

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155
Minutes of Meeting of Board of Directors
May 16, 2022

A meeting of the Board of Directors (“Board”) of Harris County Municipal Utility District No. 155 (“District”) was held on May 16, 2022 at Workspace Suites, 16517 Longenbaugh Drive, Houston, Texas, in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

- Margaret K. Dawson, President
- Jim Denmon, Vice President
- Clint Wilhelm, Secretary
- Barbara Scott, Director

and the following absent:

- Corey Manahan, Director

Also present were Ms. Diane Bailey, District bookkeeper; Mr. John Taylor and Mr. Chris Sanchez, Municipal Operations & Consulting, Inc; Ms. Debbie Arellano, tax assessor-collector; Mr. John Gerdes, District engineer; District resident Mr. Bill Poppe; Mr. Pat Burke and Mr. Jeff Penney, representing Harris County MUDs No. 172 and No. 156, respectively; and Ms. Melissa J. Parks, attorney for the District.

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

1. The Board considered the following items from the consent agenda: Minutes of the Board of Directors meeting held April 18, 2022, which the Board approved as revised.

Tax assessor-collector’s report, including invoices and a schedule of delinquent taxes. Tax collections for 2021 are at 97.754% through April 30.

Bookkeeper’s report, a copy of which is attached hereto, including invoices, a schedule of investments and an investment report.

After discussion by the Board, upon motion duly made, seconded, and unanimously carried, the Board approved the items on the consent agenda, including checks as reflected on the tax assessor collector’s and bookkeeper’s reports.

2. The Board opened the meeting for public comment. Mr. Penney commented on the entity interested in developing an 81-unit apartment project near the intersection of Barker and West Road and south of the Aldi’s. The proposed developer had recently conducted a meeting with residents of MUD 156 about the project. John Gerdes commented that a concern with the project is pile driving during construction.

3. The Board discussed the request of District resident Bill Poppe for replacement of a section of his driveway. Investigation by the District's operators confirmed no inflow or infiltration was found in the sewer lateral located on the right side of the customer's driveway. The area at issue is on the left side. It was mentioned that there are no storm drainage lines located nearby. If the blowoff valve were leaking, it would leak into the meter box and surrounding area, not underneath the driveway. Mr. Poppe indicated he intended to address the situation and sought advice for correcting it and preventing its recurrence. Mr. Poppe indicated he would like to tear out the driveway and expose District water pipes so that he and the District's operator/engineer could make an observation. The Board agreed, noting that if the water tap is found to be located underneath the driveway, the District will move the tap and replace the section of the driveway between the two expansion joints. If the tap is not under the driveway, the District will oversee reburial of its line. It will then be up to the resident to address and pay for resolving the driveway issues. Ms. Parks again stated that as a governmental entity, the District has governmental immunity and generally is not liable for property damage. The District's insurance policies rely on this principle and do not provide coverage for water-related issues. The Board could choose to proceed as described as above using District funds. After discussion, it was agreed that the District's operators will pull up Mr. Poppe's driveway and dig down to the main to determine the location of the District's water tap. If the tap is not under the driveway, the District will replace the dirt and leave the driveway work to the resident. After further discussion, the Board authorized proceeding in this manner, requesting John Taylor to coordinate with Mr. Poppe and Director Wilhelm. During observation in the field, Director Wilhelm was authorized by the Board to make a final determination on the Board's behalf in consultation with John Taylor.

4. The Board President executed Certificates of Election indicating that Clint Wilhelm and Corey Manahan were declared duly elected, and the Board accepted those certificates as presented. Mr. Wilhelm executed a letter of qualification, statement of elected officer, and oath of office. He also completed a conflict of interest disclosure statement, and received a memorandum regarding completion of required open meetings and public information act training. After discussion, upon unanimous vote, the Board accepted the letter of qualification, statement, and oath of office of Clint Wilhelm for a new four-year term. The Board will consider Mr. Manahan's documents at the next regular meeting.

5. The Board considered an election of officers, but due to Director Manahan's absence, agreed to place the item on next month's agenda.

6. The Board considered selection of a depository bank for the District's tax account. At previous meetings, Ms. Arellano had indicated her office would recommend opening an account at Wells Fargo, but she now reported that bank was not willing to execute a Depository Pledge Agreement meeting District requirements. Ms. Arellano now recommended opening a tax account at Allegiance Bank, and she presented for Board execution a Depository Pledge Agreement with that bank which had been reviewed and approved by the District's attorneys. After discussion, the Board authorized selection of Allegiance Bank as the depository and authorized closing the account at Central Bank. After further discussion, the Board also unanimously authorized execution of the Depository Pledge Agreement. Ms. Arellano would obtain the necessary signatures from the bank so the District could have a fully-executed document for its files.

