

MINUTES OF MEETING OF BOARD OF DIRECTORS  
June 15, 2021

THE STATE OF TEXAS  
COUNTY OF HARRIS  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 55 (the "District") convened in regular session on Tuesday, June 15, 2021 at 6:00 p.m. via teleconference pursuant to Section 551.125, Texas Gov't Code as modified by the temporary suspension of certain provisions thereof pursuant to guidelines issued by the Texas Attorney General and approved by the Governor for use during the COVID-19 statewide disaster. A roll call was taken of the persons present:

Robert L. Squires, President  
Sam Longoria, Vice President  
Gabriel Mendez, Secretary  
Richard Klenk, Treasurer  
David VanRiper, Secretary

All members of the Board were present in person, with Director Mendez meeting via teleconference, thus constituting a quorum. Also attending all or parts of the meeting in person were Mr. Tom Hoff, of the Forest Bend Fire Department; Mr. Chris Wilson of Si Environmental ("Si"), operator for the District; and Mr. Nelson Gaez of Brown & Gay Engineers, Inc. ("BGE"), engineer for the District; and Mr. Alton Henderson from Windsor EMS, Inc.; Mr. Reginald Wilson of Norton Rose Fulbright US LLP ("NRF"), attorney for the District; Mr. David VanRiper, resident of the District; Mr. Alex Gonzalez, resident of the District; Ms. Jennifer Landreville of ETI Accounting Services ("ETI"), bookkeeper for the District

Attending all or parts of the meeting via teleconference were Ms. Kaity Malek of Norton Rose Fulbright US LLP ("NRF"), paralegal for the District; Mr. Scott Gray of Champions Hydro-Lawn, Inc. ("Champions"); Ms. Vicky Sullivan of Equi-tax, Inc., tax assessor for the District and bookkeeper for the District; Ms. Lauren Smith of Public Finance Group, financial advisor for the District.

Pursuant to Section 551.054, Texas Gov't Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on the District's website within the time limits prescribed by law. A certificate of such posting is attached hereto as *Exhibit A*. The agenda packet was posted on the website as items became available in compliance with the guidelines issued by the Texas Attorney General.

**Call to Order.** Mr. Wilson called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the

meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. Mr. Wilson then set out guidelines for the conduct of the meeting. Mr. Wilson turned the meeting over to President Squires.

**1. Public Comments.** There were no public comments.

**2. Approve Minutes** The Board considered the minutes of the May 18, 2021 meeting, copies of which was previously distributed to the Board. Upon motion by Director Longoria, seconded by Director Mendez, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of May 18, 2021, as presented.

**3. Appoint New Board Member and discuss election of positions.** Upon motion by Director Longoria, seconded by Director Klenk, after full discussion and the question being put to the Board, the Board voted unanimously to elect Mr. VanRiper to the Board and as the new secretary to keep the remaining slate as is.

**4. Forest Bend Fire Department Report.** Mr. Hoff reviewed the runs for the month of June. He also reported on the service calls within the month and discussed the June budget activity.

**5. Windsor EMS, Inc. Report.** Mr. Henderson presented to and reviewed with the Board the Windsor EMS, Inc. ("Windsor") report for June 2021, a copy of which is attached hereto as Exhibit B. He stated that Windsor's 911 services were requested 59 times and Windsor responded to 56 of the requests, with an average response time of 5 minutes and 33 seconds. Medic 18 responded to 54 calls; Medic 19 responded to 3 calls. 3 calls were mutual aided to League City EMS. These calls for service resulted in 37 transports. Windsor's response for medic 18 in MUD 55's district was less than 7 minutes and 59 seconds, on 96.67 % of the requests. Friendswood's report number 210303 had 2 patients due to a MVA rollover, Medic 18 transported both patients. Friendswood's report number 210333 was completed by Medic 19 not mutual aid as documented.

**6. Tax Assessor and Collector's Report.** Ms. Sullivan presented to and reviewed with the Board the Tax Assessor and Collector's Report, a copy of which is attached hereto as *Exhibit C*.

Ms. Sullivan reported that for the month of May the District has collected 98.1% of taxes for 2020.

Ms. Sullivan stated there are 11 checks being presented for review and approval.

