

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383

April 3, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 383 (the "District") met in regular session, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, on the 3<sup>rd</sup> day of April, 2024, and the roll was called of the members of the Board being present:

John Porea	President
John J. Ryan	Vice President
Jeffrey Peters	Secretary
Jean M. Casagrande	Assistant Secretary
Jody Chouinard	Assistant Vice President

and all of the above were present, thus constituting a quorum.

Also attending the meeting were: Cindy Grimes of Municipal Accounts & Consulting, L.P. ("MAC"); James Parker of Pape-Dawson Engineers ("Pape-Dawson"); Layne Yeager of Double Eagle Erosion Solutions, LLC ("Double Eagle"); Kristy Hebert of Tax Tech, Inc. ("Tax Tech"); Christine Crotwell of Masterson Advisors LLC ("Masterson"); Scott Shelnett of Municipal Operations & Consulting, Inc. ("MOC"); Adam Swonke of Gleannloch Landscaping & Maintenance Company ("GLAMCO"); Brandon West of Touchstone District Services ("Touchstone"); and Adisa Harrington and Whitney Lington of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Director Porea offered any members of the public attending the meeting the opportunity to make public comment.

There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

CONSENT AGENDA

The consultant reports were provided in advance of the meeting. Following review and discussion, Director Peters moved to remove item (2.h) from the consent agenda and approve the following items on the consent agenda: (1) the minutes of the March 6, 2024, regular meeting, as presented; (2) District development matters; (3) tax assessment and collection matters; (4) financial and bookkeeping matters; (5) operating matters, including accept the annual report on the District's Identity Theft Prevention Program; (6) website and communications matters; and (7) direct that, where

appropriate, items are filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously. Copies of all reports approved as part of the consent agenda are attached.

#### ITEMS REMOVED FROM CONSENT AGENDA

##### CHANNEL AND POND MAINTENANCE, INCLUDING DETENTION AND DRAINAGE FACILITIES REPORT AND PROPOSALS FOR WORK

The Board concurred to discuss this agenda item under Storm Water Management Plan matters below.

##### STORM WATER MANAGEMENT PLAN MATTERS, INCLUDING PROPOSALS FOR WORK

Mr. Swonke presented a proposal from GLAMCO in the amount of \$31,950.00 for sidewalk repairs at the Crescent Clover pond. Discussion ensued regarding the maintenance of Crescent Clover pond and the respective maintenance responsibilities of the Gleannloch Farms Community Association ("HOA") and the District. The Board then discussed potential causes for the needed sidewalk repairs at Crescent Clover pond. The Board concurred for Directors Casagrande and Chouinard to conduct a site visit with Mr. Swonke and follow up with the HOA regarding maintenance and repairs at Crescent Clover pond. Following review and discussion, Director Peters made a motion to approve the proposal from GLAMCO in the amount of \$31,950.00 for sidewalk repairs at the Crescent Clover pond, subject to final review and inspection. Director Casagrande seconded the motion, which passed by unanimous vote. A copy of GLAMCO's channel and pond maintenance report was provided in advance of the meeting and is attached.

Mr. Yeager reviewed a maintenance report regarding repairs identified in the most recent Storm Water Solutions, LLC ("SWS") biannual report of detention facilities. A copy of Double Eagle's maintenance report is attached.

A detention facility maintenance report prepared by SWS was sent to the Board prior to the meeting, a copy of which is attached.

##### ENGINEERING MATTERS

Mr. Parker reviewed the engineering report, a copy of which is attached.

Mr. Parker updated the Board on the revised path for the proposed waterline loop behind the CVS located on Champion Forest Drive. Mr. Parker noted that the revised path would require obtaining easements from CVS. Ms. Harrington noted that ABHR will handle communications with CVS regarding the proposed easements once the necessary plan approvals are received. Mr. Parker stated Pape-Dawson is finalizing

plans to submit to the Texas Department of Transportation ("TxDOT") and the City of Houston. Discussion ensued regarding next steps for the project.

Mr. Parker updated the Board on the design and permitting of the third water well, as reflected in the engineer's report.

Mr. Parker updated the Board on the emergency repairs to water well no. 2 and stated the repairs are complete

Mr. Parker updated the Board on the repairs needed for water well no. 1. Mr. Parker presented a draft letter to be submitted to the Texas Commission on Environmental Quality ("TCEQ") for the emergency repair work for water well no. 1. Based upon the engineer's recommendation, the Board made a finding that an emergency condition exists and that immediate repair to water well no. 1 is necessary to prevent a serious health hazard or unreasonable economic loss to the District. Mr. Parker then presented a proposal from C & C Water Services LLC ("C&C") in the amount of \$310,035.00, with the District's share being \$169,000.08, for water well no. 1 repairs. Discussion ensued regarding the water well no. 2 repairs.

