

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 365

March 23, 2022

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 23rd day of March, 2022, 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
Vacant	Secretary
Cathy Cropper	Assistant Secretary
Angela Small	Assistant Vice President

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

Also present at the meeting were Ann Nguyen Moore and Alan Silverman, residents of the District; Carlos A. Guterrez of CSF Consulting, LP ("CSF"); Michael Murr of Murr Incorporated; Brian Bare of Si Environmental LLC; Chris Burke of Burke Engineering, LLC; Whitney Higgins, Jane Miller, 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 Myrtle Cruz, Inc.; Shannon Waugh of Off Cinco; and Odett McMullin of Bob Leared Interests, Inc.

CONSENT AGENDA

Director Myers offered Board members and consultants the opportunity to remove items from the consent agenda for individual discussion. Director Coleman then moved to approve all items on the consent agenda. Director Cropper 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.

Mr. Silverman addressed the Board regarding his resignation from the Board and extended his welcome to Ms. Moore.

Mr. Burke introduced Mr. Guitierrez as the engineer for the property owners located at 12307 Woodworth Drive (the "Property Owners") who constructed the unauthorized storm water outfall (the "outfall") into the commercial ditch. The Board concurred to discuss this matter further under the appropriate agenda item.

There being no further public comments, Director Myers moved to the next agenda item.

ACCEPT RESIGNATION OF DIRECTOR SILVERMAN

The Board then considered accepting Director Silverman's resignation from the Board. Following discussion, Director Cropper moved to accept Director Silverman's resignation from the Board, effective as of February 24, 2022. Director Small seconded the motion, which passed by a unanimous vote.

APPOINTMENT OF NEW DIRECTOR

APPOINT NEW DIRECTOR

Director Myers discussed the process of appointing a new Director to the open position on the Board of Directors. Following discussion, Director Small moved to appoint Ann Nguyen Moore to the Board. Director Coleman seconded the motion, which passed by a unanimous vote.

APPROVE SWORN STATEMENT, BOND, AND OATH OF OFFICE

Ms. Higgins then reviewed the Sworn Statement, Official Bond, and Oath of Office for Ann Nguyen Moore. After review and discussion, Director Cropper moved to approve the Sworn Statement, Official Bond, and Oath of Office and direct that the documents be filed in the official records of the District, and that the Oath of Office be filed with the Secretary of State, as required by law. Director Small seconded the motion, which passed by unanimous vote.

REORGANIZE BOARD AND AUTHORIZE EXECUTION OF REGISTRATION FORM

The Board considered reorganizing the Board of Directors as follows:

Joe Myers	President
Greg Coleman	Vice President
Cathy Cropper	Secretary
Ann Nguyen Moore	Assistant Secretary
Angela Small	Assistant Vice President

Following discussion, Director Cropper moved that Director Moore be appointed Assistant Secretary and Director Cropper move to the Secretary position and all other Directors retain their current positions. Director Small seconded the motion, which passed by unanimous vote.

The Board considered authorizing the execution of the District Registration Form, updated to reflect the terms of office and appointment of the new Director. Following review and discussion, Director Cropper moved to authorize the execution of the District Registration Form and direct that the Registration Form be filed appropriately and retained in the District's official records. Director Small seconded the motion, which passed unanimously.

OPEN MEETINGS ACT TRAINING REQUIREMENTS

Ms. Higgins said the Texas Legislature requires each elected or appointed public official to complete a course of training regarding the responsibilities of the governmental body and its members under the Texas Open Meetings Act within ninety days of receiving the appointment.

CONFLICT OF INTEREST DISCLOSURE; LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Higgins reviewed Chapter 176 of the Texas Local Government Code, which requires directors and consultants to disclose certain conflicts of interest. She stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers.

ENGINEERING SERVICES

Mr. Guterrez addressed the Board regarding the unauthorized outfall into the commercial ditch, noting that CSF and the Property Owners believed they obtained the necessary approvals to construct the outfall. Director Myers stated they District has provided notice to Harris County Engineering Department ("HCED") that the commercial ditch belongs to the District and that any access points must be approved by the District prior to construction. He then stated the Property Owners (1) can request to be annexed into the District and accept payment for all fees expense and related costs associated with annexation and any feasibility or related studies; or (2) remove the outfall immediately and restore all disturbed areas owned by the District to their original condition. Discussion ensued regarding the general annexation. Mr. Guterrez stated he would follow up with Mr. Burke to discuss in greater detail.

SECURITY REPORT

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

RECYCLING SERVICES

The Board reviewed a recycling report from Best Trash, a copy of which is attached. Director Coleman updated the Board regarding recycling collection with the District.

ADDITIONAL BOOKKEEPING MATTERS

The Board next discussed Pay Estimate No. 16 and Final for the Wastewater Treatment Plant Expansion to 0.97 MGD in the amount of \$86,926.08 payable to R&B Group, Inc. Following discussion, Director Coleman moved to approve the pay estimate as presented. Director Small seconded the motion which passed by a unanimous vote.

ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

There was no discussion on this agenda item.

