

MINUTES OF MEETING OF BOARD OF DIRECTORS  
October 19, 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, October 19, 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 and Mr. Kyle Donham 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; Ms. Lauren Smith of Public Finance Group, financial advisor 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 Hearing on 2021 Tax Rate.** The President opened the public hearing on the 2021 proposed tax rate. The President reported that at the September Board meeting the Board decided to publish a proposed tax rate of \$0.40 per \$100 assessed valuation. The President asked for public comments; there were none.
- 2. Close Public Hearing.** The President closed the public hearing.
- 3. Adopt Order Setting Tax Rate and Levying Tax for 2021.** Mr. Wilson presented to and reviewed with the Board the Order Setting Tax Rate and Levying Tax for 2021 (“Order”), a copy of which is attached hereto as Exhibit B. 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 adopt the Order, thereby levying a tax rate of \$0.40 for \$100 assessed valuation.
- 4. Public Comments.** There were no public comments.

**5. Approve Minutes** The Board considered the minutes of the September 21, 2021 meeting, copies of which was previously distributed to the Board. 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 minutes of September 21, 2021, with addressed changes.

**6. Forest Bend Fire Department Report.** Mr. Hoff reviewed the runs for the month of September. He also reported on the service calls within the month and discussed the September budget activity. He stated that during the month of October, Forest Bend Fire Department will be working fire prevention at the surrounding schools. Discussion ensued.

**7. Windsor EMS, Inc. Report.** Mr. Henderson presented to and reviewed with the Board the Windsor EMS, Inc. ("Windsor") report for September 2021, a copy of which is attached hereto as Exhibit C. He stated that Windsor's 911 services were requested 79 times and Windsor responded to 74 of the requests, with an average response time of 6 minutes and 08 seconds. He stated that Medic 18 responded to 71 requests while Medic 19 responded to 3 requests. Mr. Henderson reported that 2 requests from Medic 18 provided Mutual Aid to Shoreacers. He stated that Medic 18 required mutual aid on 5 requests of which 4 request were provided by League City and one by HFD. He reported that these calls for service resulted in 42 transports. Mr. Henderson stated that Windsor's response for medic 18 in MUD 55's District was less than 7 minutes and 59 seconds, on 98.6 % of the requests and that Friendswood's report shows a A49 call which is Friendswood EMS call. He reported that Windsor did not run this call. He discussed the shooting that occurred within the District two weeks ago. Discussion ensued.

**8. 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 D.

Ms. Sullivan reported that for the month of September the District has collected 99.2% of taxes for 2020.

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

Ms. Sullivan reported on the District's depository pledge report for the month of September.

Ms. Sullivan reported on the SPA Revenue report.

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 Tax Assessor and Collector's Report, to approve the execution of the checks as presented.

Ms. Sullivan and the Board discussed the delinquent tax accounts. Ms. Sullivan stated that there are 21 accounts in the delinquent process and two accounts pending lawsuits. Discussion ensued on the delinquent tax accounts. 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 Tax Assessor to move forward with the delinquent tax account terminations.

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

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

Ms. Landreville stated there are 63 checks being presented for review and approval. She further stated that there is another check request to be presented. Ms. Landreville stated that this request is for the window repair for Director Longoria's vehicle. She stated that during the AWBD conference his window was hit and the repair would be roughly \$700. Discussion ensued regarding insurance coverage. Upon motion by Director Squires, seconded by Director Klenk, after full discussion and the question being put to the Board, the Board voted unanimously to reimburse Director Longoria for his vehicle repairs.

Ms. Landreville reviewed the September investment and capital reports.

Ms. Landreville reported on the District's 2022 proposed draft budget. She stated that she will discuss with the consultants regarding comments on the budget and will have it ready for approval for the December meeting. Discussion ensued. It was the consensus of the Board to meet in a special meeting on November 2, 2021 at 6:30 p.m. to review and discuss the 2022 budget.

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 accept the Bookkeeper's Report and the Investment Report, and to approve execution of the checks presented.

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

Mr. Wilson reported that, at 16746 Square Rigger, Si excavated down to main and replaced a leaking tapline. He stated that the area was backfilled and cleaned after the repair.

Mr. Wilson reported that, at 16907 Colony Bend, Si excavated and replaced leaking U branch.

Mr. Wilson reported that Si made repairs on 12 hydrants as noted in the inspection report.

Mr. Wilson reported that Si replaced 53 meters per the meter change out program.

Mr. Wilson reported that lines were jetted to clear blockage at 3000 FM 528.

Mr. Wilson reported that at 15910 Backenberry, Si replaced a section of fencing and landscaping was completed after the repair.

Mr. Wilson reported that at 4702 Wynnview, Si replaced landscaping after a repair.

Mr. Wilson reported on the lift station maintenance for the month of September. He stated that at Signal Hill L3, Si found a breaker on pump #2 had failed. He stated that Si ordered a new one and replaced it. He stated that at St. Lawrence L1, Si purchased and replaced a surge arrestor that had failed. He stated that at Blue Mesa L2, subcontractors replaced the entry gate.

Mr. Wilson stated that at Fife W1, Si found a fuse had failed on booster pump #1. He stated that Si ordered a new fuse and replaced it.

