

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500  
(Master)

May 14, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 500 (the "District") met in regular session, open to the public, on the 14th day of May, 2024, at the Lakehouse, 10000 Towne Lake Parkway, Cypress, Texas, outside the boundaries of the District but inside the boundaries of the Service Area, and the roll was called of the members of the Board:

Jeffry D. Ottmann	President
Joanne E. Quintero	Vice President
Jeff P. Collins	Secretary
James Spackman	Assistant Secretary
Alan Steinberg	Asst. Vice President/ Asst. Secretary

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

Also present at the meeting Bethany Gray, Mackenzie Strickland, and Mallory Hlavinka of the Towne Lake Community Association, Inc. ("HOA"); Angel Ruvalcaba of KGA/DeForest Design, LLC; Leslie Cook of RBC Capital Markets; JC Reno of Storm Water Solutions, LLC ("SWS"); Lynn Kurtz of Myrtle Cruz, Inc.; Amanda Benzman of Environmental Development Partners ("EDP"); J.T. Gaden and Kenrick Piercy of EHRA Engineering ("EHRA"); and Katie Carner, Allison Leatherwood, and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board reviewed the minutes of the April 9, 2024, regular meeting. After review and discussion, Director Spackman moved to approve the minutes of the April 9, 2024, regular meeting, as presented. Director Quintero seconded the motion, which passed by a vote of 4-0 with Director Ottmann abstaining.

DISCUSS LAKE MANAGEMENT AND MAINTENANCE

REPORT FROM HOA REGARDING LAKE AND LANDSCAPE MAINTENANCE MATTERS

The Board reviewed correspondence from the HOA, a copy of which is

attached, requesting to utilize the lake for the HOA's 4<sup>th</sup> of July festival. Ms. Strickland and Ms. Hlavinka addressed the Board regarding the request and answered questions from the Board.

After review and discussion, Director Spackman moved to approve an Agreement for Use of Facilities with the HOA for the use of the lake for the 4<sup>th</sup> of July festival, subject to final approval by the Lake Use Committee, and direct that the Agreement be filed appropriately and retained in the District's official records. Director Quintero seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board convened in Executive Session at 12:59 p.m. pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board reconvened in Open Session at 1:20 p.m. There was no action taken by the Board.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Kurtz reviewed the bookkeeper's report, a copy of which is attached, and submitted the bills for the Board's review. She also requested the Board approve additional check no. 5958 in the amount of \$1,026,686.38, payable to AT&T.

After review and discussion, Director Spackman moved to approve the bookkeeper's report and the payments presented, including check no. 5958 as detailed above. Director Quintero seconded the motion, which passed unanimously.

LANDSCAPE ARCHITECT'S REPORT

Mr. Ruvalcaba reviewed the landscape architect's report, a copy of which is attached.

Mr. Ruvalcaba updated the Board on the status of construction of the Greenhouse Road tree replacement project. He reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$63,520.20, submitted by Allstar Landscaping ("Allstar").

Mr. Ruvalcaba updated the Board on the status of construction of the

Greenhouse Road landscape replacement project. He had no action items from Jinco, Inc.

After review and discussion, Director Spackman moved to (1) accept the landscape architect's report; and (2) approve Pay Estimate No. 1 in the amount of \$63,520.20 to Allstar, as recommended. Director Quintero seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

Ms. Benzman presented the operator's report, a copy of which is attached. She reported on routine maintenance and repair items in the Service Area.

Ms. Benzman requested the Board authorize EDP to install a safety ladder on one clarifier at each wastewater treatment plant for an estimated cost of \$5,800.00 each.

Ms. Benzman requested the Board authorize EDP to clean the digesters at wastewater treatment plant no. 1 in the estimated cost of \$14,000.00.

Ms. Benzman reported that the replacement of the blower no. 1 motor at wastewater treatment plant no. 1 is complete.

Ms. Benzman updated the Board on the status of the survey of the District's sanitary sewer manholes and the painting of the fire hydrants.

After review and discussion, Director Quintero moved to (1) approve the operator's report; (2) authorize EDP to install a safety ladder on one clarifier at each wastewater treatment plant for an estimated cost of \$5,800.00 each; and (3) authorize EDP to clean the digesters at wastewater treatment plant no. 1 in the estimated cost of \$14,000.00. Director Collins seconded the motion, which passed unanimously.

#### REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES AND AUTHORIZE ANNUAL FILING

The Board deferred discussion on this agenda item.

