

# MASON CREEK UTILITY DISTRICT

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## MINUTES Meeting of the Board of Directors

The Board of Directors of Mason Creek Utility District of Harris County, Texas, convened in a **scheduled regular meeting** at 847 Dominion, Katy, Texas 77450, on **March 11, 2020** at 7:30 P.M., and the roll was called of the duly elected members of the Board of Directors, to wit:

Len Forsyth	President
James G. Hamblet III	Vice-President
Brian C. Connolly	Secretary/Treasurer
John H. Cameron	Assistant Secretary/Treasurer
Robert J. Wills	Director

and all of the members were present, thus constituting a quorum. Also, present were James L. Dougherty, Jr., Attorney for the District; Lina Loaiza of Bob Leared Interests; Cynthia Colondres of Municipal Accounts & Consulting; Jose de Leon of Venturi Engineers LLC; Mary Du Bois of Acclaim Energy; and Susan Saccomen, Kasey Lorraine and Jamie Parrott of the MCUD staff. The meeting was called to order, and in accordance with notice posted pursuant to law, the following business was transacted:

**Notices & Minutes.** Ms. Saccomen presented the Board a copy of the notice of the meeting including a written report that the notice was given in accordance with the Texas Open Meetings Act. Director Connolly moved to approve the February 12<sup>th</sup> minutes as presented. Director Hamblet abstained, as he had not attended that meeting, and Director Wills seconded. All except Director Hamblet voted in favor, and the motion was passed

**Delinquencies, Etc.** Ms. Saccomen presented a list of utility accounts, a copy of which is attached to these minutes, and advised the Board there were delinquent utility charges owed on each of the accounts. She indicated notice of proposed discontinuation of service for non-payment of water/sewer services (and the opportunity for a hearing at that night's hearing) had been given to the ratepayer on each account (and the occupant, if different). President Forsyth opened a public hearing regarding such utility accounts. After providing an opportunity for anyone to be heard and determining that no one was present to be heard, Director Cameron then moved that: (i) the amount shown on the lists for each account be found to be correct and delinquent, (ii) although notice of tonight's hearing was given, no one appeared, and (iii) discontinuation of utility service be authorized for the accounts listed, except as specially provided by the Board, in accordance with the District's standard operating procedures. The motion was seconded by Director Wills and was carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Ms. Colondres gave the bookkeeper's report including current budget (revenues and expenditures), history of sales tax revenues, summary of pledged security as of March 11, 2020. She stated that the Series 2020 Bond Series in the amount of \$2,665,413.12 would be deposited into the Capital projects fund as of March 18, 2020. Of which \$300 would be left in the money market and the remainder to be transferred into other accounts. Ms. Colondres requested an amendment to the current contract be added to April's agenda. Director Cameron moved to accept the bookkeeper's report as presented. Director Hamblet seconded, and all voted in favor of the motion.

**Bills, Etc.** Director Cameron moved to accept the bills as presented and authorize payment, specifying that payment for the CMU building at MCCC would be withheld until completion of pending items, filing of required affidavit(s), etc. Director Connolly seconded, and all voted in favor of the motion.

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total taxes collected at the end of February were \$2,208,508.36 leaving taxes receivable on February 29, 2020 at \$106,936.99. Total reported receipts in February were \$52,112.18. Checks were presented in the amount of \$31,542.86. The reported percentage of collection of the 2019 taxes was 96.9%. After discussion, Director Connolly moved to approve the Tax Assessor Collector's report as presented. Director Wills seconded, and all voted in favor of the motion.

**Bonds, Notes, Etc. and Reimbursement Resolutions.** There was nothing to report.

**Water Supply & Regulations and Agreements.** There was nothing to report.

**Engineering, Projects, Etc.** Mr. de Leon gave the Engineering Report and stated that the CMU project at MCCC was complete. He mentioned that he submitted Pay Application # 4 and #5; ; however, required affidavits had not been received. He said he also requested approval of Change Order #2. After discussion, Director Hamblet moved to approve payment subject to completion of pending items, filing of required affidavit(s), etc. and to approve Change Order #2. Director Wills seconded, and all voted in favor of the motion.

