

MASON CREEK UTILITY DISTRICT

L.R. Forsyth
J.G. Hamblet III
B.C. Connolly
R.J. Wills
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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 **special meeting** at 847 Dominion, Katy, Texas 77450, including participation by telephone conference call with two-way audio (as authorized by the Governor of Texas under emergency declaration), on **August 18, 2021**, 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. President Forsyth and Director Wills were present at the meeting location. Director Hamblet, Director Connolly, and Director Cameron 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, Cory Burton of Municipal Accounts and Consulting, L.P., and Mr. Jose de Leon and Mr. Brenton Stamper of Venturi Engineers LLC. Also present by telephone conference was Ms. Susan Saccomen, Ms. Kasey Lorraine and Mr. Jamie Parrott. The meeting was called to order, and in accordance with notice posted pursuant to law, the following business was transacted.

Notices & Minutes. Director Forsyth reported that the notices of the meeting were duly posted. Director Cameron moved to approve and adopt the notice of this meeting. Director Wills seconded, and all voted in favor of the motion.

Banks, Depositories, Investments, Etc., Mr. Dougherty reported that BBVA, the District's main depository bank, had been acquired by PNC and would no longer support public depositories locally. Mr. Burton explained that Municipal Accounts and Consulting had recommended that all the Districts they work for move to Central Bank, and Municipal Accounts and Consulting have been working the past few months on documents to migrate over to Central Bank. Mr. Dougherty said he had modified the Depository Order previously used for the District's other bank accounts for use to designate Central Bank as a depository. He noted that the order would also approve three other agreements; (i) Depository Agreement; (ii) Depository Pledge Agreement; (iii) ICS or "Insured Cash Sweep" Agreement. He noted that Central Bank was requiring the ICS Agreement. Mr. Dougherty also added that he had requested that all the sweep accounts show the District's name to insure that the District's monies would be identified as such (and insured by FDIC). He noted that Central Bank had agreed to add the District's name to all accounts. After discussion, Director Wills moved to approve and authorize the depository order with the three agreements and all supporting docs required by Central Bank, also a master resolution (naming Ghia Lewis, Mark Burton, and Susan Saccomen, in addition to Board members). Director Cameron seconded and the motion was carried by a unanimous vote. Later in the meeting, Director Wills moved to adopt an amended investment policy resolution to include the bank deposits mentioned in the ICS Agreement as authorized investments. Director Cameron seconded, and all voted in favor.

Engineering, Projects, Etc. Mr. Dougherty reported that a public hearing was held regarding the Walsh Construction bid for the Brondesbury Lift Station Conversion project at the regular Board meeting on August 11, 2021, and the hearing had been recessed until the current meeting (August 18). He added that, at that time, Walsh Construction had not provided the required certificate of insurance. Subsequently, the attorney for Walsh Construction had obtained an improved certificate of insurance. Mr. Dougherty said he had reviewed the improved certificate with Director Forsyth and Mr. de Leon, and they had approved variations from the insurance specifications that brought the certificate (one for the District and one for Venturi Engineers) into compliance. He added that Mr. de Leon would send the notice to proceed to Walsh Construction, and no further action was needed for the public hearing. Director Connolly moved to take no action and close the public hearing, seconded by Director Cameron and the motion was carried by a unanimous vote.

Mr. Dougherty said the District had received updated bid documents from Vera Construction for the Sanitary Forcemain project. He noted that these documents were Vera Construction's response regarding the deficiencies in Vera's

insurance. Mr. Dougherty noted that the latest documents were not sufficient to show compliance with the specifications, and he felt that the documents showed no real concerted effort to comply. Mr. Dougherty said he would follow up with Vera Construction the next day to see if they could work out the deficiencies.

Director Hamblet reported that a portion of the new pool deck would be stripped once the pool was closed for the season. He said that would help determine how long it would take to strip the entire deck and improve the appearance of the deck. Director Hamblet said that since there was a portion of the coating already coming off, he was worried that it would continue to deteriorate. He also noted that the concrete area around the dive well would be taken out and repoured.

Inquiries, Next Meeting. 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 _____

SIGNED:  _____