Upon motion by Director Longoria, seconded by Director Mendez, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor and Collector's Report, to approve the execution of the checks as presented.

**7. Bookkeeper's Report and Investment Report.** Ms. Landreville presented to and reviewed with the Board the Bookkeeper's Report for May 2021 and the Investment Report copies of which are attached hereto as *Exhibit D*.

Ms. Landreville reported on the District's general operating funds.

Ms. Landreville stated there are 52 checks being presented for review and approval.

Ms. Landreville reviewed the May investment and capital reports.

Upon motion by Director Klenk, seconded by Director Longoria, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Bookkeeper's Report and the Investment Report, and to approve execution of the checks presented.

**8. Review Ethics and Investment Policy, accept related party disclosures, and review Qualified Broker List.** Mr. Wilson stated that there are not any recommended changes to the investment and ethics policy but there are changes to the qualified broker list, attached hereto as Exhibit. Upon motion by Director Longoria, seconded by Director VanRiper, after full discussion and the question being put to the Board, the Board voted unanimously to approve the review of the Ethics and Investment Policy and the updated Qualified Brokers List.

**9. Operations Report, Including Review and Approval of Maintenance Items and Delinquent Report.** Mr. Wilson presented to and reviewed with the Board the Operations Report and Maintenance Report for May 2021 a copy of which is attached hereto as *Exhibit F*.

Mr. Wilson reported on the water distribution repairs and maintenance for the month of May stating that Si performed billing/collection activities and responded to customers calls for service.

Mr. Wilson reported that, at 2701 W Bay Area, Si excavated down to main and exposed leaking 12" line, cut the free adapter that was leaking and replaced. He stated that landscaping and concrete were replaced after the repair.

Mr. Wilson reported that, at 2403 Heather Ridge, Si removed sections of sidewalk, excavated down to main and replaced leaking tap-line. He stated that landscaping and concrete were replaced after the repair.

Mr. Wilson reported that, at 2527 Harvest Cove, Si excavated and replaced leaking U branch. He further stated that landscaping was replaced after the repair.

Mr. Wilson reported that, at 15701 Hope Village, Si removed and replaced 2" meter that was leaking.

Mr. Wilson reported that Si made repairs to four hydrants, replaced O-rings and lubricated them.

Mr. Wilson reported that Si replaced 50 meters per the meter change out program.

Mr. Wilson reported that lines were jetted to clear blockage at 2514 Corral Trail.

Mr. Wilson reported that Si reset and resealed a manhole at 4719 Cavern.

Mr. Wilson reported on the lift station maintenance for the month of May. He stated that at St. Lawrence L1, Si found RMS had failed, pulled unit and sent to manufacture for repair.

Mr. Wilson reported that at Planters Way W2, Si found main breaker had tripped and generator running. He stated that they reset breaker and it tripped again. So they tested and found that the breaker had failed. Si ordered new breaker, had it installed and put facility back online.

Mr. Wilson stated that at Fife W1, Si ordered and replaced couplings on booster pump #1.

Mr. Wilson reported that Si had Subcontractor load tested generators in preparation for hurricane season.

Mr. Wilson reported that Si preformed PM's on entire disinfection system per the base fee.

Mr. Wilson reported on the water accountability. He stated that it was at 88.6% for the month of May.

Mr. Wilson reported on the delinquent account list with the Board.

Upon Motion by Director Klenk, seconded by Director Mendez, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report.

**10. Engineer's Report.** Mr. Gaez presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit G*, and which follows in substantially the form it was presented:

a. **Commercial Reviews**

1. **Beamer Villas:** Mr. Gaez reported that coordination with Crystal Creek Developers is ongoing for the review of reimbursable costs to include in a possible reimbursement agreement update.

2. **El Dorado Tracts:**

i. **Allora Apartments (9.13 Acre Multi Family Tract):** Mr. Gaez reported that there are currently no updates regarding the Allora

Apartments. He stated that construction is ongoing and the concrete extreme event overflow into the District's pond is complete.

ii. **Assisted Living Facility (6.77 Acres El Dorado Blvd and Beacons View):** Mr. Gaez stated that the revised plans have been submitted. BGE has requested an additional deposit of \$2,000 to continue with plan reviews.

