# MINUTES OF REGULAR MEETING HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11 HARRIS COUNTY, TEXAS

#### 4 May 2022

THE STATE OF TEXAS § COUNTY OF HARRIS

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 11 (the "District") met in regular session, open to the public at 5:00 p.m. on the 4th day of May 2022 at the offices of Coats Rose, P.C., 9 Greenway Plaza, Suite 1000, Houston, Texas 77046, outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Kenneth D. Vasina
Cynthia Ann Cruz
Vice President
Tammy B. Rose
Marvin L. Zahradnik
Luther F. Cowling

President/Investment Officer
Vice President
Secretary/Treasurer
Assistant Secretary/Treasurer
Assistant Vice President

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

Also present were Robin Goin of Bob Leared Interests, the District's Tax Assessor/Collector; Hala Abdo, P.E., of A&S Engineers, Inc. ("A&S"), the District's Engineer; Dennis Wright of Water District Management Company, Inc., the District's Operator; Cole Konopka, Christopher Hsu and David Green of Coats Rose, P.C., the District's Attorney; John Hale, E.I.T., of IDS Engineering Group; Rick Barker of Schwartz, Page & Harding, L.L.P.; JoAnn Vasina, an interested party; and Leroy Rose, a resident of the District.

Director Vasina called the meeting to order.

# Central Harris County Regional Water Authority / Surface Water Transmission Line Project

The Board discussed matters relating to the Central Harris County Regional Water Authority's (the "CHCRWA") proposed surface water transmission line project (the "Transmission Line") to provide surface water to Harris County Municipal Utility District No. 33 and Fallbrook Utility District. The President recognized Mr. Hale and Mr. Barker, who gave a presentation on the proposed alignment of the Transmission Line through certain rights-of-way and easements in the District. Mr. Hale discussed with the Board the proposed schedule for the construction of the Transmission Line and for acquisition of the water line easements for same. A discussion ensued between the Board and Messrs. Hale and Barker regarding the Transmission Line project. Director Vasina expressed his desire for an agreement between the District and the CHCRWA

regarding the placement of the portion of the Transmission Line within the boundaries of the District (the "Transmission Line Agreement").

Director Vasina then presented to those in attendance the following: (1) a memorandum drafted by Director Vasina explaining why the Transmission Line Agreement was necessary prior to the acquisition of easements by the CHCRWA and the construction of the Transmission Line within the boundaries of the District; and (2) a proposed draft Transmission Line Agreement between the District and the CHCRWA that would release the District of all liability and responsibility relating to the Transmission Line project during its construction and operation. Copies of the memo and the draft Transmission Line Agreement are attached hereto as exhibits. Director Vasina emphasized to Messrs. Hale and Barker that the District was not a member of the CHCRWA. Messrs. Hale and Barker stated that they would review and comment on the memorandum and draft Transmission Line Agreement presented by Director Vasina. They then departed from the meeting.

#### Tax Assessor/Collector's Report

Ms. Goin presented the Tax Assessor/Collector's Report for the Board's consideration. She reported that the District's 2021 tax levy was 94.9% collected as of 30 April 2022. She asked for the Board's approval of six checks written on the District's tax account, said checks including the transfer of \$5,545.05 in revenues from the District's tax for maintenance and operations to the General Fund and the transfer for \$10,000 to the Debt Service Fund. Ms. Goin then called the Board's attention to the list of Top Delinquent Taxpayers, a copy of which is included in the Tax Assessor/Collector's Report. A discussion ensued regarding the delinquent property tax account of Crescent Directional Drilling, LP ("Crescent"). Ms. Goin reported that Crescent had requested an agreement for the payment of the property taxes due to the District in six monthly installments (the "Installment Agreement").

After discussion, upon a motion duly made by Director Rose and seconded by Director Zahradnik, the Board voted unanimously to: (1) accept the Tax Assessor/Collector's Report; (2) authorize the disbursements from the District's Tax Account as listed therein; and (3) authorize the District's Tax Assessor/Collector to offer an Installment Agreement to Crescent. A copy of the Tax Assessor/Collector's Report is attached hereto as an exhibit to these minutes.

