

MINUTES OF MEETING OF
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 70,
OF HARRIS COUNTY, TEXAS
December 28, 2023

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 70, of Harris County, Texas (the "District") met in special session on December 28, 2023, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Stephanie Peters, President
Ron Sanches, Vice President
Rudolph Lange, Secretary
Rachel Knight, Assistant Secretary
Ronald Garcia, Assistant Secretary

All of said persons were present, except Director Knight, thus constituting a quorum. Director Knight entered later in the meeting, as noted herein.

Also present at the meeting were: Rachel Broom of Cobb Fendley & Associates, Inc. ("CobbFendley"); Darrell Hawthorne of Municipal Accounts & Consulting, L.P. ("MA&C"); Ryan Vaughn of Municipal Operations & Consulting, Inc. ("MOC"); Brenda McLaughlin of Bob Leared Interests ("BLI"); and Spencer Creed of Schwartz, Page & Harding, L.L.P. ("SPH"). Sam Cocke of Double Oak Erosion ("DOE") entered later in the meeting, as noted herein.

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

JOINT SEWAGE TREATMENT PLANT COMMITTEE MEETING

MINUTES

The Joint Sewage Treatment Plant Committee portion of the minutes of the District's October 26, 2023, Board meeting were considered. No comments were offered regarding same.

ENGINEERING REPORT

Ms. Broom presented and reviewed a written Engineering Report for the Joint Sewage Treatment Plant Committee Meeting, a copy of which report is attached hereto as **Exhibit A**, and presented and reviewed a revised Capital Improvement Plan for the Joint Waste Water Treatment Plant (the "Joint WWTP"), a copy of which is attached to the as part of Exhibit A.

OPERATIONS REPORT

Mr. Vaughn presented and reviewed the WWTP Operations Report for the month of November 2023, a copy of which report is attached hereto as **Exhibit B**, and discussed same with the Board.

Mr. Vaughn next presented to and reviewed with the Board a revised monthly status report regarding the status minor electrical repairs, a copy of the report being attached to the Wastewater Treatment Plant Operations Report.

BOOKKEEPER'S REPORT

Mr. Hawthorne presented to and reviewed with the Board the Joint Sewage Treatment Plant ("JSTP") Bookkeeper's Report for December 2023, a copy of which report is attached hereto as **Exhibit C**, including the disbursements presented for payment. After discussion, it was moved by Director Sanches that the JSTP Bookkeeper's Report be approved and that the disbursements identified in the report be authorized for payment. Director Garcia seconded said motion, which unanimously carried.

JOINT SEWAGE TREATMENT PLANT ATTORNEY REPORT

Mr. Creed then presented a final version of the Memorandum of Understanding ("MOU") Concerning Operational Procedures, a copy of the MOU being attached hereto as **Exhibit D**. Mr. Creed advised this version of the MOU incorporates all comments received from the committee members. After discussion, it was moved by Director Lange that the MOU be approved as presented and that SPH be authorized coordinate the execution of the MOU by the other participating districts. Director Garcia seconded said motion, which unanimously carried.

DISTRICT MEETING

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

COMMENTS FROM THE PUBLIC

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

MINUTES

The Board considered approving the minutes of the District's November 16, 2023, Board meeting. After discussion, Director Lange moved that the November 16, 2023, Board meeting minutes be approved as written. Director Garcia seconded said motion, which unanimously carried.

HARRIS COUNTY SHERIFF'S OFFICE ("HCSO") SECURITY ACTIVITY REPORT

Mr. Creed presented the HCSO Security Activity Report for December 2023, a copy of which report is attached hereto as **Exhibit E**, and discussed same with the Board.

Director Knight entered the meeting during the discussion of the HCSO Security Report.

BOOKKEEPER'S REPORT AND QUARTERLY INVESTMENT INVENTORY REPORT

Mr. Hawthorne presented to and reviewed with the Board the Bookkeeper's Report dated December 28, 2023, a copy of which report is attached hereto as **Exhibit F**, including the disbursements listed therein. After discussion, it was moved by Director Garcia that the report be approved and that the disbursements identified in the report be authorized for payment. Director Lange seconded said motion, which unanimously carried.

