

**CY-CHAMP PUBLIC UTILITY DISTRICT**  
Minutes of Meeting of Board of Directors  
November 21, 2024

The Board of Directors of Cy-Champ Public Utility District (the “District”) met at 13455 Cutten Road, Suite 1A, Houston, Texas on November 21, 2024, in accordance with the duly posted notice of said meeting, with a quorum of directors present as follows:

Ron Walkoviak, president  
Richard M. Spurlock, vice president\*  
Shelley Serres, secretary  
Harold W. Greer, assistant secretary  
Polly Looper, security coordinator

and being absent:

None

Also present were HCCO Sgt. Anthony Sebastian, Mary DuBois and Jeff Shoaf of L5E LLC, Michelle Guerrero of Bob Leared Interests, Inc., Tiffany Loggins and Chelsea O’Hare of L&S District Services, LLC, Mike Plunkett of Eagle Water Management Company, Michelle Kincer of Storm Water Solutions, Sam Miskimins of Champions Hydro-Lawn, Inc., Dennis Sander of Sander Engineering Corporation, Katie Golzarri of Clark Condon Associates, Inc., and Mark W. Brooks of Young & Brooks.

[\* indicates attendance by videoconference]

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

**SECURITY REPORT**

Security Coordinator Polly Looper and HCCO Sgt. Anthony Sebastian reported as to matters regarding security within the District and responded to questions. Sgt. Sebastian informed the board that he is leaving the Precinct 4 Constable's Office and will be joining the Montgomery County Sheriff's Office, so will be leaving the District's contract. The board expressed regret that Sgt. Sebastian's is leaving, but thanked him for his years of service to the District and wished him well with all his future endeavors. After the report was concluded, Sgt. Sebastian excused himself from the meeting.

The board unanimously authorized the purchase of holiday gift cards for the contract deputies to recognize their service to the District, not to exceed the statutory limit on gifts to public servants.

## **APPROVAL OF MINUTES**

Upon motion duly made, seconded and unanimously carried, the board approved the minutes of the October 17, 2024 meeting as presented.

## **QUESTIONS/COMMENTS FROM THE PUBLIC**

There were no questions or comments from the public.

## **CONSULTANT/VENDOR CONTRACTS**

Mary DuBois with L5E LLC (5 Energy) presented a proposed Energy Management and Procurement Service Agreement (EMPSA) under the terms of which they would serve as the District's energy advisor for a fee of \$200 per month until they are able to place a longer term electricity contract for the District, which would then include their advisory fee. After review and discussion, upon motion duly made, seconded and unanimously carried, the board approved the EMPSA with 5 Energy.

## **COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY**

After review and discussion, upon motion duly made, seconded and unanimously carried, the board passed and adopted the attached Order Adopting Covered Applications and Prohibited Technology Policy as required by Senate Bill 1893.

## **MONTHLY REPORTS**

Michelle Guerrero of Bob Leared Interests, Inc., the District's tax assessor, reported as to the status of District tax collections. She also presented the District's monthly SPA revenue report. The District is 99.677% collected for 2023 taxes, and over 99% collected for all prior years.

Tiffany Loggins of L&S District Services, LLC, the District's bookkeeper, presented their monthly report. She also presented to the board a list of bills for the approval of payment, a copy of which is attached hereto.

Mike Plunkett of Eagle Water Management Company (Eagle), the District's operator, presented a written summary report regarding District operations and facilities. Mr. Plunkett reviewed their report with the board and responded to questions.

Mr. Plunkett presented two customer requests for adjustments to recent water and sewer billings from the District. A former customer at 6718 Blue Hills was terminated for nonpayment and then moved out and closed their account with a remaining balance due, but has requested an adjustment to their final bill stating they had a leaking toilet. The customer at 6811 Apple Valley

reported a defective seal in their water softener which they discovered was running to a drain, resulting in high usage for two months. They presented repair bills and their usage has returned to normal. After discussion, upon motion duly made, seconded and unanimously carried, the board declined the adjustment requested by the former customer at 6718 Blue Hills, and authorized an adjustment for the excess usage by the customer at 6811 Apple Valley to the District's base rate of \$1.00 per thousand gallons, but without adjustment to the RWA Fee which is a cost incurred by the District and not subject to adjustment.