# **Delinquent Tax Attorney's Report**

Next, Ms. Goin submitted to and reviewed with the Board the Delinquent Tax Attorney's Report dated 4 May 2022, as prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's Delinquent Tax Attorney. A copy of the Delinquent Tax Attorney's Report is attached hereto as an exhibit to these minutes.

#### **Engineer's Report**

Ms. Abdo presented the Engineer's Report, a copy of which is attached hereto as an exhibit.

Rehabilitation of Sanitary Sewer Lines in Woodgate Subdivision, Sections 1 and 2 (the "Sewer Repairs"). Ms. Abdo reported on the status of the contract with King Solution Services LLC ("KSS") for the Sewer Repairs. She stated that the District's Engineer is preparing an exhibit summarizing the remaining items of work and associated costs for the Sewer Repairs for review at the Board's meeting on 25 May 2022.

Request for Service / Taco Bell Restaurant. Ms. Abdo reported on the request for service from the new Taco Bell restaurant located on Veterans Memorial Drive north of Aldine Western Road (the "Restaurant"). She stated that the District's Engineer was awaiting receipt of a revised set of plans for the Restaurant.

Inspection of Storm Sewer Outfall Pipes Into Drainage Channels and Roadside Ditches along Veterans Memorial Drive (the "Outfall Inspection"). The Board discussed matters relating to the Outfall Inspection. Ms. Abdo recalled that the Harris County Flood Control District (the "HCFCD") had informed the District's Engineer that the drainage ditches into which the outfall pipes discharge were due for maintenance by mid-May 2022. She stated that A&S would inspect the area after the maintenance is performed by the HCFCD. Ms. Abdo then reported that the Maple Ridge Place Community Association, Inc. (the "Association") had not responded to the letter from A&S requesting that the Association address the damaged outfall pipes in the Maple Ridge Place Detention Pond.

Arsenic Remediation System at Water Plant No. 2 (the "Arsenic System"). Ms. Abdo reported that A&S was awaiting a response from the Texas Commission on Environmental Quality regarding the data testing report for the pilot study on the Arsenic System that was submitted earlier this year.

<u>Drainage Study / Area Adjacent to Veterans Memorial Drive</u>. Ms. Abdo reported that the District's Engineer was awaiting a response from Harris County Commissioner Precinct No. 2 regarding the District's request for rehabilitation of the roadside drainage ditch along Veterans Memorial Drive.

Water Supply and Groundwater Reduction Plan Wholesale Agreement (the "GRP Agreement"). The Board briefly discussed matters relating to the GRP Agreement dated 5 March 2003 between the District and the City of Houston (the "City"). Ms. Abdo stated that she had nothing new to report on this matter. She noted that A&S was awaiting receipt of the alignment of the City's proposed surface water line for review.

<u>Traffic Issues in Woodgate Subdivision, Section 3 ("Section 3")</u>. The Board briefly discussed matters relating to traffic issues in Section 3, including the District's request

for the installation of a traffic light at the intersection of Veterans Memorial Drive and Marshwood Road. Ms. Abdo reported that the District's Engineer was awaiting an update from Harris County Commissioner Precinct 1 in connection with the study to be prepared by the Harris County Traffic Study Department.

Memorial Plaques for Former Directors (the "Plaques"). The Board discussed matters relating to the Plaques honoring former Directors Marjorie Guillory and Billy D. Taylor to be installed in the retaining wall on the southwest corner of the intersection of Woodsdale Boulevard and Woodington Drive. Ms. Abdo reported that Crowley Signs & Graphics, Inc. had completed the installation of the Plaques. She called the Board's attention to photographs of the installed Plaques, copies of which are included with the Engineer's Report. Director Rose reported that she had viewed the Plaques and discovered what appears to be a gap in the adhesive material in a corner of one of the Plaques. Ms. Abdo stated that the District's Engineer would look into this matter.