#### DISCUSS LAKE MANAGEMENT AND MAINTENANCE

##### WILDLIFE MANAGEMENT, INCLUDING REPORT FROM A ALL ANIMAL CONTROL

The Board discussed the status of wildlife management in the District, including wildlife monitoring and trapping. Ms. Carner stated that, at the request of Director Ottmann, the District sent out a email alert and posted a website notice regarding a potential increase in wildlife activity in the regional detention facilities due to the recent heavy rains.

## EROSION, DREDGING, AND WATER QUALITY

Mr. Gaden updated the Board on the status of the lake erosion rehabilitation project, reporting that EHRA met with the Erosion Control Committee to review the plans. He also stated that EHRA is coordinating with the HOA's irrigation consultant regarding the necessary relocation of certain irrigation facilities.

## REPORT FROM HOA REGARDING LAKE AND LANDSCAPE MAINTENANCE MATTERS

The Board reviewed a landscape maintenance report provided by the HOA, a copy of which is attached. The Board also reviewed lake maintenance reports provided by the HOA, copies of which are attached.

## REPORT ON STORMWATER FACILITIES MAINTENANCE AND REPAIRS

Mr. Reno reviewed the report on maintenance of the District's stormwater facilities, a copy of which is attached.

The Board reviewed a proposed updated Master Service Agreement with SWS. Mr. Reno stated that the proposed agreement updates certain terms, including statutory verifications. After review and discussion, Director Spackman moved to approve the Master Service Agreement with SWS and direct that it be filed appropriately and retained in the District's official records. Director Quintero seconded the motion, which passed unanimously.

## ENGINEERING MATTERS

Mr. Gaden presented the engineer's report, a copy of which is attached, and reviewed it with the Board.

## GRADE SEPARATION AT UNION PACIFIC RAILROAD AND INTERSECTION IMPROVEMENTS AT HIGHWAY 290 ("UPRR/HIGHWAY 290 PROJECT")

Mr. Gaden updated the Board on the status of design of the UPRR/Highway 290 project. He stated that EHRA will provide the updated project schedule to the Board.

Ms. Carner updated the Board on the status of the funding agreement with the Harris County Toll Road Authority.

The Board reviewed an Agreement with Southwestern Bell Telephone Company d/b/a AT&T Texas ("AT&T") for the relocation, adjustment, and protection of telecommunication facilities in connection with the District's UPRR/Highway 290 project. After review and discussion, Director Quintero moved to approve the



Agreement with AT&T and direct that the Agreement be filed appropriately and retained in the District's official records. Director Spackman seconded the motion, which passed unanimously.

The Board tabled discussion on a First Amendment to Agreement with Harris County and CW SCOA West, L.P. related to Mound Road extension and construction of drainage facilities.

APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE WASTEWATER TREATMENT PLANT NO. 1 EXPANSION, PHASE 4

Mr. Gaden updated the Board on the status of design of the wastewater treatment plant no. 1 expansion, phase 4 project.

APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE WASTEWATER TREATMENT PLANT NO. 1 EMERGENCY GENERATOR AND ACCESS ROAD IMPROVEMENTS

Mr. Gaden requested the Board approve the plans and specifications and authorize advertisement for bids for the wastewater treatment plant no. 1 emergency generator and access road improvements project.

After review and discussion, Director Quintero moved to approve the plans and specifications and authorize advertisement for bids for the wastewater treatment plant no. 1 emergency generator and access road improvements project, as recommended. Director Spackman seconded the motion, which passed unanimously.

REVIEW BIDS AND AWARD CONTRACT FOR THE LAKE EROSION REHABILITATION PROJECT

There was no additional discussion on this agenda item.

REVIEW BIDS AND AWARD CONTRACT FOR THE GREENHOUSE ROAD LEFT TURN LANE

Mr. Gaden stated that the District received seven bids for construction of the Greenhouse Road left turn lane project. He recommended that the Board award the contract to the low bidder, Consta Build, LLC ("Consta"), in the amount of \$103,100.10. The Board concurred that, in its judgment, Consta was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

After review and discussion, Director Quintero moved to award the contract for construction of the Greenhouse Road left turn lane project to Consta in the amount of

\$103,100.10, based on the engineer's recommendation and subject to receipt of payment and performance bonds and the certificate of insurance and endorsements, if any, provided by the contractor. Director Spackman seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT NO. 2

Mr. Gaden updated the Board on the status of construction of wastewater treatment plant no. 2. He reviewed and recommended approval of Pay Estimate No. 13 in the amount of \$22,982.29 and Change Order No. 1 to increase the contract in the amount of \$523,087.00, submitted by C4 Partners ("C4"). Mr. Gaden stated that Change Order No. 1 is for additional cast in place manholes, a change in construction methods to work around a pipeline conflict, and quantity adjustments. The Board determined that Change Order No. 1 is beneficial to the District.

