

MINUTES OF MEETING OF BOARD OF DIRECTORS
May 18, 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, May 18, 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
Vacant, Assistant 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. Scott Gray of Champions Hydro-Lawn, Inc. ("Champions"); Mr. Christopher Thornhill of Thornhill Law Firm, PC ("Thornhill"), delinquent attorney for the District. Mr. Alex Gonzalez, resident of the District. Mr. David Riper, resident of the District.

Attending all or parts of the meeting via teleconference were Mr. Reginald Wilson, Ms. Kaity Malek of Norton Rose Fulbright US LLP ("NRF"), attorneys for the District; Ms. Vicky Sullivan of Equitax, Inc., tax assessor for the District and bookkeeper for the District; Ms. Lauren Smith of Public Finance Group, financial advisor for the District; Mr. Allen Dejonge from Infinity Services; Ms. Sheryl Paul, resident of 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 April 20, 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 April 20, 2021, as presented.

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

4. Windsor EMS, Inc. Report. Mr. Henderson presented to and reviewed with the Board the Windsor EMS, Inc. (“Windsor”) report for April 2021, a copy of which is attached hereto as Exhibit B. He stated that Windsor's 911 services were requested 64 times and Windsor responded to all 64 of the requests, with an average response time of 5 minutes and 52 seconds. He reported that Medic 18 responded to 58 calls and that Medic 19 responded to 6 calls. These calls for service resulted in 35 transports. He stated that Windsor's response for medic 18 in MUD 55's District was less than 7 minutes and 59 seconds, on 100% of the requests.

5. Discuss the District Website Proposal. 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 stay with the District’s current website provider.

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 April 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 Klenk, 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.

Mr. Thornhill reported on the Real Property accounts stating they are at least three years delinquent and have defaulted from installment agreements. He reported that Thornhill is recommending the accounts for suit/intervention. Discussion ensued.

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

Ms. Sullivan reported on the District’s general operating funds.

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

Ms. Sullivan reviewed the April investment and capital reports.

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.

8. Approve Depository Pledge Agreement with Central Bank. 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 Depository Pledge Agreement with Central Bank.

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

Mr. Wilson reported that, at 16703 Schooners Way, Si excavated and replaced a long tapline, backfilled and cleaned the area. He stated that landscaping and concrete were replaced after the repair.

Mr. Wilson reported that, at 2801 Bay Area Blvd r, Si excavated and replaced a meter, backfilled and cleaned the area.

Mr. Wilson reported that, at 2427 Farriers Bend, Si excavated and replaced a leaking tapline, backfilled and cleaned the area. He stated that landscaping and concrete were replaced after the repair.

Mr. Wilson reported that, at 2903 New Plymouth, Si excavated and replaced leaking U branch.

Mr. Wilson reported that, at 17110 Hewing, Si excavated and replaced leaking U branch. He further stated that landscaping was replaced after the repair.

Mr. Wilson reported that, at 2506 General Colony, Si excavated and replaced leaking U branch. He further stated that landscaping was replaced after the repair.

Mr. Wilson reported that, at 2518 Heritage Colony, Si excavated and replaced leaking U branch. He further stated that landscaping was replaced after the repair.

Mr. Wilson reported that the subcontractor inspected district fire hydrants.

Mr. Wilson reported that Si replaced 54 meters per the meter change out program.

Mr. Wilson reported that lines were jetted to clear blockage at 2719 Pilgrims Point.

Mr. Wilson reported on the lift station maintenance for the month of April. He stated that at St. Lawrence L1, Blue Mesa Ridge L2 and Signal Hill L3, Si load tested generators in preparation for Hurricane Season.

Mr. Wilson reported that at Signal Hill L3, there was a low voltage alarm at the facility. He stated that Si found and replaced the bad battery and put facility back online.

Mr. Wilson reported that at St. Lawrence L1, Si jetted and cleaned both 8” sanitary lines.

Mr. Wilson reported on the water plant maintenance for the month of April. He stated that at 16635 Hope Village E1, Si repaired and repainted the fire hydrant and put back in service. He also stated that Si conducted a load test on the facility generator.

Mr. Wilson stated that at 17431 Fife W1, Si repaired a leak on the facility air conditioning system.

Mr. Wilson reported on the water accountability. He stated that it was at 83.6% for the month of April.

Mr. Wilson reported on the delinquent account list with the Board. Extensive discussion ensued with Ms. Paul regarding her meter readings and account balance. Upon Motion by Director Mendez, seconded by Director Klenk, after full discussion and the question being put to the Board, the Board voted unanimously to approve upon receipt of her award document, the District will turn her water back on.

Mr. Wilson reported on the Consumer Confidence Report, stating that he reviewed the report at the previous meeting and that it just needs to be approved by 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 accept the Consumer Confidence 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 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 reported that there are no updates.

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. She 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.

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.

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 Longoria, seconded by Director Mendez, 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 21st and 22nd annexations. Mr. Wilson reported that this item will be deferred to the next meeting.

12. Approve Petition for Consent for Addition of Land for 21st and 22nd 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. He stated that the new emergency flow was added to the Channel.

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

Mr. Gray reported on a fallen tree limb within the Heritage Park Long channel. He stated the debris was removed on May 4, 2021.

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 Park and Recreational Facility Report.

14. Sewage Treatment Plant Operations Report. There was nothing to report.

15. Discuss Southeast Water Plant Report. Director Squires reported that there was a meeting earlier this month in regards to the Southeast Water Plant.

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

17. Discuss Board Vacancy. Director Squires introduced Mr. Alex Gonzalez and Mr. David Riper for possible appointment. Both gentlemen introduced themselves to the Board. The Board discussed the District's meeting times and gave a brief synopsis of what Director's do for the District. It was a consensus of the Board to have the gentlemen come to the next Board meeting in June to further discuss the possibility of appointment.

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 **June 15, 2021.**

President, Board of Directors

ATTEST:

Secretary, Board of Directors