

MINUTES OF MEETING  
OF  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53  
OF HARRIS COUNTY, TEXAS

May 9, 2023

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 53 (the "District") of Harris County, Texas, met in regular session, open to the public, on the 9<sup>th</sup> day of May, 2023, at a designated meeting place outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Judy Grant	President
Andre Bradley	Vice President
Drew Fontenette	Secretary/Treasurer
Kristine Johnstone	Assistant Vice President
Peter Mitchell	Assistant Secretary/Treasurer

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

Also attending the meeting were Billy Allen and Pat Gray of Harris County Fresh Water Supply District No. 51 ("FWSD No. 51"); Jaime Salinas of Huitt-Zollars, Inc.; Darrell Hawthorne of Municipal Accounts & Consulting, L.P. ("Municipal Accounts"); Brenda McLaughlin of Bob Leared Interests; Perry Miller of Champions Hydro-Lawn; Michelle Denman; and P. John Kuhl, Jr., and Audrey Lyons of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SKLaw").

President Grant noted that a quorum was present and called the meeting to order.

#### **APPROVE MINUTES**

The Board first considered approving the minutes of the April 11, 2023, meeting. Upon motion by Director Fontenette, seconded by Director Bradley, and after full discussion, the Board voted unanimously to approve the minutes as presented, and to authorize execution by the Secretary/Treasurer, and if necessary, to authorize the use of facsimile, electronic, or other appropriate signatures.

#### **RECEIVE COMMENTS OR QUESTIONS FROM THE PUBLIC**

The next item on the agenda was to receive comments or questions from the public. There were no comments or questions from the public.

#### **BOOKKEEPING REPORT**

##### Review Account and Fund Activity Statements, Budget Comparison, and Investment Transactions

Mr. Hawthorne reviewed with the Board the Bookkeeping Report and answered questions.

##### Approve Budget

Mr. Hawthorne then reviewed with the Board a proposed budget for the fiscal year ending May 31, 2024. Upon motion by Director Fontenette, seconded by Director Johnstone, and after full discussion, the Board voted unanimously to approve the budget for the fiscal year ending May 31, 2024.

Upon motion by Director Fontenette, seconded by Director Mitchell, and after review and full discussion of the bills and corresponding checks, the Board voted unanimously to approve the Bookkeeping Reports, and to pay the bills as presented.

### **AWBD CONFERENCE PARTICIPATION**

The Board then discussed Association of Water Board Directors ("AWBD") conference participation. Mr. Hawthorne presented expense projections and budget for the AWBD summer conference. He advised that the budget was developed in compliance with the District's Order Adopting Fees of Office and Expenses. Upon motion by Director Bradley, seconded by Director Fontenette, and after full discussion, the Board voted unanimously to approve the AWBD summer conference attendance budget, to authorize attendance at the conference for Directors wishing to attend, and to authorize an advance as specified in the budget. The Board further concurred to authorize payment of up to five (5) Director per diems for attendance.

### **TAX ASSESSOR/COLLECTOR REPORT**

#### **Review Tax Receipt and Disbursement Statements**

The Board then received the Tax Assessor/Collector's Report. Ms. McLaughlin reviewed with the Board the tax report, advising that approximately 96.4% of the 2022 taxes have been collected.

Upon motion by Director Fontenette, seconded by Director Mitchell, and after full discussion, the Board voted unanimously to approve the Tax Assessor/Collector Report, and to pay the tax bills as presented.

### **CONFIRMATION OR RATIFICATION PERTAINING TO COVID-19 PANDEMIC EMERGENCY ACTION**

The Board next considered confirmation or ratification pertaining to COVID-19 pandemic emergency action. Mr. Kuhl advised that there were no emergency actions required since the last meeting, and that no Board action is necessary at this time.

### **ENGINEERING REPORT**

The Board next reviewed the Engineering Report.

#### **Review General Report**

Mr. Salinas advised that the water accountability for January was approximately 89%, putting the annual at 89%.

#### **Sanitary sewer cleaning and televising [Sterling Green South, Phase 2]**

Mr. Salinas reviewed progress on the Phase 2 sanitary sewer cleaning and televising in Sterling Green South. He advised that the work will be completed within the next week.

#### **Sidewalk replacement project – Phase 3**

Mr. Salinas then reviewed progress of the Phase 3 sidewalk replacement project. He advised that the project is substantially complete.

Mr. Salinas then reviewed Pay Estimate No. 3 in the amount of \$5,087.25 to Macer Xpress, LLC, along with a recommendation for payment.

### Tenderden Lift Station

Mr. Salinas then discussed the proposed Tenderden Lift Station Rehabilitation needs and design progress to date. He discussed the schedule for bidding the project, advising that advertisements for bids have been published, and he expects to have bids for review by the Board at the next regular meeting.

### Dell Dale Street sidewalk improvements

Mr. Salinas then discussed an Interlocal Agreement with Harris County pertaining to possible sidewalk improvements to be constructed by the County. He advised that a proposed participation Agreement has not yet been received from the County. He stated that the contractor has increased costs, and the County is working with the contractor on the revised cost.

After full discussion, the Board decided to defer the authorization until a final version of the Agreement is available.

### Review CIP

Mr. Salinas advised that the CIP will be updated once bids for the Tenderden Lift Station Rehabilitation are received.

Upon motion by Director Fontenette, seconded by Director Mitchell, and after full discussion, the Board voted unanimously to approve the Engineering Report, including the approval of Pay Estimate No. 3.

## **OPERATIONS & MAINTENANCE REPORT**

The Board next received the Operations Report. Mr. Gray reviewed operations matters for the month, noting that it has been a relatively normal operating month.

### Delinquent Utility Bills

Mr. Gray advised that customers appearing on the termination list were given proper notice and the opportunity to be heard in order to explain, contest, or correct the utility service bill and show reason why utility service should not be terminated for reason of nonpayment, all as required by the District's Rate Order. After discussion, Director Fontenette moved that since the customers were neither present at the meeting nor presented any written statement on the matter, that service be terminated, except customers denoted with an asterisk as those customers contacted the Operator to schedule payment. Director Mitchell seconded the motion, which passed by unanimous vote.

## **RECEIVE DETENTION AND DRAINAGE FACILITIES REPORT**

Mr. Miller advised that the next major activity will be the fall overseed in October. He noted that mowing is complete and that the facilities and grounds are in good operating condition.

Mr. Miller then confirmed that the Italian trees at Water Plant No. 2 will require replacement. He discussed the tree type to be used as a replacement and presented a quote in the amount of \$24,995.00.

Upon motion by Director Fontenette, seconded by Director Mitchell, and after full discussion, the Board voted unanimously to approve the Detention and Drainage Facilities Report, including the approval of the tree replacement project and quote presented by Mr. Miller.

## **REPORT ON NORTH CHANNEL WATER AUTHORITY**

The next item on the agenda was to receive a report on the NCWA. Mr. Salinas reviewed with the Board a memorandum summarizing the NCWA meeting of April 10, 2023.

The Board took the NCWA report under advisement.

Former Director Denman

President Grant then conducted a service award presentation to former Director Denman. President Grant and the Board again warmly thanked her for her many years of commitment and service to the District and the community.

**CONSIDER ADJOURNMENT**

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



Secretary/Treasurer, Board of Directors

