

MINUTES
MAYDE CREEK MUNICIPAL UTILITY DISTRICT

October 23, 2023,

The Board of Directors (the "Board") of Mayde Creek Municipal Utility District (the "District") met in regular session, open to the public, on the 23rd day of October 2023, 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 Mancia Alvarenga	Secretary
Lee Crenshaw	Director
Vacant	Director

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

Also present at the meeting were: Erwin Sanchez, resident of the District; Jacque Freeman and Nick Nicoletti of the Westfield Homeowners Association; Bob Manning of Boston Fern; 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 ("IDS"); Tonie Pettit, building manager; and Allison Leatherwood and Arlene Catalan of Allen Boone Humphries Robinson, LLP.

Also present via telephone was: Tina Tran of FORVIS, LLP.

PUBLIC COMMENTS

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

Mr. Nicoletti and Ms. Freeman addressed the Board requesting that the Board consider sponsoring snow cone trucks for the 2024 National Night Out. Mr. Nicoletti stated that currently the Westfield Homeowner's Association (the "HOA") contracts two snow cone trucks at a cost of \$1,600.00 and stated the HOA would like to add a third truck. The Board discussed the request. After discussion the Board took no action.

Mr. Sanchez thanked the Board and Mr. Murr for the soccer goals.

MINUTES

The Board considered approving the minutes of the September 25, 2023, regular meeting. After review and discussion, Director Crenshaw moved to approve the minutes of the September 25, 2023, regular meeting. Director Graham seconded the motion, which passed unanimously.

SECURITY REPORT

The Board reviewed the security report, a copy of which is attached. After review and discussion, Director Graham moved to accept the security report. Director Crenshaw seconded the motion, which passed unanimously.

REPORT ON LANDSCAPE MAINTENANCE

Mr. Manning reported on landscape maintenance in the District. He requested authorization to purchase additional plants and gardening materials to replace the plants damaged by the extreme heat during the summer. After discussion, Director Graham moved to: (1) accept the landscape maintenance report; and (2) authorize the purchase of additional plants and gardening materials, as discussed. Director Crenshaw seconded the motion, which passed unanimously.

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 reported the irrigation controller located in North Park needs to be replaced. He stated the cost for a new controller is \$950.00.

Mr. Murr reported that he has provided IDS the research he completed for the new pedestrian bridge.

Mr. Murr reported the retaining wall is showing signs of wear and recommends the Board authorize IDS to look into the matter.

Mr. Murr reported the soccer goals have been installed.

After review and discussion, Director Graham moved to: (1) accept the Park Maintenance Report; and (2) approve the replacement of the North Park irrigation controller, in the amount of \$950.00. Director Alvarenga seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Scott stated that notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2023 total tax rate of \$0.69.

The Board opened the public hearing. There being no comments from the public, the Board closed the public hearing.

Ms. Leatherwood presented an Order Levying Taxes reflecting the proposed 2023 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality ("TCEQ") and recorded in the Official Public Records of Harris County.

After review and discussion, Director Graham moved to: (1) adopt the Order Levying Taxes reflecting a total 2023 tax rate of \$0.69 per \$100 of assessed valuation, comprised of \$0.33 to pay debt service on water, sewer, and drainage bonds and \$0.36 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Crenshaw seconded the motion, which passed by unanimous vote.

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.

PAYMENT IN LIEU OF TAXES LETTER NOTIFICATIONS

Ms. Leatherwood stated that letters and invoices will be sent to Shield Air Solutions and Petroleum Wholesale for the 2023 payment in lieu of taxes.

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

Ms. Tran reviewed the regional WWTP bookkeeper's report, a copy of which is attached, and the bills submitted for payment.

Ms. Tran reported on a recent incident of attempted fraud in connection with the regional WWTP bank account. She requested and recommended approval to enroll in positive pay program as a protective measure against check fraud. She stated the fee to the District would be \$25.00 per month. Discussion ensued.

