

# MASON CREEK UTILITY DISTRICT

L.R. Forsyth  
J.G. Hamblet III  
B.C. Connolly  
R.J. Wills  
J.H. Cameron

Katy, Texas 77450  
Phone 281-578-7272  
Fax 281-578-1419

## 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** by telephone conference call with two-way audio (as authorized by the Governor of Texas under emergency declaration), on **December 16, 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

President Forsyth and Director Wills were present at the meeting location. Directors Cameron, Hamblet and Connolly were present via telephone conference call audible at the meeting place, as authorized by the Governor of the Texas (under an emergency declaration). Also present by telephone conference call were Mr. James L. Dougherty, Jr., Attorney for the District; Ms. Lina Loaiza of Bob Leared Interests; Ms. Cynthia Colondres of Municipal Accounts & Consulting; Mr. Jose de Leon of Venturi Engineers LLC; Mr. Jamie Parrott of the MCUD staff. Also present at the meeting location was Ms. Susan Saccomen 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 Wills moved to approve the November 11, 2020 minutes as presented, and Director Cameron seconded. All voted in favor, and the motion was passed.

**Delinquencies, Etc. Delinquencies, Etc.** Director Hamblet informed the board that customer with a service address on Walworten had contacted the District office requesting a change to the order that was approved at the November 11 Board meeting, because the customer was unable to pay the latest water bill which was very high. The resident asked the Board to include the amount of the latest bill in the payout arrangement authorized by the November 11 modified order. For that purpose, Director Hamblet presented a document entitled "SECOND MODIFICATION OF ORDER REGARDING DISCONTINUATION OF WATER-SEWER SERVICE." After discussion, Director Cameron moved to approve the second modification as presented. Director Connolly seconded, and the motion was unanimously carried.

President Forsyth opened a public hearing regarding delinquent utility accounts. After providing an opportunity for anyone to be heard and determining that no one was present to be heard, Director Wills 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 Cameron and was carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Ms. Colondres presented the bookkeeper's report including current budget (revenues and expenditures), history of sales tax revenues, and summary of pledged security as of December 16, 2020. Director Wills moved to accept the bookkeeper's report as presented. Director Hamblet seconded, and all voted in favor of the motion.

**Bills, Etc.** Director Wills moved to accept the bills as presented (and authorize the checks prepared to pay them). Director Cameron seconded; Director Hamblet abstained. The motion was carried.

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total taxes collected at the end of November were, \$170,686.88, leaving taxes receivable on November 30, 2020 at \$2,203,793.24. Total reported receipts in November were \$141,110.52. Checks were presented in the amount of \$164,543.08. The reported percentage of collection of the 2020 taxes

was 6.9%. Director Cameron moved to approve the Tax Assessor Collector's report as presented (and authorize the checks 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 informed the Board that he was continuing to address comments and was coordinating with the attorney for the front-end specifications of the Brondesbury and Rennie lift station conversion.

Mr. de Leon reported that the automatic transfer switch (ATS) had been ordered and was expected to arrive January 8, 2021 or earlier.

Mr. de Leon reported that he had received approvals from Harris County and Harris County Flood Control District for the Kingsland Blvd. and Prince Creek Sanitary Sewer Rehabilitation, but he was awaiting approval from the City of Houston. He said he expected the City's approval within the next few weeks. Mr. de Leon reported that three bids were received, and he presented the low bid results. He noted that Lopez Utilities Contractor LLC was the low bidder with a bid of \$191,655.00. He reviewed the bid package and, although there were some minor irregularities, he recommended awarding the bid to Lopez Utilities LLC (it appears that the irregularities did not affect the substance of the bid or create any unfairness to other bidders). After discussion, Director Cameron moved to adopt a resolution to waive the minor irregularities award the contract to Lopez Utilities Contractor LLC. Director Hamblet seconded, and the motion was unanimously carried.

Mr. de Leon reported that the documents for the replacement of the force main located under the high-voltage lines had been completed and submitted to Harris County Engineering and Harris County Flood Control District for review. He said he and the attorney were working on the contract documents.

Mr. de Leon also reported that the bid opening for the Smart Water Meter project (phase two) was held on November 10, 2020. He noted there were two bidders, and the apparent low bid for \$438,368.58 was submitted by AVR Water Technologies. He said he and the attorney reviewed the bid and found non-conformities. He noted that the attorney had written a memorandum listing non-conforming items which (i) affected the substance of the bid and (ii) gave the apparent low bidder an advantage over other bidders. It was noted that the bidding documents reserved the District's right to reject bids. Therefore, Mr. de Leon did not recommend awarding the contract to the AVR form, but he did recommend an award to Accurate Meter and Supply, LLC in the amount of \$483,500.00. After discussion, Director Hamblet moved to adopt a resolution awarding the contract to Accurate Meter Supply, LLC and rejecting all other bides, including alternate bids. Director Cameron seconded, and all voted in favor of the motion.