Mr. Parker updated the Board on requests for utility commitments, as reflected in the engineer's report. Mr. Parker stated the Shops at Gleannloch has requested that the consent to encroachment ("CTE") previously approved by the Board be expanded to include a sidewalk that encroaches on the District's water meter easement.

Mr. Parker discussed the construction of the detention pond at the Boudreaux Business Park. The Board inquired about the detention pond located at Boudreaux Road and the Grand Parkway. Mr. Parker requested Board authorization to advertise for bids for the construction of the detention pond at Boudreaux Business Park.

The Board discussed a GIS utility map of the District.

Mr. Parker updated the Board on the preparation of bond application no. 12, as reflected in the engineer's report. Ms. Parker reviewed an updated summary of costs for bond application no. 12. Discussion ensued regarding projects included in the bond application and associated costs.

Mr. Parker updated the Board on the joint Capital Improvement Plan ("CIP") and discussed anticipated projects over the next ten years. Discussion ensued regarding the funding of CIP projects. The Board inquired about potential expansion of the wastewater treatment plant. The Board then discussed forming an operations subcommittee to further discuss engineering and operating matters. Following discussion, the Board concurred to establish an operations subcommittee to include Directors Ryan and Peters, Mr. Parker, Mr. Shelnutt, Mr. Yeager, Mr. Swonke and Mr. Lacy. Discussion ensued regarding MOC invoices and the Board concurred for

Director Ryan to review MOC invoices moving forward instead of Director Casagrande.

Mr. Parker updated the Board on nutria activity at District facilities and stated All Animal Control will be conducting a site visit at Northlake pond.

Mr. Parker stated Lake Pro is working on repairs for the fountain located at the Northlake pond.

Following review and discussion, and based on the District engineer's recommendation, Director Peters moved to: (1) approve the engineer's report; (2) authorize Pape-Dawson to submit the letter to TCEQ requesting approval for emergency repairs at water well no. 1; (3) approve the proposal from C&C in the amount of \$310,035.00, with the District's share being \$169,000.08, for the water well no. 1 emergency repairs; (4) expand the CTE to the Shops at Gleannloch to include the sidewalk, as discussed; and (5) authorize advertisement for bids for the construction of the detention pond to be located at Boudreaux Business Park. Director Casagrande seconded the motion, which passed unanimously.

#### ADDITIONAL TAX MATTERS

There was no discussion on this agenda item.

#### ADDITIONAL BOOKKEEPING MATTERS

The Board discussed the District's budget for the fiscal year ending March 31, 2025 and the District's fund balances.

Ms. Harrington updated the Board on payments from Harris County Municipal Utility District No. 367 ("MUD 367") for construction of the third water well, noting that MUD 367 will be approving holding checks at its monthly meetings to ensure payment of its share of the ongoing construction costs between meetings as needed.

The Board considered adopting a Resolution Expressing Intent to Reimburse for the costs associated with the emergency repair work for water well no. 1. Following review and discussion, Director Peters moved to adopt the Resolution Expressing Intent to Reimburse and direct that the Resolution be filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously.

The Board discussed the Enclave of GFBP and Jiffy Lube utility commitments and next steps to take regarding owed money to the District. The Board requested that ABHR review the balances and coordinate with the bookkeeper regarding collection options.

## ADDITIONAL OPERATING MATTERS

Mr. Shelnutt presented a list of delinquent customers to the Board and reported the customers on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Ms. Harrington stated that the TCEQ Rules require that the District review and adopt an Amended and Restated Drought Contingency Plan ("DCP") in 2024, prior to May 1, 2024. She then reviewed options for amending the District's DCP to incorporate recent updates to the North Harris County Regional Water Authority's ("NHCRWA") DCP. The Board discussed triggers and restrictions listed in the District's DCP and NHCRWA's DCP. Following discussion, the Board concurred to readopt the District's existing DCP at this time and schedule a special meeting with MUD 367 to consider changes to both districts' DCPs.

The Board reviewed a draft copy of the Consumer Confidence Report ("CCR"), a copy of which is included in the operator's report. The Board provided input regarding updates to be included in the CCR.

Mr. Shelnutt discussed updates needed to the billing services agreement between the District and Paymentech, LLC and stated the updates are being reviewed by ABHR and will be presented for Board consideration next month.

Following review and discussion, Director Peters moved to: (1) authorize termination of delinquent accounts, in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records; and (2) adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the District's official records. Director Casagrande seconded the motion, which passed unanimously.

## REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS ON DISTRICT MATTERS

The Board discussed potentially scheduling an in-District meeting.

The Board then discussed scheduling a joint meeting with MUD 367 to further discuss the CIP and DCP.