Mr. de Leon provided a project schedule for the Brondesbury and Rennie lift station projects. He said he had started the submittal process to the City of Houston, pending approval of completed documents.

He mentioned that he had been coordinating with Mr. Dougherty regarding advertisement of the ATS replacement and electrical upgrades.

He provided an aerial photo for sanitary sewer repairs near Kingsland Blvd. He reported that 2600 linear feet of sewer line would need to be repaired. He mentioned that after further investigation, they had discovered the problems were bigger and deeper than initially thought. There was a discussion about proceeding immediately to repair the worst problems and repairing the rest under a separate, larger contract. After discussion, Director Hamblet moved to authorize a Job Assignment for engineering services for the repairs to the worst section (along Kingsland). Director Connolly seconded, and all voted in favor of the motion. After further discussion, Director Hamblet moved to authorize a Job Assignment for engineering services for repairing the rest of the problems. Director Connolly seconded, and the motion was unanimously passed. The two Job Assignments were signed during the meeting.

Mr. de Leon reviewed the ground storage tank inspection report and provided recommendations related to the report. He reported that the repair to the asphalt near the force main repair west of Westgreen had been completed and that he had received verbal acceptance of the repair from Harris County. He mentioned that the contractor had submitted a pay estimate and affidavit earlier that day.

Director Hamblet moved to accept the engineer's report as presented. Director Cameron seconded, and the motion was unanimously passed.

**Energy & Streetlights.** Ms. Du Bois presented a proposal for the District to buy electricity from Acclaim Energy which would be effective after expiration of the P3 contract in 2022. After some discussion, it was decided that an updated proposal would be requested closer to the expiration date of the current contract. Ms. Du Bois offered to do a complimentary review of the District's current electricity bills.

**Drainage, Detention/Retention.** There was nothing to report.

**STP's.** President Forsyth reported that WWMUD has been negotiating with Katy VFW regarding the fire station adjacent to the plant.

**Recreational Facilities.** Director Hamblet updated the board on the CMU building at the Community Center, stating it was at completion, pending clean up. He said the small repairs needed within the pool area had been completed, and a rail had been installed. He stated that the pumps and filters for the pool were not expected to be delivered until mid- April, and he had updated the swim team.

Mr. Hamblet presented a document from Sweetwater Pools showing the calculation of a 2.5% annual fee increase, based on the index specified in the existing contract. He moved to accept the increase. Director Connolly seconded, and all voted in favor of the motion.

Director Cameron mentioned that, based on the current health crisis, the MCCC Open House likely would have to be rescheduled. He mentioned a concern with promotional items. After discussion, it was decided that towels should be ordered, and firm arrangements for the Open House should be deferred, pending the status of the health crisis.

**System Operations, Rates, Etc.** Mr. Parrott reported that the District pumped 27,634,000 gallons during the month of February. He mentioned that he had received a violation notice from TCEQ for lead and copper sampling. He stated that he contacted TCEQ and resolved the issue.

**Administrative Matters.** Director Forsyth discussed the protocol that had been put in place based on the growing concern of COVID-19.

He said he had a discussion with Administration and Operations staff and determined that the all employees are to be paid hourly, and hourly rate increases would be based on the federal cost of living increase for 2020.

**Directors Election.** Mr. Dougherty informed the Board that the Secretary had certified that the election was uncontested and, therefore, as provided by state law, the election need not be held. Mr. Dougherty explained further that the law allowed the Board to declare the unopposed candidates elected. He presented a state-prescribed form for an "Order Of Cancellation." Director Wills moved to adopt the order. The motion was seconded by Director Connolly, and all voted in favor of the motion. Mr. Dougherty noted that the order should be posted at the polling place. In the adopted order, the following unopposed candidates for the office of Director of the District were declared elected: James G. Hamblet III, John H. Cameron, and Brian C. Connolly. A true and correct copy of the order, as adopted, is to be filed with these minutes.

**Next Meeting:** The April regular meeting was scheduled for Wednesday, April 15, 2020 at 7:30 PM

**Adjournment.** There being no further business to discuss, Director Wills moved to adjourn. Director Hamblet seconded, and all voted in favor, thus passing the motion.

**REVIEWED AND APPROVED BY THE BOARD** on April 15, 2020

**SIGNED:** 