7. John Taylor presented the operations report, copy attached, reflecting 825 total connections and 2 vacancies. Water accountability during the month was 99%, and the sewage treatment plant had operated at 37% of permitted capacity.

On the operator's recommendation, two accounts in the amount of \$35.91 were deemed uncollectable and referred to a collection agency. Mr. Taylor then submitted a list of 40 delinquent accounts to the Board subject to termination of utility service. He stated that these customers had been given written notification of the opportunity to appear, either in-person or in writing, at the Board meeting to contest, explain, or request correction of the charges, services, or disconnection. The affected customers were not in attendance, nor had anyone on their behalf contacted the operator's office or the District in response to the notification. After discussion, upon motion duly made, seconded unanimously carried, the Board authorized the operator to proceed with termination of utility service to said accounts pursuant to provisions of the District's Rate Order.

Mr. Taylor presented and reviewed a report on manhole repairs and noted that actual costs were coming in very close to the costs that had been estimated. The operators will prioritize the remaining manhole repair work. Mr. Taylor then discussed de-ragging the lift pumps at the lift station, and as previously requested by the Board presented costs incurred by the District for repairs and maintenance at the north and south lift stations since 2020. There had been a reduction in expenditures since the lift pumps had been changed out.

Mr. Taylor addressed correspondence from the Texas Commission on Environmental Quality (TCEQ) notifying the District of four alleged violations arising after a comprehensive compliance investigation at the water plant. The operators have already re-submitted to TCEQ documentation addressing correction of ponding on the water tank roof and confirmation that all dead-end mains are being flushed regularly. The operator's compliance department is in communication with the TCEQ regarding prior TCEQ approval of the existing interconnection with Harris County MUD No. 163 and about well-completion data for the District's well drilled in 1984. Mr. Taylor will coordinate with Mr. Gerdes and keep the Board apprised of responses made to the TCEQ on behalf of the District.

Mr. Taylor reviewed with the Board the District's annual Consumer Confidence Report, pointing out changes from last year's report and noting no issues. The operators will distribute this report to District customers by the July 1 deadline via a direct link placed on water bills and then submit compliance documentation to TCEQ.

Mr. Taylor reported that Municipal Operations & Consulting's main plant operator Tony will soon be taking FMLA leave. Chris Sanchez, an area supervisor in the District, will handle District business during that time. Finally, Director Dawson reported observing excessive riding of motorcycles and dirt bikes on the road to the sewage treatment plant. It was noted a "no motorized vehicles" sign was already in place. This activity should be reported to area law enforcement personnel. After further discussion of the operator's report, upon motion duly made, seconded, and unanimously carried, the Board approved the report as presented.

8. Mr. Gerdes presented an engineer's report, copy attached. JACH Controls

& Automation has been working on the electrical panel at the water plant and is wrapping up the remaining items to finish out the project. During the work, JACH had found a flow switch on the well but not a pressure switch, so the flow switch has been removed and replaced with a pressure switch. The water plant was brought back on line today, and the engineers will soon schedule a final walk through with the contractor, operator, and available Board members prior to recommending final payment to the contractor. Thereafter, an electrical engineer will perform a load analysis at both the water and sewer plants in relation to the existing CenterPoint transformer and meter.

Mr. Gerdes reported on work by CFG Industries at the joint sewage treatment plant. This contractor has completed contract items not pertaining to the refinishing of the plant walls. CFG has now received the remaining needed supplies to begin preparing and painting the chamber walls. This contract is still on schedule for completion on July 28. Mr. Gerdes next reported on the fence repair at 7938 Millbrook Lane, noting that the final payment due to the contractor UpLevel Remodeling was being held until the project is complete and the area has been cleaned up in a satisfactory manner. Mr. Gerdes noted the homeowner will be encouraged to install pet fencing or grates.

