

# 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 the Mason Creek Community Center, 20201 Kingsland Blvd., Katy, Texas 77450, on **July 13, 2022**, 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
James K. Nordhaus	Assistant Secretary/Treasurer
John H. Cameron	Assistant Treasurer

Also, present were James L. Dougherty, Jr., Attorney for the District; Lina Loaiza of Bob Leared Interests; Derek Davenport of McClellan and Associates; Jose de Leon and Brenton Stamper of Venturi Engineers LLC; and Susan Saccomen, Samantha Saccomen 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 reported that the notices of the meeting had been posted as required by the Texas Open Meetings Act. Director Connolly moved to approve the June 15<sup>th</sup>, 2022, regular meeting minutes as presented, and Director Cameron seconded. All voted in favor.

**Delinquencies, Etc. Delinquencies, Etc.** Ms. Saccomen presented a list of delinquent accounts proposed for service discontinuation (for which notices, including an opportunity to be heard, had been sent). President Forsyth provided an opportunity for anyone to be heard regarding the delinquencies or discontinuations. After it appeared that no one wanted to be heard, Director Cameron moved that: (i) the amount shown on the list for each account be found to be correct and delinquent, and (ii) discontinuation of utility service be authorized for the accounts listed, unless a payment arrangement was agreed upon before discontinuation of service, in accordance with the District's standard operating procedures. The motion was seconded by Director Connolly and carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Mr. Davenport presented the bookkeeper's report including the cash disbursement report from June 16<sup>th</sup>, 2022, through July 13<sup>th</sup>, 2022.

After discussion, Director Cameron moved to accept the bookkeeper's report as presented. Director Connolly seconded, and all voted in favor of the motion. Director Cameron moved to accept the investment report for the period ending June 30, 2022, as presented, and submitted by the Investment Officer, and to order that a written instrument be adopted, as shown on the report, stating that the Board had reviewed the District's investment policy and investment strategies and decided to make no changes to them. The motion was seconded by Director Nordhaus and was carried by a unanimous vote.

Mr. Davenport presented an amended budget for fiscal year ending June 30, 2023. After discussion, Director Connolly moved to approve the budget for fiscal year ending June 30, 2022, as amended, including changes proposed; the motion was seconded by Director Nordhaus; and the motion was carried unanimously.

**Bills, Etc.** Director Connolly moved to accept the bills as presented (and authorize the checks prepared to pay them). Director Cameron seconded. The motion was carried by a unanimous vote.

**Taxes.** Ms. Loaiza gave the Tax Assessor Collector report indicating total TY 2021 taxes collected at the end of June were \$2,351,147.44 leaving TY 2021 taxes receivable on June 30, 2022, at \$70,116.95. Total reported receipts in June were \$18,238.90. Checks were presented in the amount of \$31,779.42. The reported percentage of collection of TY 2021 taxes was 98.71%. After discussion, Director Nordhaus moved to approve the Tax Assessor Collector's report as presented (and authorize the checks presented). Director Connolly seconded, and all voted in favor of the motion.

**Bonds, Notes, Etc. and Reimbursement.** There was no report or action.

**Water Supply & Regulations and Agreements.** President Forsyth stated that the agreement with Green Trails MUD was still being finalized. He added the District was working with TCEQ to ensure proper procedure was being followed (approval of the interconnection). He also noted that Green Trails planned on starting the project on October 23<sup>rd</sup>.

President Forsyth presented an Interlocal Agreement between Harris Galveston Subsidence District (Waterwise Program) and Mason Creek Utility District. He added that it was for a program to purchase water conservation kits for elementary school children, and the

District would receive credits for participating. He also noted that the District had been involved with the program for many years. After discussion Director Hamblet moved to approve the interlocal agreement as presented. Director Cameron seconded, and the motion was unanimously carried.

**Engineering, Projects, Etc.** Mr. de Leon informed the Board that construction was still ongoing for the Brondesbury Lift Station conversion project, but the project was near completion. He added that the pending items were the concrete driveway and the check valves. The temporary valves were expected to arrive in August, and the permanent valves were expected in January 2023. Mr. de Leon presented: (i) Change Order No. 4 to increase the contract time by another 203 days (ii) Pay Application No. 9 in the amount of \$71,900.00 and (iii) his recommendation for payment in the amount of \$64,710.00 (amount of pay application less 10% retainage). After discussion, Director Connolly moved to authorize payment in the amount of \$64,710.00 and approve Change Order No. 4 as presented. Director Hamblet seconded, and all voted in favor of the motion.

