

MINUTES OF MEETING OF BOARD OF DIRECTORS  
August 17, 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") met in regular session, open to the public, at 2300 Pilgrims Point, Webster, Texas, on Tuesday, August 17, 2021, whereupon the roll was called of the members of the Board, to-wit:

Robert L. Squires, President  
Sam Longoria, Vice President  
David VanRiper, Secretary  
Richard Klenk, Treasurer  
Robert Tietz, Assistant Secretary

All members of the Board were present in person, 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 and Ms. Kaity Malek of Norton Rose Fulbright US LLP ("NRF"), attorney for the District; Mr. Scott Gray of Champions Hydro-Lawn, Inc. ("Champions"); Ms. Vickey Sullivan of Equi-tax, Inc., tax assessor for the District; and Ms. Jennifer Landreville of ETI Accounting Services ("ETI"), bookkeeper for the District.

The meeting was called to order in accordance with notice posted pursuant to law, copies of the Certificates of Posting of which are attached hereto as *Exhibit A*, and the following business was transacted:

- 1. Public Comments.** There were no public comments.
- 2. Approve Minutes** The Board considered the minutes of the July 20, 2021 meeting, copies of which was previously distributed to the Board. 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 minutes of July 20, 2021, as presented.
- 3. Forest Bend Fire Department Report.** Mr. Hoff reviewed the runs for the month of July. He also reported on the service calls within the month and discussed the July budget activity.
- 4. Windsor EMS, Inc. Report.** Mr. Henderson presented to and reviewed with the Board the Windsor EMS, Inc. ("Windsor") report for July 2021, a copy of which is attached hereto as Exhibit B. He stated that Windsor's 911 services were requested 62 times and WINDSOR

responded to all 62 of the requests, with an average response time of 6 minutes and 02 seconds. He stated that Medic 18 responded to 61 patients; Medic 19 responded to 4 patients. There was 1 call that Medic 18 provided Mutual Aid to League City EMS. These calls for service resulted in 41 transports. Windsor's response for medic 18 in MUD 55's district was less than 7 minutes and 59 seconds, on 98.14 % of the requests. There was 2 MVA's in July one that 3 patients were transported and another that had 2 patient refusals. He stated that Windsor now has a striker pro-care contract for the stretchers and EMS equipment. Discussion ensued regarding the pro-care contract.

**5. 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 July the District has collected 99% of taxes for 2020.

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

Ms. Sullivan reported on the delinquent tax accounts. She stated that there is one resident that has defaulted on their payment. It is recommended that Mr. Thornhill moves forward with a law suit. Upon motion by Director Longoria, seconded by director Klenk, after full discussion being put to the Board, the Board voted to approve the delinquent tax attorney to file suit on this account.

Ms. Sullivan reported on the District's SPA Revenue report.

Director Squires reported on the HCAD Board vacancy. He stated that there have been nominations that have been sent in for voting and the Board can vote if they would like. It was the consensus of the Board to not move forward with voting this year.

Upon motion by Director VanRiper, seconded by Director Longoria, 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.

**6. Bookkeeper's Report and Investment Report.** Ms. Landreville presented to and reviewed with the Board the Bookkeeper's Report for July 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 reported on the raise of the District's cleaning employee. Discussion ensued regarding the new pay rate. 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 raise for the District's employee.

Ms. Landreville stated there are 47 checks being presented for review and approval.

Ms. Landreville reviewed the July investment and capital reports.

Director Squires inquired about the District's 2013 bonds. Discussion ensued regarding when the District would start using the funding.

Director Squires reported that the rate analysis is in the process being completed.

Upon motion by Director VanRiper, 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.

**7. 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 July 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 July stating that Si performed billing/collection activities and responded to customers calls for service.

Mr. Wilson reported that, at 2402 Colonial Ridge, Si hauled off debris and replaced landscaping after the waterline repair.

Mr. Wilson reported that, at 17127 Stone Stile, Si replaced landscaping after the waterline repair.

Mr. Wilson reported that lines were jetted to clear blockage at 3002 Early Turn.

Mr. Wilson reported that, at 16026 Surrey Woods, Si televised the lines and found a break in the main. He stated that Si started the job for excavations to make the repair.

Mr. Wilson reported on the lift station maintenance for the month of July. He stated that at Signal Hill L3, Si replaced the photocell on the yard light that had failed. He stated that at St. Lawrence L1, Si was called out after hours due to a breaker tripping. He stated that they reset the breaker, pumped down the wet well and now the lift station is operating properly.

Mr. Wilson stated that at Fife W1, Si purchased and replaced the CI2 scale that had failed. They replaced all the brackets and fittings as well, tested and put it back online. He stated that Si also replaced the two leaking ball valves on the CI2 system.

Mr. Wilson stated that at Planters Way W2, Si replaced the photocell on the yard light that had failed.

