

# MASON CREEK UTILITY DISTRICT

847 Dominion Dr., Katy, Texas 77450

## MINUTES

### Meeting of the Board of Directors

The Board of Directors ("Board") of Mason Creek Utility District of Harris County, Texas ("District") convened in a **scheduled regular meeting** at 847 Dominion Dr., Katy, Texas 77450, on **February 14, 2024**, at **6:30 P.M.** The duly elected members of the Board of Directors were:

Len Forsyth	President
Brian C. Connolly	Vice President
James K. Nordhaus	Secretary/Treasurer
Fredrick J. Castellano	Assistant Treasurer
John H. Cameron	Director

and all the members were present, thus constituting a quorum. Also, present were Lina Loaiza of BLICO, Inc., the District's tax assessor-collector; Jorge Diaz of McClennan and Associates; Jose de Leon of Venturi Engineers LLC; and Susan Saccomen, Kasey Lorraine, Samantha Saccomen and Jamie Parrott of the District's staff. Also present were Christine Fryer and Alex Caridad (users of the MCCC tennis facilities). During the meeting, the Board consulted with James Dougherty, an attorney who was not an employee of the District, via telephone conference call (and each part of the consultation was audible at the location of this meeting as specified in the notice of meeting). The meeting was called to order, and, in accordance with notice posted pursuant to law, the following business was transacted:

**Notices & Minutes.** Ms. Susan Saccomen reported that the notice of the meeting had been posted as required by the Texas Open Meetings Act. Director Connolly moved to approve the regular meeting minutes for January 17, 2023, Director Cameron seconded. The motion passed.

Alex Caridad and Christine Fryer addressed the Board regarding concerns surrounding unauthorized access and security issues at the Mason Creek Community Center tennis/pickleball courts. Ms. Samantha Saccomen reported that signs were in production and would be posted soon. Mr. Caridad suggested numbering the pickleball courts to allow users to play on a rotational basis.

**Delinquencies, Etc.** Ms. Susan 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 was carried by a unanimous vote.

**Bookkeeping, Funds, Etc.** Mr. Diaz presented the bookkeeper's report including the cash disbursement report for January 18<sup>th</sup>, 2024, through February 14<sup>th</sup>, 2024. Mr. Davenport also presented the investment report for the period ending January 31<sup>st</sup>, 2024. Director Cameron moved to accept the investment report, as presented, 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. Director Castellano seconded. The motion passed unanimously. After discussion, Director Connolly moved to accept the bookkeeper's report as presented. Director Cameron seconded, and all voted in favor of the motion. Director Nordhaus informed the Board that a few certificates of deposit were set to expire at the end of the month. After discussion, Director Connolly moved to authorize Director Nordhaus to move the money in both CDs to TexPool. Director Cameron seconded, and all voted in favor of the motion.

**Bills, Etc.** Director Connolly moved to accept the bills as presented (and authorize the checks that had been 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 2023 taxes collected through February were \$2,477,305.45 leaving TY 2023 taxes receivable on January 31, 2024 at \$280,855.92. Total reported receipts of TY 2023 taxes in January were \$1,730,676.00. Checks were presented in the amount of \$1,719,797.69. The reported percentage of collection of TY 2023 taxes was 92.3%. Director Connolly moved to approve the Tax Assessor Collector's report as presented (and authorize the checks presented). Director Castilla no seconded, and all voted in favor of the motion.

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

**Engineering, Projects, Etc.** Mr. de Leon informed the Board that he was waiting for the punch list items and check valves to be addressed for the Brondesbury Lift Station Conversion Project. He discussed issues with the electrical valve panel and mentioned he would return to the following meeting to present a work order. He also provided an update regarding the chart recorder and "smart check valve" panel for the project.

Mr. de Leon informed the Board the contractor had begun mobilizing at the Rennie Lift Station Conversion Project. He stated that a bypass has been installed and the temporary fencing has been placed adjacent to the facility for additional workspace.

Mr. de Leon informed the Board that he received all approvals for the Section 6 Sanitary Rehabilitation Project and was working with the attorney to work out details on the projects contract. He requested authorization for advertising and bidding on the project upon completion with the attorney. Director Cameron moved to authorize the engineer to begin advertising and bidding process. Director Castellano seconded, and the motion passed unanimously.