SMART METERS

There was no discussion on this agenda item.

WATER CONSERVATION

Director Myers addressed the Board regarding opportunities for the Board to participate in water conservation efforts.

CYPRESS CREEK FLOOD CONTROL COALITION

Director Myers addressed the Board regarding the Cypress Creek Flood Coalition ("CCFC") and requirements for membership in the CCFC. He requested the Board consider joining the CCFC, noting there is no set membership fee to join. Mr. Myers next discussed the CCFC's efforts to mitigate flooding in the Cypress Creek watershed as a regional issue and to locate federal and local funding and support for such efforts. Following discussion, Director Coleman moved to join CCFC. Director Small seconded the motion, which passed by a unanimous vote.

ADDITIONAL OPERATING MATTERS

Mr. Bare presented and reviewed the District's Critical Load List and explained that the District is required to file the list annually with Harris County and state agencies. He reported that the District engineer, operator and bookkeeper have reviewed the revised Critical Load List and verified that the information is accurate.

The Board next reviewed the District's Drought Contingency Plan. Following discussion, the Board concurred that no revisions were necessary.

Following review and discussion, Director Cropper moved to (1) approve the Critical Load List and authorize ABHR to file the same with appropriate local and State agencies; and (2) approve the annual review of the Drought Contingency Plan and authorize Si to submit to the appropriate entities. Director Coleman seconded the motion, which passed by unanimous vote.

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 Cropper 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 Small seconded the motion, which carried unanimously.

EMERGENCY PREPAREDNESS PLAN

Mr. Bare reviewed the Emergency Preparedness Plan and requested authorization to file the Emergency Preparedness Plan, if necessary. Following discussion, Director Small moved to approve and authorize Si to file the updated Emergency Preparedness Plan with the appropriate agencies if necessary, subject to receipt of additional comments from the consultants and Directors. Director Cropper seconded the motion, which passed unanimously.

ENGINEERING SERVICES

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

Mr. Burke updated the Board regarding the Wastewater Treatment Plant Expansion to 0.97 MGD, noting that the Board previously approved Pay Estimate No. 16 and Final in the amount of \$86,926.08 payable to R&B Group, Inc. under the bookkeeper's report. He then recommended final acceptance of the project. Following discussion, the Board concurred to accept the project.

Mr. Burke updated the Board regarding the semi-annual testing of the water wells, noting that during the inspection a vibration issue surfaced for water well no. 4 ("No. 4"). He then presented two proposals to pull and inspect No. 4: (1) a proposal from J&S Water Well in the amount of \$1,700; and (2) a proposal from C&C Water Services, LLC in an amount up to \$9,300. Following review and discussion, Director Coleman moved to approve the proposal from C&C Water Services in the amount not

to exceed \$9,300, as presented. Director Cropper seconded the motion, which passed by a unanimous vote.

Mr. Burke addressed the Board regarding a Harris County Drainage project and setting up a potential community meeting for April or May of 2022. The Board concurred to look at the week of April 11, 2022, to conduct the special community meeting.

RECLAIMED WATER SYSTEM

Mr. Burke updated the Board regarding the status of design of the reclaimed water system (the "system"). Discussion ensued regarding North Harris County Regional Water Authority ("NHCRWA") reclaimed water matters and additional credits available from the NHCRWA.

PUBLIC COMMUNICATIONS

Discussion ensued regarding updates to the website including posting a tribute to Mr. Silverman for his service to the District and a welcome post for Director Moore.

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 sidewalk matters, asphalt replacement, tree trimming within the District, and maintenance of the District's facilities.

ATTORNEY'S REPORT

Director Myers addressed the Board regarding (1) a proposal to Harris County Flood Control District for a Flood Risk Reduction Project Utilizing Approximately 20-Acres of a 50-Acre Detention Basin; and (2) a proposed discussion regarding purchasing land near the District for additional detention capacity. The Board concurred to discuss these matters in additional detail at the April special and regular meetings.

2022 DIRECTORS ELECTION

Ms. Higgins discussed procedures related to the 2022 Directors Election. She presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the two director positions for the May 2, 2022, Directors Election, and one candidate application withdrawal.

Ms. Higgins presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, Greg Coleman and Cathy Cropper are declared

elected to office to serve from the May 7, 2022 election until the May 5, 2026, Directors Election

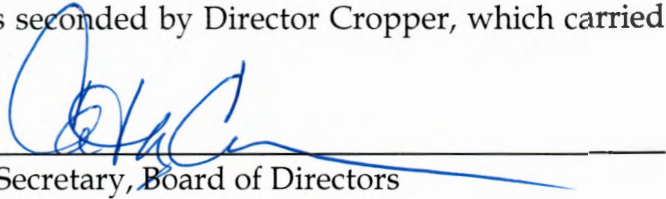
Following review and discussion, Director Cropper moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors; and (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office. Director Small seconded the motion, which carried by unanimous vote.

MEETING SCHEDULE

The Board discussed meeting on the following dates in April 2022: April 21, regular meeting and April 11, special meeting.

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




Secretary, Board of Directors

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