3. **Rodzina Office Warehouse Phase II.** Mr. Gaez stated the developer is working on finalizing the plat and that the construction plans are approved.

4. **Speedy Carwash.** Mr. Gaez stated there are no new updates regarding the Speedy Carwash but a plan review letter was issued on October 12th and developer has not submitted revised construction plans for review.

b. **Capacity Requests.** Mr. Gaez discussed with the Board the capacity letter and the possible need for revisions. Upon motion by Director Klenk, seconded by Director Longoria, after full discussion and the question being put to the Board, the Board voted unanimously to approve the attorney to make any necessary revisions to the capacity request letter.

c. **BGE Authorized Projects:**

i. **2020 Bond Issue Report:** Mr. Gaez reported as authorized by the District, BGE updated the bond application report to include projected cash calls thru 2024 for the COH SETL project and updated capital project costs.

ii. **Water Plant No. 1 GST Replacement:** Mr. Gaez reported that the 1-year warranty inspection was held on March 12. He stated that all punchlist items identified during the 1-year warranty inspection have been addressed.

iii. **Heritage Park Section 17 Backslope Swale Clearing:** Mr. Gaez reported that the project is ongoing.

d. **COH / County Projects**

i. **City of Houston ("COH") Southeast Transmission Line (surface water line):** Mr. Gaez reported on that design is ongoing. He stated that the alignment of line segments is under review and consultants are working towards milestone submittals. He stated that The COH has

distributed a revised cash call schedule reflecting updates to the estimated real estate acquisition costs per the 2021 appraisal district values, an increase in inflation rate of 3%, and construction costs associated with realignments. Extensive discussion ensued regarding the cash call.

ii. **Blackhawk Treatment Plant:** Mr. Gaez reported that the GCA proposes to adjust the FY 2021 budget by replacing the authorized AFE to refurbish sand filter #3 which had a \$230,000 budget and replacing it with the authorized AFE for the Aeration System Study which has a budget of \$210,200. Discussion ensued regarding a discrepancy.

e. **Additional Items:** Mr. Gaez reported on the AWIA requirement, stating that BGE will certify completion of the Risk and Resiliency Assessment on June 30th with the EPA.

Upon motion by Director Klenk, seconded by Director Longoria, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report.

**11. Approve Petition for Addition of Land for 21<sup>st</sup> and 22<sup>nd</sup> annexations.** Mr. Wilson reported that this item will be deferred to the next meeting. He stated that he asked the engineer to not include this on the bond application to not slow down the process. Discussion ensued.

**12. Approve Petition for Consent for Addition of Land for 21<sup>st</sup> and 22<sup>nd</sup> annexations.** Mr. Wilson reported that this item will be deferred to the next meeting.

**13. Park and Recreational Facility Report.** Mr. Gray, who presented to and reviewed with the Board the Parks and Recreational Facilities Report, a copy of which is attached hereto as *Exhibit H*. He stated that there are no major issues to report.

Mr. Gray reported on Heritage Park Short Channel, stating that the channel is in good condition.

Mr. Gray reported on Heritage Park Long Channel, stating that the channel is in good condition and is functioning as designed.

Upon motion by Director Klenk, seconded by Director VanRiper, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Park and Recreational Facility Report.

**14. Sewage Treatment Plant Operations Report.** Director Squires reported that there will be a meeting later this month to discuss the Sewage Treatment Plant.

**15. Discuss Southeast Water Plant Report.** Director Squires reported that there was a meeting last week regarding the Water Plant. He stated that during the meeting they discussed the asset renewals and the long term needs of the plant.

**16. Discuss Maintenance of District Facilities.** Discussion ensued regarding the new generator for the facility.

Director Mendez stated that this will be his last meeting with the Board.

The Board discussed the possibility of discontinuing the hybrid meetings. Upon motion by Director Longoria, seconded by Director Klenk, after full discussion and the question being put to the Board, the Board voted unanimously to discontinue the hybrid MUD meetings.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.

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The above and foregoing minutes were passed and approved by the Board of Directors on July 20, 2021.

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President, Board of Directors

ATTEST:

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Secretary, Board of Directors