

MINUTES
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

January 22, 2024

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session, open to the public, on the 22nd day of January 2024, at the Mayde Creek Event Center, 19600 Misty Cove, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Cyrus Dumas	President
Jessica Graham	Vice President
Betty Mancina Alvarenga	Secretary
Lee Crenshaw	Director
Vacant	Director

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

Also present at the meeting were: Judith McGlaughlin of One Creek West, Inc.; Erwin Sanchez, resident of the District; Deputy Giovanni Ruiz of the Harris County Sheriff's Office; Michael Murr of Murr Incorporated; Kristen Scott of Bob Leared Interests; Claudia Redden of Claudia Redden & Associates; Bart Downum of Environmental Development Partners, LLC; Kelly Wilkinson of IDS Engineering Group; Tonie Pettit, building manager; and Allison Leatherwood and Arlene Catalan of Allen Boone Humphries Robinson, LLP ("ABHR").

PUBLIC COMMENTS

The Board offered any members of the public attending the meeting the opportunity to make a public comment.

Ms. McGlaughlin introduced herself and discussed services provided by One Creek West, Inc. She then requested the Board consider entering into a partnership with One Creek West, Inc. Ms. McGlaughlin stated that she would send ABHR additional information for Board distribution.

MINUTES

The Board considered approving the minutes of the October 23, 2023, November 27, 2023, and December 18, 2023, regular meetings. After review and discussion, Director Alvarenga moved to approve the minutes of the October 23, 2023, November 27, 2023, and December 18, 2023, regular meetings. Director Graham seconded the motion, which passed unanimously.

SECURITY REPORT

Deputy Ruiz reviewed the security report. After review and discussion, Director Graham moved to accept the security report. Director Crenshaw seconded the motion, which passed unanimously.

REPORT ON LANDSCAPE MAINTENANCE

There was no discussion on this agenda item.

PARK AND TRAIL REPORT, INCLUDING PARK AND BUILDING MAINTENANCE; EXERCISE EQUIPMENT

Mr. Murr presented and reviewed the Park Maintenance Report, a copy of which is attached.

Mr. Murr stated that there was a leak reported and repaired on the exterior of the District building.

Mr. Murr reported that the District's building was winterized in preparation for the anticipated cold weather.

Mr. Murr reported that he has followed up with Harris County on the repair of the sinkhole located on the Connector Trail.

Mr. Murr updated the Board regarding the removal of dead tree branches in the District's parks. He then presented a proposal for the removal of dead trees, including stump grinding, in the District's parks and trail at a cost of \$42,207.00. The Board discussed the proposal for the removal of trees.

After review and discussion, Director Graham moved to: (1) accept the Park Maintenance Report; and (2) authorize the removal of dead trees at a cost not to exceed \$42,207.00. Director Crenshaw seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION

Ms. Scott reviewed the tax assessor/collector's report, including a list of bills submitted for payment and list of delinquent taxpayers, a copy of which is attached. After review and discussion, Director Graham moved to approve the tax assessor/collector's report and authorize payment of the bills submitted. Director Alvarenga seconded the motion, which passed unanimously.

DELINQUENT TAX MATTERS

There was no discussion on this agenda item.

REGIONAL WASTEWATER TREATMENT PLANT (“WWTP”) FINANCIAL AND BOOKKEEPING MATTERS, AND PAYMENT OF THE BILLS AND REVIEW OF INVESTMENTS

The Board reviewed the regional WWTP bookkeeper’s report, a copy of which is attached, and the bills submitted for payment. After review and discussion, Director Alvarenga moved to approve the regional WWTP bookkeeper’s report and the bills submitted for payment. Director Graham seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING

Ms. Redden presented and reviewed the District’s bookkeeper’s report, a copy of which is attached, and the bills submitted for payment.

The Board reviewed the annual disclosure statement of the Investment Officer and bookkeeper.

After review and discussion, Director Alvarenga moved to: (1) approve the bookkeeper’s report and the checks presented for payment; and (2) accept the annual disclosure statement from Claudia Redden and FORVIS, LLP and to authorize ABHR to file the disclosure statement with the Texas Ethics Commission and in the District’s official records. Director Graham seconded the motion, which passed unanimously.

DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

The Board discussed the AWBD winter conference. After review and discussion, Director Crenshaw moved to approve the reimbursement to Directors for eligible AWBD winter conference expenses, subject to final review by the bookkeeper for compliance with the District's travel guidelines, and authorize Board members to attend the summer conference in Fort Worth, Texas. Director Graham seconded the motion, which passed by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Mr. Downum presented and reviewed the Operator’s Report, a copy of which is attached, including system repairs and maintenance. He reported on pending and completed repairs and improvements to the District's water and sanitary sewer systems.

The Board discussed the District’s participation in the AWBD Water Smart Program. Ms. Leatherwood then reviewed a Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners Program.

After review and discussion, Director Crenshaw moved to: (1) approve the operator's report; and (2) approve the Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners Program. Director Alvarenga seconded the motion, which passed unanimously.

HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

Mr. Downum informed the Board that due to the recent cold weather there was no termination list for review.

ENGINEERING MATTERS

Ms. Wilkinson reviewed the engineering report, a copy of which is attached.

Ms. Wilkinson reported that IDS has begun the Preliminary Engineering Report for the Water Plant Improvement Project. She stated that IDS has requested that EDP obtain pricing for the installation of a chart recorder at the water plant. Mr. Downum stated that EDP has started the request and has alternative options for review.

Ms. Wilkinson reported that IDS has started the geographic information system for the new lead and copper rule requirements. She noted that IDS will be working with EDP to obtain the information necessary to populate the District's utilities.

Ms. Wilkinson reported that Ricewood Municipal Utility District ("Ricewood MUD") has been on the District's interconnect since the beginning of December. She stated that Ricewood MUD is replacing the roof of their only ground storage tank but anticipates it to be back in service in April.

Ms. Wilkinson reported on the Wastewater Treatment Plant Improvements Project. She then presented and reviewed an engineering proposal for design and construction phase services, and construction observation at a cost of \$525,000. Discussion ensued regarding discussing the matter with the regional wastewater treatment plant Advisory Committee (the "Advisory Committee").

SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

Ms. Wilkinson reported that IDS received an inquiry for the 2.03-acre tract on Clay Road and Brannan Drive that had previously requested capacity for an apartment building. She stated the new inquiry is proposing a retail strip center with laundromat, gas station and car wash facilities.

DEEDS AND EASEMENTS

There were no deeds or easements presented to the Board.

ASSET MANAGEMENT PLAN

There was no discussion on this matter.

Ms. Wilkinson updated the Board regarding the North Park Detention Pond and block retaining wall repairs. She stated the Belgard block color used in the District has been discontinued. Ms. Wilkinson stated that repairs can be made so that the structure of the retaining wall is secure, but the block color may not be an exact match. Discussion ensued regarding alternative options.

Ms. Wilkinson reviewed the plans and specifications and requested the Board authorize IDS to advertise for bids for the construction of the North Park Detention Pond Pedestrian Bridge replacement.

After review and discussion, Director Graham moved to: (1) approve the engineer's report; (2) approve the engineering proposal for design and construction phase services, and construction observation at a cost of \$525,000, subject to final discussion with the Advisory Committee; and (3) approve the plans and specifications and authorize the engineer to advertise for bids for the North Park Detention Pond Pedestrian Bridge replacement. Director Alvarenga seconded the motion, which passed unanimously.

BUILDING MANAGER'S REPORT AND BUILDING MATTERS

Ms. Pettit presented and reviewed the Building Manager's Report, a copy of which is attached.

Ms. Pettit reported the District's Building elevator inspection was completed. She stated that receipt of the inspection certificate is pending.

Ms. Pettit requested approval of vacation time for February 21, 2024, to February 23, 2024 and February 26, 2024 to March 1, 2024.

After discussion, Director Alvarenga moved to: (1) accept the Building Manager's Report; and (2) approve the requested vacation days. Director Graham seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("WHCRWA")

Ms. Leatherwood requested approval and authorization for the operator to submit the District's Water Usage Reporting Form to the WHCRWA. After discussion, Director Graham moved to approve and authorize the operator to submit the District's Water Usage Reporting Form to the WHCRWA. Director Alvarenga seconded the motion, which passed unanimously.

REPORTS FROM DIRECTORS

There was no report on this agenda item.

GARBAGE SERVICES

There was no discussion on this agenda item.