Mr. Wilson reported on the water accountability. He stated that it was at 86.57% for the month of July.

Mr. Wilson stated that he is still getting costs for smart meters and once he has a company with a good price he will report to the Board.

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

Director Klenk inquired about the pile of dirt needing to be moved by the Bay Area Blvd exit. Discussion ensued.

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 Operations Report and the delinquent cut off list.

8. **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 construction is ongoing and it is anticipated that the project will be fully completed in March 2022. The apartment developer cleaned out the concrete pilot channel from the silt. Champions will continue to monitor the condition of the channel.

ii. **Assisted Living Facility (6.77 Acres El Dorado Blvd and Beacons View):** Mr. Gaez stated that the construction plans have been reviewed by BGE and Si Environmental. He stated that comments were issued to the design engineer on June 29.

3. **Rodzina Office Warehouse Phase II.** Mr. Gaez stated that the plat was approved by Harris County Commissioners Court on June 29<sup>th</sup>. He stated that construction plans are approved.

4. **Speedy Carwash.** Mr. Gaez stated that the no objection letter stipulates that the developer must provide proof of passing inspections by Harris County's commercial review department within 60 calendar days from the date the no objection letter.

b. **Capacity Requests.** Mr. Gaez stated that there was nothing to report.

- c. **BGE Authorized Projects:**
  - i. **\$17,685,000 Bond Issue Report:** Mr. Gaez reported that BGE submitted the bond application to the TCEQ on July 22nd. We are awaiting TCEQ review and approval of the application. He stated that the DAC has been approved and will be moving forward and have everything completed by October 1.
  - ii. **Heritage Park Section 17 Backslope Swale Clearing:** Mr. Gaez reported that the contractor will be completing the remaining clearing items this week.
- 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. A co-participant meeting will be held on September 1st to discuss overall project details and upcoming cash calls.
  - ii. **Blackhawk Treatment Plant:** Mr. Gaez reported that the GCA distributed the revised Interlocal Regional Waste Disposal Facilities Contract to the participants for execution on August 11, 2021. Upon motion by Director Tietz, seconded by Director Longoria, after full discussion and the question being put to the Board, the Board voted unanimously to approve the execution of the Interlocal Regional Waste Disposal Facilities Contract agreement.
- e. **Additional Items:**
  - i. **840,000 Gallon Ground Storage Tank Cathodic Protection Repair:** Mr. Gaez stated that the latest coating cathodic protection system inspection identified a few maintenance items that should be completed to ensure proper functioning of the system. The items include replacing pin insulators for the anodes, inspection and repair of header cable splices, replace ceramic weights of anodes, and inspect all hand hole covers. Farwest Corrosion Control Company has submitted an estimate for the repairs in the amount of \$1,515.00. 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 GST Cathodic Protection repair in the amount of \$1,515.00 to Farwest Corrosion Control Company.

ii. **COH Request for Updated Contact List and GIS Database:** Mr. Gaez stated that the City of Houston reached out to NRF requesting an updated contact list form and a GIS database of the surface water delivery point. BGE submitted the requested information on August 11th.

iii. **Water Plant No. 1 Driveway Replacement:** Mr. Gaez stated that the estimate to remove the existing asphalt driveway from the Heritage Park parking lot to the entrance of the Water Plant is \$61,705.55 including 15% contingencies. Engineering fees for plan production and agency approval is \$30,000. Discussion ensued.

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 Engineer's Report.

**8. Discuss the renewal of District Insurance (expiring 9/21/2021).** Mr. Wilson stated that this premium is roughly \$5,700 more than last year. Extensive discussion ensued regarding raising the amount of coverage to \$5 million. Upon motion by Director Klenk, seconded by Director VanRiper, after full discussion being put to the Board, the Board voted to approve the original quote of \$3 million coverage and seek an additional quote from AJ Gallagher in the amount of \$2 million.

**9. Indemnification of Directors.** Upon motion by Director Klenk, seconded by Director VanRiper, after full discussion being put to the Board, the Board voted to approve the Indemnification of Directors.

**10. 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 VanRiper, seconded by Director Tietz, after full discussion being put to the Board, the Board voted to approve the Park and Recreational Facility Report

**11. Sewage Treatment Plant Operations Report.** Director Squires reported that there was nothing new to report.

**12. Discuss Southeast Water Plant Report.** Director Squires stated that at the last meeting it was discussed to have chlorine burn.

**13. Discuss Maintenance of District Facilities.** There was nothing to report.

**14. Other District Matters.** Director Klenk reported on the Water Harvesting. He stated that it was suggested to write to governmental entities to deny taxing water harvesting due to the All Water Act. Discussion ensued.

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 **September 21, 2021.**

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President, Board of Directors

ATTEST:

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Secretary, Board of Directors