

MINUTES OF MEETING OF BOARD OF DIRECTORS  
April 19, 2022

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, April 19, 2022, 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 not here

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. Reggie 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”); and Ms. Jennifer Landreville and Ms. Lesley Bryant of ETI Accounting Services (“ETI”), bookkeeper for the District; Ms. Vickey Sullivan of Equi-tax, Inc., tax assessor for the District and Mr. Brian Tolden of McCall and Gibson, auditor for the District, attended via teleconference.

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 March 15, 2022 regular meeting, copies of which was previously distributed to the Board. 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 approve the minutes of March 15, 2022, as presented.
- 3. Forest Bend Fire Department Report.** Mr. Hoff reviewed the runs for the month of March. He also reported on the service calls within the month and discussed the March budget activity.

Mr. Hoff stated that there were no issues to report on the Fire Department budget.

**4. Windsor EMS, Inc. Report.** Mr. Henderson presented to and reviewed with the Board the Windsor EMS, Inc. (“Windsor”) report for March 2022, a copy of which is attached hereto as *Exhibit B*. Mr. Henderson stated that Windsor’s 911 services were requested 64 times. He stated that Windsor responded to 63 of the requests, with an average response time to all calls of 6 minutes and 31 seconds. Mr. Henderson stated that Medic 18 responded to 58 requests, while Medic 19 and Windsor Shoreacres responded to 5 requests. He stated that Medic 18 provided mutual aid to Shoreacres on 2 calls. He reported that Windsor's response for medic 18 in the District was less than 7 minutes and 59 seconds, on 98.38% of the requests. He stated that Friendswood call number 220158 was originally disregarded at 9:51 by Friendswood and that Engine 127 arrived on the scene and assessed, determining Medic 18 was needed. Medic 18 was dispatched back at 10:02. This call also resulted in two patients due to childbirth. Mr. Henderson stated that Windsor transported both patients. Lastly, Friendswood call number 220169 was a mutual aid request from Shoreacres and was disregarded by Shoreacres.

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 Windsor EMS, Inc. Report.

**5. Tax Assessor and Collector’s Report.** Ms. Landreville 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. Landreville reported that for the month of March the District has collected 97% of taxes for 2021.

Ms. Landreville presented 20 checks for review and approval.

Ms. Landreville reported on the delinquent accounts.

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 March 2022 and the Investment Report copies of which are attached hereto as *Exhibit D*.

Ms. Landreville reported on the District’s general operating fund.

Ms. Landreville presented 12 checks for review and approval.

Ms. Landreville reviewed the March investment and capital reports.

Ms. Landreville reviewed the debt service fund.

Ms. Landreville reported on the District’s budget stating this is the third month of the fiscal year.

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.

**7. Approve Audit for Fiscal Year Ended December 31, 2021.** Mr. Tolden presented to and reviewed with the Board the audit for fiscal year end December 31, 2021, a copy of which is hereto attached as *Exhibit E*. He stated that an unqualified opinion was issued and there are no issues to report. 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 audit for fiscal year ended December 31, 2021, pending final review and revisions.

**8. Approve Continuing Disclosure Report.** 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 financial advisor to prepare and file the Annual Continuing Disclosure Report with EMMA.

**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 March 2022 a copy of which is attached hereto as *Exhibit F*.

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

Mr. Wilson reported on the lift station and water plant maintenance for the month of March.

Mr. Wilson reported a water accountability of 96.56% for the month.

Mr. Wilson reported that the consumer confidence report will be mailed out with the next water bill.

Mr. Wilson reviewed the operation charges.

Mr. Wilson reported on the delinquent account list.

Mr. Wilson discussed with the Board the second amendment to the Professional Services Contract ("the Contract") regarding the Tapping and Meter Installation. He stated that this contract is for the installation of additional residential and non-residential taps and meters. He stated that the Board can choose to approve this contract today and to ratify it next month or to approve and ratify at the same time during the May meeting. Discussion ensued. Upon motion by Director Klenk, seconded by Director Tietz, after full discussion and the question being put to the Board, the Board unanimously voted to approve the Contract for additional taps and meters.