Mr. Wilson reported on the water accountability. He stated that it was at 98.98% for the month of September.

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

Mr. Wilson stated that a letter went out to the residents regarding a water flush during the first week in November.

Director Squires inquired about a sink hole. Mr. Wilson stated that it was a sanitary line issue and there has been a repair addressed and corrected. He further stated that landscaping has been started.

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

11. **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 BGE received a call from Gehan Homes on October 13th inquiring about the status of public agency construction plan approvals for the development. He stated that Gehan Homes has partnered with Crystal Creek Developers as the home builder, and they have been told that the construction plans have been re-submitted to agencies for re-approval. He reported that BGE has not been contacted by Crystal Creek Developers to re-submit the lift station or pump station plans by Crystal Creek Developers.

2. **El Dorado Tracts:**

- i. **Allora Apartments (9.13 Acre Multi Family Tract):** Mr. Gaez reported that there were no new updates. He stated that construction is ongoing and it is anticipated that the project will be fully completed in March 2022. Fire protection plans were submitted to the Forest Bend Fire Department for record keeping on October 10th.

- ii. **Assisted Living Facility (6.77 Acres El Dorado Blvd and Beacons View):** Mr. Gaez stated that construction is ongoing.
- 3. **Rodzina Office Warehouse Phase II.** Mr. Gaez that there were no new updates. He reported that the plat has been recorded.
- 4. **Speedy Carwash.** Mr. Gaez stated that BGE was notified by the Harris County ROW inspector on October 1st that unauthorized work in the Signal Hill Drive ROW had occurred. He stated that BGE provided the contact information for the Speedy Carwash engineer for coordination. He reported that Harris County has requested that the contractor pull adequate permits and repair the subgrade of the road.
- 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 the TCEQ has approved the bond application on October 7th. He stated that the District's attorney and financial advisor will move forward with the necessary steps to complete the sale. Ms. Smith stated that she will be bringing documents during the next meeting for review and approval for the bond to sell in January and close in February.
- 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. The next cash call (Cash Call #3) in the amount of \$993,603.98 will be due on December 27th. He stated that the next SEWP Operations Advisory Committee meeting will be held on October 29th.
  - ii. **Blackhawk Treatment Plant:** Mr. Gaez stated that there was nothing to report.
  - iii. **Joint Regional Lift Station 142-2:** Mr. Gaez stated that the GCA solicited proposals to complete the improvements to the lift station control panel as included in the FY 2021 budget. He stated that three bids were received and the GCA is recommending authorization to Techstar Construction in the amount of \$27,117.30. Mr. Gaez reported that the AFE estimate for this work was \$20,000 but due to the increase in material costs the GCA is requesting an increase to \$35,000. He reported that based on the current joint facility agreement, the District's share is 71.4% which translates to \$25,000 of the revised AFE amount. 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 contract recommendation for the revised AFE amount in the amount of \$25,000.

**e. Additional Items:**

i. **840,000 Gallon Ground Storage Tank Cathodic Protection Repair:** Mr. Gaez stated that the repair will be completed during the next internal inspection of the ground storage tank in early December 2021.

ii. **City of Houston Planning and Development Department Coordination for SPA Boundaries:** Mr. Gaez reported that BGE coordinated with City of Houston representatives to review and comment on the metes and bounds for the SPA boundary of MUD 55. The amendment includes the Barcena's Mexican Restaurant tract, the StorQuest Self Storage property, and commercial tracts on the east corner of Rex Road and Hope Village Drive (Caliber Collision and light commercial).

iii. **Water Plant No. 1 Driveway Replacement:** Mr. Gaez stated that BGE has completed the design of the driveway replacement and is coordinating with the Operator for comments. He stated that BGE has also reached out to Harris County for guidance on filing the site permit application given that the MUD does not own the property in which the driveway is located. Discussion ensued regarding the entry access point.

iv. **Series 2013 Bond Surplus Review:** Mr. Gaez stated that BGE has reviewed the projects funded with the Series 2013 Bond funds including what projects can be funded with any remaining surplus funds. He reported that a list of potential projects that are still to be funded from 2013 bonds well as other expenditures that could be considered for funding out of surplus funds is presented for review. Extensive discussion ensued regarding funding and potential projects.

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.

**12. 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.

Mr. Gray reported that there is one large tree that fell down and needs to be removed. He stated that the tree is roughly 41-feet long and has a 5-foot trunk circumference. He stated that a work order has been put in to remove the tree.

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.

Mr. Gray reported that fall fertilization takes place this month.

**13. Sewage Treatment Plant Operations Report.** Nothing new on the plant.

**14. Discuss Southeast Water Plant Report.** Director Squires stated that there was nothing to report. There will be a meeting within the next week.

**15. Discuss Maintenance of District Facilities.** Director Longoria stated that there is a leak in several places on the roof and there are pieces of the roof coming apart at the plastic seams. He stated that he spoke with the contractors regarding repairs and as of right now there is patch work in place until this can be resolved. Discussion ensued.

**16. Other District Matters.** Ms. Landreville reported that the report has been sent for the District's rate study.

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

\* \* \*

The above and foregoing minutes were passed and approved by the Board of Directors on **November 16, 2021.**

---

President, Board of Directors

ATTEST:

---

Secretary, Board of Directors