Harris County Commissioner Precincts 1 and 2. Ms. Abdo reviewed with the Board an exhibit prepared by the District's Engineer that displays the boundaries of Harris County Commissioner Precincts 1 and 2 within the boundaries of the District. A copy of the exhibit is included with the Engineer's Report.

After further discussion, upon a motion duly made by Director Cowling and seconded by Director Cruz, the Board voted unanimously to accept the Engineer's Report.

### **Operator's Report**

Mr. Wright presented the Operator's Report, a copy of which is attached hereto as an exhibit to these minutes. He reviewed with the Board the condition of the District's facilities. Mr. Wright mentioned that in June 2022 the District's Operator would perform the annual preventive maintenance on the fire hydrants in the District.

<u>Automated Mass Notification System</u>. The Board then discussed the status of the automated mass notification system (the "Notification System") for providing information to the District's customers. The Board directed Mr. Wright to transmit monthly messages to the District's customers reminding them to keep their dogs on a leash when they are not in a secured area. Then the Board directed Mr. Wright to transmit a message to the District's customers requesting that they refrain from placing disposable rags and wipes into the District's wastewater collection system.

After further discussion, upon a motion duly made by Director Rose and seconded by Director Cowling, the Board voted unanimously to accept the Operator's Report.

#### **Security Patrol Report**

Director Zahradnik reviewed with the Board the Security Patrol Report for the month of April 2021 as prepared by the Harris County Sheriff's Office. A copy of the

Security Patrol Report is attached hereto as an exhibit to these minutes. A discussion ensued regarding a certain residence on Woodwild Drive that was reportedly operating as a group residential facility. Director Zahradnik stated that he would discuss this matter with Deputy Francisco Avila of the Sheriff's Office.

#### **Amend Rate Order**

Consideration was then given to amending the District's Consolidated Rate Order with respect to the rates charged for water service to tax-exempt entities located within the District and tax-exempt entities located outside the boundaries of the District.

After discussion, the Directors agreed to amend Section 3.01.D to read as follows:

### "D. Non-Taxable Entity (In-District).

First 7,000 gallons \$35.00 (minimum)
7,001 to 20,000 gallons \$6.00 per 1,000 gallons
All over 20,000 gallons \$10.00 per 1,000 gallons"

After discussion, the Directors agreed to delete Section 3.01.E in its entirety and replace it with the following:

#### "E. Non-Taxable Entity (Out-of-District).

First 7,000 gallons \$105.00 (minimum)
7,001 to 20,000 gallons \$18.00 per 1,000 gallons
All over 20,000 gallons \$30.00 per 1,000 gallons"

Then, after discussion, upon a motion duly made by Director Rose and seconded by Director Cruz, the Board voted unanimously to amend the Rate Order as described above. A copy of the Rate Order thus amended is on file in the permanent records of the District.

Mr. Konopka then presented Director Vasina with execution drafts of the letters from the District to the St. John Neumann Catholic Church (the "Church") and the U.S. Department of Veterans Affairs (the "DVA") regarding the District's rates for water service to be charged to the Church and to the Houston National Cemetery pursuant to the amended Rate Order. Director Vasina then executed the letters, copies of which are attached hereto as exhibits to these minutes.

#### **Attorney's Report**

Mr. Konopka stated that there were no additional items to be discussed under the Attorneys Report.

	There	being	no	further	business	to	come	before	the	Board,	the	meeting	was
adjour	ned.												
		Secretary, Board					of Directors						
SEAL								<b>,</b>					

# Harris County Municipal Utility District No. 11 Meeting of 4 May 2022 Attachments

- 1. Tax Assessor/Collector's Report;
- 2. Delinquent Tax Attorney's Report;
- 3. Engineer's Report;
- 4. Operator's Report;
- 5. Security Patrol Report;
- 6. Letter from the District to St. John Neumann Catholic Church; and
- 7. Letter from the District to the U.S. Department of Veterans Affairs.