Mr. de Leon requested authorization to advertise the Rennie Drive Lift Station project and to work with Mr. Dougherty on the contract documents. After discussion Director Hamblet moved to authorize advertising the project and authorized the engineer and attorney to complete the project's contract documents. Director Cameron seconded, and all voted in favor of the motion.

Mr. de Leon reported that he had performed the final walk-through inspection with the contractor of the pool deck replacement project. He added that the state had inspected the deck and it passed inspection. Director Hamblet added that he had received the walk-through information late in the day, and he did not have time to review it. After discussion Director Connolly moved to authorize Director Hamblet to resolve any remaining punch-list items so the District could make final payment upon resolution. Director Nordaus seconded, and the motion was unanimously carried.

Mr. de Leon stated that work was continuing on the Dominion Plant GST Recoating project. Mr. de Leon presented: (i) Change Order No. 3 that would increase the contract time by another 14 days and increase the contract price by \$24,000 (ii) Pay Application No. 3 in the amount of \$105,18500.00 and (iii) his recommendation for payment in the amount of \$94,666.50 (amount of pay application less 10% retainage). After discussion, Director Hamblet moved to authorize payment in the amount of \$94,666.50 and approve Change Order No. 3 as presented. Director Cameron seconded, and all voted in favor of the motion.

Mr. de Leon informed the Board that the Ellingham Sanitary Sewer Rehabilitation Project had been advertised and the pre-bid meeting would be held July 15<sup>th</sup>, and the bid opening would be held on July 28<sup>th</sup>. He said he would bring his recommendation for the project at the August Board meeting.

Mr. de Leon reported that he was coordinating with the Operator on the review and update of the current Drought Contingency Plan. He said he would bring his findings and recommendations to the August Board meeting. Director Hamblet asked Mr. de Leon to contact him in order to review the revised plan prior to the August Board meeting.

Mr. de Leon presented a work order related to the Green Trails MUD Interconnect project. He said it was for preparing a report and application regarding the Green Trails MUD interconnection for submittal to the TCEQ. After discussion, Director Hamblet moved to authorize Work Order 22-088 in the amount of \$12,500 (limit). Director Connolly seconded, and all voted in favor of the motion. Mr. de Leon informed the Board that one of the TCEQ requirements for approval of the interconnection was a corrosion study on both the MCUD system and the Green Trails system. He added a study for the Green Trails system would need to come from the Green Trails MUD engineer and that he had discussed it with the Green Trails MUD engineer. He also stated that the Green Trails engineer had said that they would not be able to complete the corrosion study in time to get approval before the temporary service period set to start in October, but there had been discussion of getting an interim approval without the corrosion study. After discussion, Director Hamblet moved to approve the engineering report as presented. Director Connolly seconded, and all voted in favor of the motion.

**Energy & Streetlights.** Director Cameron informed the Board that the price of natural gas was projected to increase in 2022 and decrease in 2023. He also noted that the "Power To Choose" website had an average of 18.4 cents per kwh, which was a 10.5-cent increase compared to 2021.

**Regional Matters.** Mr. Cameron informed the Board that, at the AWBD meeting, the necessity of testing for the presence of lead in the water of daycare centers and primary and secondary schools was stressed. Mr. Cameron updated the Board on the Barker Reservoir Project. He noted that there was an article in the newspaper regarding the project, but no mention of any lawsuits. He added that ten million dollars had been committed to the project, and that additional investors were being sought.

**Drainage, Detention/Retention.** There was no report or action.

**STP's.** President Forsyth reported that both the Cinco Regional STP and the WMMUD STP were operating in compliance. He reported that WMMUD was waiting to receive a new bar screen.

**Recreational Facilities.** Director Hamblet reported that the District had received the refund of the \$10,000 deductible the District had incurred due to the plane crash in July of 2019, and he had signed the settlement agreement related to the plane crash case. Ms. Saccomen reported that she had scheduled restoration of the front doors of the Kingsland and Houghton rooms.

**System Operations, Rates, Etc.** Mr. Parrott reported that, in June 2022, the District pumped just under 40 million gallons, and that there had been six main breaks. After discussion, Director Connolly moved to approve the Operator's Report as presented. Director Cameron seconded, and all voted in favor of the motion.

**Administrative Matters.** Ms. Saccomen presented the proposed amended rate order reflecting the GWR increases discussed at the July meeting. After discussion, Director Connolly moved to accept the amended rate order as presented. Director Nordhaus seconded. The vote passed unanimously.

**Next Meeting:** The August regular meeting was scheduled for Wednesday, August 17, 2022, at 7:30 PM at the Mason Creek Community Center.

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

REVIEWED AND APPROVED BY THE BOARD on August 17, 2022.

SIGNED:  \_\_\_\_\_