After review and discussion, Director Graham moved to: (1) approve the regional WWTP bookkeeper's report and the bills submitted for payment; and (2) approve positive pay for the regional WWTP bank account at a cost of \$25.00 per month. Director Alvarenga 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. After review and discussion, Director Graham moved to approve the bookkeeper's report and the checks presented for payment. Director Alvarenga seconded the motion, which passed unanimously.

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.

After review and discussion, Director Graham moved to approve the operator's report. Director Crenshaw seconded the motion, which passed unanimously.

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

The Board reviewed the list of delinquent accounts. Mr. Downum informed the Board that the residents on the termination list were delinquent in payment of their utility bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bill and show reason why utility services should not be terminated for reason of nonpayment. The Board conducted a hearing regarding water and sewer service termination. Following review and discussion, Director Graham moved that, because the customers on the list were not present at the meeting, nor had presented any written statement on the matter, all utility services should be terminated, if their utility bills are

not paid in accordance with the District's Amended Rate Order. The motion was seconded by Director Crenshaw, which passed unanimously.

ENGINEERING MATTERS

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

Ms. Wilkinson requested the Board authorize IDS to prepare a Preliminary Engineering Report at a cost of \$30,000 for the Water Plant Improvement Project.

Ms. Wilkinson reported that the TCEQ has set new Lead and Copper Rules. She requested the Board authorize IDS to begin creating a geographic information system for the District for an hourly estimate of \$10,000.

Ms. Wilkinson reported that Ricewood Municipal Utility District will need to go on the interconnect with the District for approximately three months.

Ms. Wilkinson reported on the Wastewater Treatment Plant Improvements Project. She then presented and reviewed an updated opinion of probable cost, a copy of which is attached to the engineer's report. Ms. Wilkinson stated that the District's share is 25% of the estimated \$525,000.

Ms. Wilkinson updated the Board regarding the Detention Basin Pilot Channel Desilting Project and reviewed and recommended approval of Pay Estimate No. 1 and Final in the amount of \$69,952.00, payable to Stormwater Solutions. She also presented a Certificate of Completion and Acceptance and recommended the Board accept the facilities.

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

SITE DEVELOPMENT REQUESTS AND UTILITY COMMITMENT LETTERS

There was no report on this agenda item.

DEEDS AND EASEMENTS

There were no deeds or easements presented to the Board.

ASSET MANAGEMENT PLAN

There was no discussion on this matter.

After review and discussion, Director Graham moved to: (1) approve the engineer's report; (2) authorize the engineer to prepare a Preliminary Engineering

Report at a cost of \$30,000 for the Water Plant Improvement Project; (3) authorize IDS to create a geographic information system for the District; (4) approve Pay Estimate No. 1 and Final in the amount of \$69,952.00, and to accept the facilities; and (5) approve the plans and specifications and to 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 requested and recommended the Board authorize termination of the District’s service agreement with Culligan Water. She stated that the Culligan Water dispenser is never used.

Ms. Pettit reported that in years past, the District would host National Night out at the building. She inquired if the Board would like to recommence hosting the event. The Board discussed National Night Out and authorized Ms. Pettit to begin preparation of the event for 2024.

After discussion, Director Graham moved to: (1) accept the Building Manager’s Report; and (2) authorize termination of the Culligan Water service agreement. Director Crenshaw seconded the motion, which passed unanimously.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

There was no discussion on this agenda item.

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 November 2, 2023.

Ms. Leatherwood said that the next Board meeting is scheduled to be held on November 27, 2023, for a short meeting only to review tax assessment and collections matters and financial and bookkeeping matters.

DISCUSS MATTERS REGARDING DISTRICT ADMINISTRATION AND APPROVE APPROPRIATE ACTION

The Board discussed matters regarding District administration and maintenance. Ms. Redden responded to the Board's questions and comments.

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



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Secretary, Board of Directors

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