Mr. Wilson discussed with the Board the Sanitary Sewer Rehab work within the District. He stated that Si has identified almost all of the District's 1,208 manholes. He reported that Si will need to section this project out so that it can be funded by the District's bond.

Discussion ensued. Upon motion by Director Longoria, seconded by Director VanRiper, after full discussion and the question being put to the Board, the Board unanimously voted to authorize Si to begin the Sanitary Sewer Rehab project on the manholes.

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.

**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 that on March 23, BGE reached out to the design engineer and developer for input on land acquisition costs and other details necessary to estimate reimbursable costs for the requested update to the reimbursement agreement with the District. He stated that BGE has not received the requested information.

2. **El Dorado Tracts:**

i. **Assisted Living Facility (6.77 Acres El Dorado Blvd and Beacons View):** Mr. Gaez that there were no new updates this month. He stated that the construction of this project is projected to be complete by March 2023.

3. **Rodzina Office Warehouse Phase II.** Mr. Gaez stated that the capacity reservation for 14.66 ESFC was issued to Rex Development Partners, LLC subject to the property closing by May 15<sup>th</sup> as authorized by the District at the March regular meeting.

4. **Speedy Carwash.** Mr. Gaez reported that the contractor has completed the construction of the precast sanitary sewer manhole and provided proof of passing test results for the cement stabilized backfill. He stated that a manhole pressure test was performed by the contractor on April 11<sup>th</sup> and witnessed by BGE inspectors. The manhole did not hold the pressure necessary to pass inspection and the contractor will be scheduling a new pressure test after they address the deficiencies. Discussion ensued.

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

c. **BGE Authorized Projects:**

i. **Water Plant No. 1 Driveway Replacement:** Mr. Gaez reported that construction is underway.

d. **COH / County Projects**

i. **City of Houston (“COH”) Southeast Transmission Line (surface water line):** Mr. Gaez reported on that design is ongoing and the consultants are working towards milestone submittals.

ii. **Blackhawk Treatment Plant:** Mr. Gaez stated that there are no updates this month. He reported that the next meeting will be held on May 26<sup>th</sup>. The GCA is working with their internal finance group to draft an agreement for the issuance of a bond to cover the Aeration Upgrade project at the Blackhawk WWTP. He stated that the District’s estimated portion of the project based on the latest cost estimate is \$2,025,218.01 and includes engineering. He stated that the District issued \$1,466,569.96 to cover their prorated portion of the project based on the available cost estimated at the time. 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 authorize BGE to talk to the GCA regarding the District’s prorated portion of the project and to add in the delta.

e. **Additional Items:**

i. **City of Friendswood Flock Camera Location.** Mr. Gaez reported that the Flock camera has been installed.

ii. **Heritage Park Parking Lot.** Mr. Gaez stated that as requested by the District, BGE has created conceptual estimates for a 20-parking space lot. He stated that the estimate construction cost including contingencies and engineering for a reinforced concrete parking lot is \$201,150.00 while a permeable gravel paver parking lot is estimated at \$250,232.00. He further stated that as directed by Harris County, the project will require a driveway and construction plans submitted to Harris County engineering for the parking lot construction. He reported that the original construction plans for the park planned for a paved parking lot with 20 parallel parking spaces with a one-way traffic pattern. Discussion ensued regarding the concrete lot versus the permeable paver lot. 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 authorize BGE to move forward with bidding process for reinforced concrete for the Heritage Park parking lot and to authorize the driveway and construction plan submittal.

**11. Park and Recreational Facility Report.** Mr. Gray 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 is nothing new to report at this time and reviewed photos of the various channels. 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 facility report.

Mr. Gray presented to and reviewed with the Board a proposal for cleaning the pilot channel, a copy of which is hereto attached as *Exhibit I*. 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 Pilot Channel proposal.

**12. Sewage Treatment Plant Operations Report.** Director Squires stated that there was nothing to report at this time.

**13. Discuss Southeast Water Plant Report.** There was nothing to report.

**14. Discuss Maintenance of District Facilities.** Mr. Longoria reported that the heater elements in the District facilities attic went out and that this issue has been placed on hold until later for replacement. He further reported on the pricing of a broken part for the men's bathroom. 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 **May 17, 2022.**

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President, Board of Directors

ATTEST:

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Secretary, Board of Directors