Mr. Gerdes then addressed the backslope interceptor and fence replacement project, noting that he still does not plan to proceed further until access to project materials has improved. During research and preparation for the project, Mr. Gerdes had come across materials and other documentation concerning easements over and ownership of property in the section of the drainage channel between Queenston and the bridge. He presented copies of these documents to Ms. Parks, who at the request of Pat Burke would also provide a copy to Mr. Goodall for use by Harris County MUD No. 172. Mr. Gerdes and the Board noted they believe a large West Harris County Regional Water Authority water line may be in the vicinity of this project area, which Mr. Gerdes will further explore. For this project Mr. Gerdes intends to prepare a preliminary drawing for review by the District's Parks Committee before proceeding further. After further discussion, the Board unanimously approved the engineer's report.

9. It was reported to the Board that correspondence had been received from the United States Environmental Protection Agency regarding its Quality Assurance Study 42 (DMR-QA Study 42) covering all major and selected minor NPDES waste discharge permit holders. The District must participate in this study of lab testing of wastewater discharge reporting, and Mr. Taylor stated his office will handle this matter.

10. The Board discussed landscape maintenance services of Michael Smith, who was not present. Apparently two of Mr. Smith's trucks are having problems, including theft of a catalytic converter. Director Dawson reported that Mr. Smith has obtained the trees for the replacement project but has not yet been able to plant them. He has also received the bench and will soon be installing it.

11. The Board considered pending business, including the status of billing under the Emergency Water Supply Contract with Harris County MUD No 163. There was no final resolution yet, since as reported earlier in the meeting the District's water plant had only recently been put back online. The operators will send usage information to both the District's bookkeeper and attorney who will then prepare the proper invoicing and communications with

No 163 on the subject. Regarding items for placement on the next meeting agenda, it was noted the operator would like an item to allow the Board to consider a minor amendment to the District's operating contract. Finally, it was mentioned that Harris County Precinct 3, in conjunction with an Association of Water Board Directors committee, will soon hold a town hall meeting about the new Harris County Precinct 3 boundaries and transition, as well as future flood control projects in the area. Those interested in attending must register for the event.

There being no further business to come before the Board, the meeting was adjourned.

A handwritten signature in black ink, consisting of stylized cursive letters, positioned above a horizontal line.

Secretary

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested parties that the Board of Directors of the captioned District will hold a public meeting at Workspace Suites, 16517 Longenbaugh Drive, Houston, Texas 77095.

The meeting will be held at **6:00 p.m. on Monday, May 16, 2022.**

The subject of the meeting is to consider and act on the following:

CONSENT AGENDA: The following items are considered routine by the Board and will be enacted by one motion if appropriate. No separate discussion will occur on these items unless a Board member or member of the public so requests, in which event, the item will be considered on the Regular Agenda.


1. Approve minutes of meeting held on April 18, 2022
2. Tax assessor-collector's report and payment of invoices
3. Bookkeeper's report and payment of invoices; review and approve investment report

REGULAR AGENDA: Consideration of and action on the following items, plus any items removed from the Consent Agenda.

1. Presentation of public comments
2. Approve certificates of election; approve qualifications of newly elected directors; accept oaths and statements of elected officials; conflict of interest disclosures; open government training; update compliance document/website for change in director terms of office
3. Election of officers
4. Selection of District depository bank for tax account; Depository Pledge Agreement with Allegiance Bank
5. Operator's report; review active connections and water accountability; status of operation, maintenance, and repair of District facilities; consider customer appeals; approve termination of service on delinquent accounts; status of manhole repairs; proposal to sandblast and paint fire hydrants
6. Engineer's report, including:
 - a. status of electrical work at water plant;
 - b. status of rehabilitation work at joint sewage treatment plant and funding for same;
 - c. status of fence repair on Millbrook Lane and related insurance claim;
 - d. status of design of backslope interceptor and fence replacement project; and
 - e. authorize preparation of plans as appropriate; authorize advertising for bids; award contracts; approve change orders.

7. EPA DMR–Quality Assurance Study 42 of National Pollutant Discharge Elimination System permit holders
8. Report from Michael’s Maintenance
9. Pending business, including:
 - a. comments from/discussion with other participants in regional facilities;
 - b. status of payments of increased joint water plant and sewer plant operating reserves;
 - c. customer request for replacement of driveway section;
 - d. status of billing under emergency water supply contract with Harris County MUD No. 163
 - e. Harris County Precinct 3 town hall meeting; and
 - f. items for placement on next meeting agenda
10. Executive Session as necessary Authorized under Texas Government Code Ann., §551.071
11. Reconvene in Open Session and act on matters discussed in Executive Session, as necessary





Melissa J. Parks
Attorney for the District