Mr. de Leon also informed the Board that specs were completed for the Galleon Oaks Water Plant Improvements Project, and he requested authorization to begin the bidding process. After discussion, Director Cameron moved to authorize the engineer to begin the advertising and bidding process. Director Connolly seconded, and the motion passed unanimously.

Mr. de Leon informed the Board that the Board that the engineer for the KOA Group, Inc. had submitted a plat and utility plan for the project on Shillington sometimes referred to as "Mason Gardens." He added that he had reviewed the City of Houston's regulations regarding easements. He stated that he had provided comments on the draft utility information letter. After discussion, Director Connolly moved to authorize the President to sign and submit the draft utility letter. Director Cameron seconded, and all voted in favor of the motion. Mr. de Leon stated he would work with the attorney to provide feedback on deficiencies. Director Connolly moved to accept the engineering report. Director Castellano seconded, and the motion passed unanimously.

**Energy & Streetlights.** Director Cameron informed the board that state-sponsored incentives to build natural gas power generators were failing to attract developers. He stated that the PUC was rejecting battery storage by ERCOT and trying to persuade companies to use alternative resources. He finalized his report by informing the Board that it had been suggested that electricity prices would increase 18% in 2026.

**Regional Matters.** There was no report or action.

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

**STP's.** President Forsyth reported that all STPs were working appropriately. He informed the Board Cinco MUD was dedicating a new water purification plant that would produce reused water from distribution in Cinco Ranch and surrounding areas.

**Recreational Facilities, Etc.** Ms. Susan Saccomen and Ms. Samantha Saccomen provided an update on placement of signs at the Mason Creek Community Center tennis and pickleball courts. After discussion, Mr. Dougherty advised that the rate order be updated to provide rules for pickleball use.

Ms. Lorraine proposed May 19<sup>th</sup> for the annual Open House. She also stated that towels were always useful and suggested they be provided to registrants. Director Connolly moved to approve the date for the Open House. Director Cameron seconded, and all voted in favor of the motion.

Mr. Nordhaus presented quotes from different pool management companies. He stated that Sweetwater's contract appeared significantly less expensive than that of the other management companies. After discussion, Director Cameron moved to approve continuation with Sweetwater Pools Inc. Director Connolly seconded and all voted in favor of the motion.

**Election Matters.** Mr. Dougherty said that the law required the Board to order (or call) the May 4, 2024 Directors election. After discussion regarding preparation for the election, Director Connolly moved to adopt the "ORDER OF GENERAL ELECTION FOR OTHER POLITICAL SUBDIVISIONS" that had been prepared. Director Cameron seconded, and all voted in favor of the motion, thus adopting the order.

**System Operations, Rates, Etc.** Mr. Parrott reported that the total water pumped January 1<sup>st</sup> through January 15<sup>th</sup> was 9,585,000 gallons, and consumption was 9,378,252 gallons, leaving a water loss of 206,748 or 2.16%.

Mr. Parrott reported that the truck beds had been installed on new trucks, and he would soon have additional miscellaneous items installed on the vehicles. He added that there was some interest in buying the District's used vehicles, and he would need authorization to sell them. Director Connolly moved to authorize the sale of the District's used vehicles. Director Cameron seconded, and all voted in favor of the motion.

**Executive session.** While the Board was in open session, President Forsyth announced that "the Board of Directors of Mason Creek Utility District was starting a closed or executive session on February 14, 2024 at 8:10 PM under Section 551.074 of the Texas government Code," and "the subject matter (agenda) of this deliberation is as follows: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public employees." The Board then conducted a closed or executive session. A short time later, the Board returned to open session, and the President made the following announcement: "The Board of Directors has completed its closed or executive session on February 14, 2024, at 8:20 o'clock PM"

**Next Meeting:** Director Cameron moved to approve the regular meeting set for Wednesday, March 13, 2024, at 6:30 PM at the District's office. Director Castellano seconded, and the vote passed unanimously.

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

REVIEWED AND APPROVED BY THE BOARD on 3/13/2024.

SIGNED: 