Michelle Kincer of Storm Water Solutions (SWS) presented a written report with photographs reflecting the condition of the storm water detention facilities that they maintain for the District at the Prose and Cutten Road Detention Ponds. Ms. Kincer presented a proposal to repair a sinkhole near the OGT unit at the Prose Detention Pond, but after discussion the board asked that SWS first conduct a dye test at a cost to not exceed \$2500 in an effort to determine the cause of the sinkhole before making repairs. Ms. Kincer also noted that there is some damaged concrete at the Cutten Road Pond extreme overflow feature. The Cutten Road Pond is a Harris County facility, and the board asked that SWS report the damaged concrete to Precinct 3.

Sam Miskimins of Champions Hydro-Lawn, Inc. presented a written report with photographs reflecting the condition of the storm water detention facilities that they maintain for the District at the Cutten Road Business Park Detention Ponds.

Dennis Sander of Sander Engineering Corporation (SEC), the District's engineers, presented a written summary report regarding the status of pending District projects. He reviewed their report with the board and responded to questions.

Mr. Sander presented and reviewed an analysis of capacity available for service to the proposed Quick Quack Car Wash on FM1960. The District's wastewater collection capacity available to serve the remaining undeveloped property in the District is about 4000 gallons per day per acre, but Quick Quack needs a total of 9625 gallons per day, or about 8300 gallons per day per acre, which is in excess of the capacity available for their tract. Accordingly, upon motion duly made, seconded and unanimously carried, the board authorized SEC to inform Quick Quack that the District is unable to provide the requested service for their proposed project.

Mr. Sander presented a tabulation of bids received for the Haynes Road Waterline Replacement project. SEC is reviewing bidder qualifications and will present an award recommendation at the next regular board meeting.

Mr. Sander presented and recommended board approval of the following pay estimates:

- Pay Estimate No. 9 and Final to Insituform Technologies, LLC on their contract for the Sanitary Sewer Rehabilitation, Phase 4 project, in the amount of \$77,701.78.
- Pay Estimate No. 1 to C .F. McDonald Electric, Inc .on their contract for the Lift Station No. 2 Generator Addition project, in the amount of \$4,500.00.

Katie Golzarri of Clark Condon Associates, Inc. (CCA), the District’s landscape architects, reported as to the status of matters pending with respect to the District’s park system. Ms. Golzarri reviewed their report with the board and responded to questions.

Ms. Golzarri presented and recommended board approval of proposal(s) by Jinco Inc. (Jinco), the District's landscape maintenance contractor, for the following work items:

- Removal of 6 dead pine trees along Cutten Road, at a cost of \$4,200.00.
- Replace a damaged irrigation backflow and cage near FM1960, at a cost of \$1,495.00.

Ms. Golzarri reported that Park A is substantially complete and the contractor’s 30-day maintenance period will end this month. She presented a proposed Maintenance Schedule for Park A, with pricing from Jinco. After review and discussion, upon motion duly made, seconded and unanimously carried, the board approved the proposed Maintenance Schedule and authorized board president Walkoviak to sign an appropriate addendum or amendment to the District’s contract with Jinco to add this work to their contract commencing December 1, 2024.

Ms. Golzarri presented and recommended board approval of the following Pay Application(s) to Texas Wall Systems, LLC dba Texas Wall and Landscape (TWL) on their contract for construction of Parks A and B:

- Pay Application No. 13W in the amount of \$2,070.00 for WSD items
- Pay Application No. 13P in the amount of \$277,850.23 for Park items

After discussion, the board unanimously agreed to bid the Cy-Champ Park Trail Rehab project in January after the holidays.

Ms. Golzarri recommended and after discussion, upon motion duly made, seconded and unanimously carried, the board resolved to request a change order from the contractor for the Parks A and B project, to add conduit for possible future security cameras at Park B.

Upon motion duly made, seconded and unanimously carried, the board approved all consultant reports not already approved by separate motion, the landscape maintenance work items recommended by CCA, and all recommended proposals, pay estimates, pay applications, change orders, and bills presented.

### **KLEINWOOD JOINT POWERS REPORT**

Board member Shelley Serres reported as to matters pending before the Kleinwood Joint Powers Board (the “JPB”). Contractor submittals for the Electrical Modifications Phase 3 and Thickener Rehab projects are under review.

The frequency of the reclaimed water system filter backwashes was normal during the month of September, averaging 18 to 19 backwashes per day.

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

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Secretary

Attachments - Order Adopting Covered Applications and Prohibited Technology Policy  
Bookkeeper's Report