Mr. Gaden also reviewed and recommended approval of an invoice in the amount of \$579.25, submitted by Ninyo & Moore ("N&M").

After review and discussion, and based on the engineer's recommendation, Director Quintero moved to (1) approve Pay Estimate No. 13 in the amount of \$22,982.29 to C4; (2) approve Change Order No. 1 to increase the contract in the amount of \$523,087.00, submitted by C4, based on the Board's determination that the Change Order is beneficial to the District; and (3) approve the invoice in the amount of \$579.25 to N&M. Director Spackman seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE WATER PLANT NO. 1 GROUND STORAGE TANK NO. 2 RECOATING PROJECT

Mr. Gaden updated the Board on the status of construction of the water plant no. 1 ground storage tank no. 2 recoating project. He had no action items from CFG Industries, LLC.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE BARKER CYPRESS LEFT TURN LANE

Mr. Gaden updated the Board on the status of construction of the Barker Cypress left turn lane project. He had no action items from SAS Concrete Construction, LLC.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR WATER WELL NO. 1 AND WATER PLANT NO. 1 HYDROPNEUMATIC TANK ADDITION

Mr. Gaden updated the Board on the status of construction of water well no. 1 and the additional hydropneumatic tank. He had no action items from HCG, LLC ("HCG").

Mr. Gaden reported on an issue with the well motor ratchet. He stated that EHRA had a well inspector investigate the issue and the recommendation was to remove the ratchet to prevent future problems. Mr. Gaden stated that the water well can operate normally without a ratchet. After discussion, Director Quintero moved to authorize the removal of the well ratchet, contingent upon the HCG removing the ratchet and providing written documentation stating that removing the ratchet will not void the warranty. Director Spackman seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE MOUND ROAD EAST UTILITY EXTENSION PROJECT

Mr. Gaden updated the Board on the status of construction of the Mound Road East Utility Extension project. He had no action items from Texasite, LLC.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE WATER PLANT NO. 1 GROUND STORAGE TANK NO. 2 EMERGENCY ROOF REPLACEMENT AND RECOATING

Mr. Gaden updated the Board on the status construction of the water plant no. 1 ground storage tank no. 2 emergency roof replacement project. He reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$112,891.50, submitted by Tank Builders, Inc. ("TBI").

After review and discussion, Director Quintero moved to approve Pay Estimate No. 1 in the amount of \$112,891.50 to TBI, as recommended. Director Spackman seconded the motion, which passed unanimously.

APPROVE CAPACITY RESERVATIONS AND UTILITY COMMITMENT LETTERS

There was no discussion on this agenda item.

CONVEYANCE OF EASEMENTS/DEEDS; ABANDONMENT OF EASEMENT; CONSENTS TO ENCROACHMENT

The Board considered approving a Special Warranty Deed for park reserves to be conveyed from CW SCOA West, L.P. to the District and a Special Warranty Deed for park reserves to be conveyed from CC Towne Lake MF I, L.P. to the District (collectively, the "Deeds"). After discussion, Director Spackman moved to approve the Deeds, subject to receipt, and direct that the Deeds be filed appropriately and retained in the District's official records. Director Quintero seconded the motion, which passed unanimously.



UPDATE ON PREPARATION OF ROAD BOND ISSUE NO. 6

Ms. Carner updated the Board on the status of the preparation of road bond issue no. 6.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY MATTERS

There was no discussion on this agenda item.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

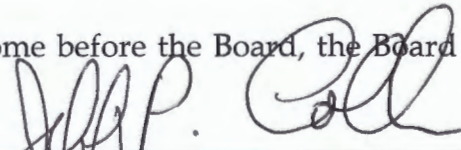
REPORTS FROM DISTRICT CONSULTANTS REGARDING DISTRICT CORRESPONDENCE AND PROVISION OF RECORDS

There was no discussion on this agenda item.

REVIEW AND REVISE ACTION LIST

The Board reviewed the action list and noted items to be included and removed from the list.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

  
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Secretary, Board of Directors

(SEAL)





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