Mr. de Leon reported that the pool deck project had been advertised and posted on Civcast. He said the pre-bid conference was scheduled for December 18, 2020 and the bid opening for January 6, 2021.

Mr. de Leon informed the Board that a water main failure occurred on November 25, 2020 in the intersection of Cranfield Dr and Ellingham Dr. He said he and the Operator had contacted Harris County representatives to determine what plans and approvals would be required. He said the attorney had submitted an emergency repair approval request to TCEQ, but TCEQ had not yet responded. Mr. de Leon reported that he, Mr Parrott and Director Forsyth met with a Harris County inspector on December 7 to discuss the extent of the pavement replacement that would be required. He said he would be submitting the necessary plans to Harris County. He requested approval for Job Assignment 20-114 for engineering services for the repair. Director Hamblet moved to approve Job Assignment 20-114 in the amount of \$12,500 as presented. Director Cameron seconded, and the motion was unanimously carried.

Mr. de Leon reported that he had received the videos from the inspection of the ground storage tanks from the District Operator, but he was awaiting the report from the inspection company. He presented Job Assignment 20-125 for engineering service related to engineer's review and recommendation related to the ground storage tank videos and inspection report. Director Hamblet moved to approve Job Assignment 20-125 in the amount of \$2,000 as presented. Director Cameron seconded, and the motion was unanimously carried.

Director Wills moved to accept the engineer's report as presented. Director Cameron seconded, and all voted in favor of the motion.

**Energy & Streetlights.** There was nothing to report.

**Regional Matters.** Mr. Cameron reported that on December 14, 2020 he had spoken with a construction superintendent regarding the desilting of Mason Creek. He said the project would be completed by January or February of 2021. He said he also learned that the desilting would be performed to the previous depth, but no deeper.

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

**STP's.** President Forsyth reported that the advisory committee for the Cinco Regional STP had approved an amendment to the reclaimed water agreement to provide additional property for the Cinco MUD 1 water reuse facility so that a second ground storage tank could be built. He said the amendment also included an increase in the lease payment from \$2,500 per month to \$3,400 per month, and the amendment was being circulated for signatures. He added that a small leak had been found in the main line that carries sewage from the lift station into the STP. He said a bypass was installed, and the old line was being replaced.

President Forsyth reported that WMMUD had received approval from the City of Houston to install the new generator.

**Recreational Facilities.** Director Hamblet reported that the bid results for the pool deck project would be available at the January meeting. Mr. Parrott reported that the generator for the community center was not working and he was having it checked. He said the company that provides the maintenance for the generator had checked the generator but was unable to determine the problem. After discussion, the board asked Mr. Parrott to contact the manufacturer to arrange repair by a factory representative.

**System Operations, Rates, Etc.** Mr. Parrott informed the Board that District would likely exceed the allotted pumpage under by the HGSD permit. He said he had called the City of Houston to report this, and the City would send out the necessary paperwork in January. Director Wills moved to accept the operator's report as presented. Director Connolly seconded, and all voted in favor of the motion.

**Administrative Matters.** Director Connolly informed the Board that Aetna, the current dental and life insurance carrier, was unable to provide the same life insurance coverage for all the District employees. He said he met with the District's insurance agent and found a better and cheaper alternative. He presented a policy through Sun Life for dental, vision, and life insurance. He noted that the current Aetna policy did not include vision coverage and that the insurance package through Sun Life would give the District an annual savings of \$1,200. After discussion Director Hamblet moved to approve the Sun Life policy as presented. Director Cameron seconded, and the motion was unanimously passed.

Ms. Saccomen presented a proposed 2021 District holiday schedule. She added that the number of holidays would be unchanged from the prior year. After discussion, Director Wills moved to approve the 2021 District holiday schedule as presented. The motion was seconded by Director Cameron and was carried by a unanimous vote.

Director Forsyth presented a recommendation for the annual payment for the District's SEP/IRA program in the amount of 10% of individual annual salaries for full time employees of the District and a one-time payment of \$250 for the part-time employees. Director Wills moved to authorize the payments as recommended. The motion was seconded by Director Cameron and passed unanimously.

**Next Meeting:** The January regular meeting was scheduled for Wednesday, January 13, 2021 at 7:30 PM.

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

REVIEWED AND APPROVED BY THE BOARD on January 13, 2021

SIGNED: 