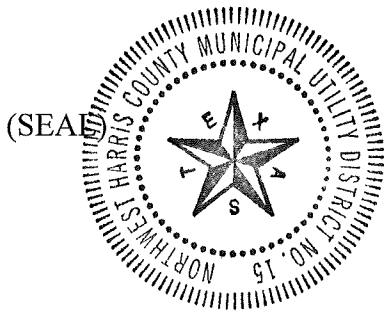
### **FUTURE AGENDA ITEMS**

The Board next considered items for placement on future agendas. In connection therewith, it was noted that the next Board meeting would take place on December 15, 2021 at 7:00 p.m. The Board also requested that an additional special meeting be scheduled in December to discuss electronic water meters. Mr. Reed stated he would look into scheduling that special meeting and communicate the schedule to the Board.

**ADJOURN**

There being no further business to come before the Board, Director Dupuy moved that the meeting be adjourned. Director Turner seconded said motion, which unanimously carried.

  
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Secretary  
Board of Directors



**NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**  
**LIST OF ATTACHMENTS TO MINUTES**  
**BOARD OF DIRECTORS MEETING**

- Exhibit A Tax Assessor-Collector's Report
- Exhibit B Delinquent Tax Report
- Exhibit C Bookkeeper's Report
- Exhibit D Detention and Drainage Facilities Maintenance Report
- Exhibit E Guefen Development Partners Development Plan
- Exhibit F Annexation Feasibility Study of an 11.567 Acre Tract of Land
- Exhibit G Engineer's Report
- Exhibit H Operator's Report