ATTORNEY'S REPORT

Ms. Harrington stated MUD 367 will be having a spring e-recycle/shred event on April 27, 2024. The Board requested Touchstone to post information on the District's website and send a text alert regarding the event.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

(SEAL)



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	<u>Page</u>
Tax report.....	1
Bookkeeping report .....	1
Operator's report .....	1
Website and communications report .....	1
GLAMCO channel and pond maintenance report .....	2
Double Eagle maintenance report.....	2
SWS detention facility maintenance report.....	2
Engineering report.....	2

ACTION LIST

Action Item/Date Assigned	Status/Comments
<b>Tax Tech</b>	
<b>MAC/MFS</b>	
<b>MOC</b>	
Update CCR (4/3/24)	
Finalize EPP (3/6/24)	
Finalize WCP (3/6/24)	
Finalize DCP (3/6/24)	
Coordinate with Pape-Dawson to conduct diagnostic testing of water well no. 1 (12/6/23)	Diagnostic testing complete; emergency repairs authorized at 4/3/24 meeting
Sanitary Sewer Video Inspection	4/3/24 - Phase 4 being conducted 1/3/24 - Still waiting on video data, MOC will inform contractor that the video data must be provided by no later than 3/1/24
<b>Pape-Dawson</b>	
Prepare interlocal agreement with District and Harris County - Boudreaux Boulevard realignment project (3/6/24)	
Update CIP to include project costs and split project costs (3/6/24)	
Schedule facilities tour (3/6/24)	
Prepare letter to TCEQ for emergency repairs (3/6/24)	
Begin planning for Phase 4 smoke and video inspection (2/7/24)	
Pape-Dawson will coordinate with GLAMCO to prepare an inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24)	
Coordinate with MOC to conduct diagnostic testing of water well no. 1 (12/6/23)	Diagnostic testing complete; emergency repairs authorized at 4/3/24 meeting
Obtain documentation/information needed to evaluate NewQuest's request for reimbursement of detention pond construction costs (11/1/23)	Site visit conducted with GLAMCO (12/6/23) Pape-Dawson is reviewing the documentation
Review and, where applicable, reclassify engineering fees relating to Jiffy Lube, Digestive Center and First Hartford (10/4/23)	
Prepare bond application no. 12 (9/6/23)	Remove waterline loop and water well no. 1 repairs from bond application (3/6/24)  Engineer is finalizing report based on consultant comments



Action Item/Date Assigned	Status/Comments
Oversee repair work identified in two most recent Storm Water Solutions Biannual Audit s	12/6/23 and 3/6/24 - contracts awarded to Double Eagle
<b>GLAMCO</b>	
Meet with Directors Chouinard and Casagrande to inspect the sidewalk at Crescent Clover pond and confirm the repairs needed (4/3/24)	Inspection complete; update to be provided at 5/1/24 meeting
Place caution tape around e-inlet (2/7/24)	
GLAMCO will coordinate with Costello to prepare inventory of pending and completed repairs, similar to the inventory that MUD 367 maintains for its detention facilities (2/7/24)	
<b>Lake Pro</b>	
Repair fountain at Northlake pond (4/3/24)	
<b>Directors</b>	
Directors Chouinard and Casagrande meet with Mr. Swonke to inspect the sidewalk at Crescent Clover pond and confirm the repairs needed (4/3/24)	Inspection complete; update to be provided at 5/1/24 meeting
Director Porea and Ryan will monitor water well no. 1 and water plant no. 3 repairs and provide recommendations to the Board, as appropriate (2/7/24)	
Director Ryan will follow up on HOA contribution (3/6/24)	
<b>KGA/DeForest</b>	
<b>Touchstone</b>	
<b>ABHR</b>	
Review amounts owed by Enclave of GFPB and Jiffy Lube and coordinate with the bookkeeper regarding collection options (4/3/24)	
Schedule joint meeting with 367 to discuss CIP and DCP (4/3/24)	Joint meeting scheduled for Tuesday 5/21/24 at 4:30pm
Set up operations subcommittee (4/3/24)	First subcommittee meeting scheduled for Wednesday 4/24/24
Review MOC billing service documentation (4/3/24)	Complete; documents to be presented for Board approval at 5/1/24 meeting
Prepare interlocal agreement with District and Harris County - Boudreaux Boulevard realignment project (3/6/24)	

Action Item/Date Assigned	Status/Comments
Prepare wastewater service agreement with Adkisson for Boudreaux Business Park (3/6/24)	Pending
Prepare UCL for P. Terry's (12/6/23)	Sent for signature 2/9/24
Prepare updated UCL for the Shops (11/1/23)	
Review and, where applicable, reclassify legal fees relating to Jiffy Lube, Digestive Center and First Hartford (10/4/23)	
<b>Public Power Pool (P3)</b>	
<b>McCall Gibson</b>	