Mr. Hawthorne next presented to and reviewed with the Board a Quarterly Investment Inventory Report, which had been prepared by MA&C for the reporting period ending September 30, 2023, a copy of which is attached to the Bookkeeper's Report. After review of the Quarterly Investment Inventory Report and upon motion duly made by Director Garcia, seconded by Director Lange and unanimously carried, said Quarterly Investment Inventory Report was approved and the District's Investment Officer was authorized to execute same on behalf of the Board and the District.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. McLaughlin presented and reviewed the Tax Assessor/Collector's Report for November 30, 2023, including the disbursements presented for payment as listed therein, a copy of which report is attached hereto as **Exhibit G**. After discussion, Director Garcia moved that said report be approved and that the disbursements identified in the report be approved for payment from the tax account. Director Peters seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS ATTORNEY'S REPORT

The Board deferred action with respect to the review of a Delinquent Tax Report from the District's Delinquent Tax Collections Attorneys, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., as a report was not received this month.

RATIFICATION OF PRIOR APPROVAL OF RESOLUTION APPROVING SUBMITTAL OF WATER SMART APPLICATION FOR INCLUSION IN THE ASSOCIATION OF WATER BOARD DIRECTOR'S WATER SMART PARTNERS PROGRAM

The Board next considered the ratification of its prior action regarding the approval of a Resolution Approving Submittal of Water Smart Application for Inclusion In the

Association of Water Board Directors Water Smart Partners Program. After discussion, Director Garcia moved that the Board's prior action regarding the approval of the Resolution be ratified and approved in all respects. Director Peters seconded said motion, which carried unanimously.

OPERATIONS REPORT

Mr. Vaughn presented and reviewed the Operations Report for the month of December 2023, a copy of which report is attached hereto as **Exhibit H**, and discussed same with the Board.

Mr. Vaughn next presented to and reviewed with the Board the list of delinquent accounts for the prior month. He inquired if the Board was interested in delaying water terminations due to the holidays. Mr. Vaughn then requested authorization to move three (3) accounts to collections in the amount of \$397.33. After discussion, Director Garcia moved (i) to retain the cut-off date for delinquent accounts of January 2, 2024, and (ii) that MOC be authorized to forward three (3) accounts to collections in the amount of \$397.33, as discussed. Director Peters seconded said motion, which unanimously carried.

Mr. Vaughn reported that testing for polyfluoroalkyl substances ("PFAS") in the District's drinking water has been scheduled for June 2024.

Mr. Vaughn next reported that there are approximately 66 sanitary sewer manholes (the "Manholes") in the District that need to be repaired. He requested approval from the Board to begin the repairs on a schedule of approximately fifteen manholes per month and noted that Harris County Flood Control District will need to be involved in the repairs of the storm sewer manholes. After discussion, Director Garcia moved to: (i) authorize MOC to begin repair on four (4) Manholes identified for priority repairs; and (2) authorize MOC to prepare a cost summary for Board review at the January meeting for the remaining Manhole repairs. Director Lange seconded said motion, which unanimously carried.

A discussion ensued regarding the establishment of a list for manholes and fire hydrants which will be inspected annually (if such inspection is not already being done).

Director Garcia queried Mr. Vaughn regarding the "insufficient funds" reference included for certain delinquent accounts in his report. Mr. Vaughn noted that he would research the accounts and report his findings to the Board at the January Board meeting.

ENGINEERING REPORT

Ms. Broom presented to and reviewed with the Board a written Engineering Report for the District, a copy of which report is attached hereto as **Exhibit I**, and discussed same.

Ms. Broom then discussed the status of Bond Application Report No. 13.

Ms. Broom next presented to and reviewed with the Board an engineering proposal for the Expanded Water Line Replacement Project (the "Water Line Project") in the amount of

\$734,800.00. A discussion ensued regarding choosing from two (2) potential locations in the District for use as staging areas for the Water Line Project for approximately three to five months. Ms. Broom presented a map showing location number 1 adjacent to the water plant on Connemara Drive and location number 2 adjacent to the tennis courts on Paddock Bend Drive, which is considered to be the recommended site. After discussion, Director Peters moved to approve the Water Line Project proposal as presented. Director Lange seconded said motion, which unanimously carried. Copies of the Proposal and maps are attached to the Engineering Report.

Mr. Cocke entered the meeting during the discussion of the Water Line Project.

Director Lange next presented to and reviewed with the Board a draft notice regarding the Water Line Project and suggested that, after review of same by the District's consultants, it could be placed in the utility bills following the award of the Water Line Project contract.

DRAINAGE FACILITY MAINTENANCE REPORT

Mr. Cocke next presented to and reviewed with the Board a Maintenance Report prepared by DOE dated December 28, 2023, a copy of which report is attached hereto as **Exhibit J**.