AGENDA ITEMS FOR NEXT BOARD MEETING

Ms. Leatherwood stated the next Committee meeting will be held on February 1, 2024.

Ms. Leatherwood said that the next Board meeting is scheduled to be held on February 26, 2024.

ATTORNEY'S REPORT

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Leatherwood reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH THE DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15C2-12

The Board reviewed the District's annual report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions. Ms. Leatherwood stated that the District is required to file certain financial and operating data with the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access System ("EMMA"). Following review and discussion, Director Graham moved to approve the annual report, authorize the attorney to submit the District's updated financial and operating data in compliance with the continuing disclosure provisions contained in the bond resolutions through EMMA and direct that the report be filed appropriately and retained in the District's official records. Director Dumas seconded the motion, which passed by unanimous vote.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance and concurred to make no changes at this time.

2024 DIRECTORS ELECTION

Ms. Leatherwood discussed procedures related to the 2024 Directors Election. She reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period.

Ms. Leatherwood reported on requirements to post a Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election.

Ms. Leatherwood explained that the Harris County Clerk notified the District that Harris County will not contract with political subdivisions, such as the District, to administer the District's May 2024 Directors Election.

Ms. Leatherwood discussed exemptions from using electronic voting systems during the 2024 Directors Election.

The Board discussed pay for election officials during the 2024 Directors Election.

Ms. Leatherwood discussed procedures related to the 2024 Directors Election. She reviewed an Order Calling Directors Election.

Ms. Leatherwood discussed that Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Harris County.

Following review and discussion, Director Graham moved to: (1) adopt a Resolution Designating an Agent of the Secretary of the Board During the 2024 Directors Election Period appointing Arlene Catalan as the agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election, authorize the agent to post the related notice as required, and direct that the Resolution be filed appropriately and retained in the District's official records; (2) authorize the Secretary's agent to post the notice as required; (3) authorize the Secretary's agent to publish Notice of Exemption in a newspaper of general circulation; (4) set the pay for election officials at \$18.00 per hour; (5) adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records; and (6) authorize the Secretary's agent to post or publish and provide to the County Clerk and Voter Registrar Notice of Election, if required, and to direct that the Notice be filed appropriately and retained in the District's official records. Director Alvarenga seconded the motion, which passed unanimously.

APPOINTMENT OF NEW DIRECTOR

Ms. Leatherwood reminded the Board that Director Reynolds submitted her resignation from the Board of Directors. After review and discussion, Director Dumas moved to accept the resignation of Director Reynolds. Director Alvarenga seconded the motion, which passed by unanimous vote.

The Board considered appointing a director to serve the remainder of Director Reynolds' term. Mr. Sanchez was introduced as a person both willing and qualified to serve on the Board of Directors. After discussion, Director Dumas moved to appoint Erwin Sanchez to the Board of Directors for a term that expires in May 2026. Director Alvarenga seconded the motion, which passed by unanimous vote.

APPROVE SWORN STATEMENT, OFFICIAL BOND AND OATH OF OFFICE FOR NEW DIRECTOR

Ms. Leatherwood reviewed the Sworn Statement, Official Bond and Oath of Office for Director Sanchez. After review and discussion, Director Dumas 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 Alvarenga seconded the motion, which passed by unanimous vote.

REORGANIZE BOARD; DISTRICT REGISTRATION FORM

The Board considered reorganizing the Board of Directors. Following discussion, Director Dumas moved that Director Sanchez serve as Director and all other Directors retain their current positions. Director Graham seconded the motion, which passed by unanimous vote.

The Board considered authorizing the execution of the District Registration Form, updated to reflect the appointment of Erwin Sanchez. Following review and discussion, Director Dumas 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 Graham seconded the motion, which passed unanimously.

OPEN MEETINGS ACT TRAINING REQUIREMENTS

Ms. Leatherwood 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. Leatherwood reviewed Chapter 176 of the Texas Local Government Code, which requires directors and consultants to disclose certain conflicts of interest.

Ms. Leatherwood stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers. The Board reviewed the List of Local Government Officers. After review and discussion, Director Dumas moved to approve the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. Director Graham seconded the motion, which passed by unanimous vote.

There being no further business to come before the Board, Director Graham moved to adjourn the meeting. Director Alvarenga seconded the motion, which passed unanimously.



Brunelli,
Secretary, Board of Directors

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