Mr. Cocke: (i) presented to and reviewed with the Board a proposal to repair the broken hinge on one of the District's trash trooper units in the amount of \$950.00, and a proposal to clean two (2) trash trooper units in the amount of \$1,000.00; and (ii) reported the receipt of Harris County's Notice of Renewal of the Stormwater Quality Permit No. 8-0002048-3 for Westgate Section 18 and Section 19 located at 18600 Fair Grange Lane (the "Notice"), and requested authorization for DOE to respond to Harris County on behalf of the District and provide the requested documentation for renewal. Copies of the proposals and the Notice are attached to the Maintenance Report. After discussion, it was moved by Director Lange, seconded by Director Sanches and unanimously carried, that the Board: approve the proposal to repair the broken hinge in the amount of \$950.00; (ii) approve the proposal to clean two (2) trash trooper units in the amount of \$1,000.00; and (ii) authorize DOE to respond to Harris County on behalf of the District and provide the requested documentation related to the renewal of Harris County's Stormwater Quality Permit No. 8-0002048-3 for Westgate Section 18 and Section 19 located at 18600 Fair Grange Lane.

UTILITY COMMITMENTS

The Board deferred action regarding utility commitments as no additional requests were made this month.

GFL ENVIRONMENTAL STATUS REPORT

Mr. Creed presented to and reviewed with the Board GFL Environmental's ("GFL") report for the month of November 2023 and Call Log, copies of such report and log being attached hereto as **Exhibit K**.

DISTRICT WEBSITE

Mr. Creed presented to and reviewed with the Board the District's Google Analytics Quarterly Report from Off Cinco, a copy being attached hereto as **Exhibit L**.

EXECUTIVE SESSION

The Board determined it would not be necessary to enter into Closed Session pursuant to Texas Government Code Sections 551.071 and/or 551.076.

COMMUNICATIONS WITH HOMEOWNER'S ASSOCIATIONS ("HOA")

Director Lange reported that he had no additional information to report on this matter at this time.

NOTICE REGARDING CANDIDATE FILING PERIOD

Mr. Creed advised the Board that, pursuant to Section 141.040, Texas Election Code, the District is required to post a notice regarding the period during which a candidate may file an application to appear on the ballot for the District's directors election to be held on May 4, 2024. Mr. Creed noted that such notice was required to be posted by December 18, 2023 (i) at the in-District posting location for notices of meetings, (ii) at the District's administrative office, and (iii) on the District's website, if it maintains a website. Mr. Creed noted that such postings had been completed by SPH on behalf of the District. After discussion on the matter, upon motion made by Director Lange, seconded by Director Peters and unanimously carried, the Board authorized SPH to prepare and post such notice on behalf of the Board and the District.

ATTORNEY'S REPORT

The Board considered the Attorney's Report. In connection therewith, Mr. Creed reported the receipt of correspondence from the West Harris County Regional Water Authority (the "WHCRWA") including a request for the completion and submission of the 2023 Water Usage Reporting Form (the "Reporting Form") by the District prior to March 1, 2024, a copy of the WHCRWA correspondence and Reporting Form are attached hereto as **Exhibit M**. After discussion, Director Peters moved to authorize MOC to complete and submit the 2023 Water Usage Form to the WHCRWA prior to March 1, 2024. Director Garcia seconded said motion, which unanimously carried.

FUTURE AGENDA MATTERS

The Board considered items for placement on a future agenda. No specific agenda items, other than routine and ongoing matters and matters noted earlier in the meeting were requested.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Garcia, seconded by Director Lange and unanimously carried, the meeting was adjourned.


Secretary



LIST OF ATTACHMENTS TO MINUTES

- Exhibit A Engineering Report – Joint Wastewater Treatment Plant Committee
- Exhibit B Wastewater Treatment Plant Operations Report
- Exhibit C Joint Sewage Treatment Plant Bookkeeper's Report
- Exhibit D Memorandum of Understanding
- Exhibit E Security Activity Report
- Exhibit F Bookkeeper's Report and Quarterly Investment Inventory Report
- Exhibit G Tax Assessor/Collector's Report
- Exhibit H Operations Report
- Exhibit I Engineering Report
- Exhibit J Double Oak Erosion Maintenance Report
- Exhibit K GFL Environmental Report and Call Log
- Exhibit L Off Cinco Google Analytics Quarterly Report