

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71

August 25, 2014

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 71 (the "District") met in special session, open to the public, on the 25th day of August, 2014, at the District Administration Building, 21437 Clay Road, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Katrina Thornhill	President
Pam Kerr	Vice President
Mary DuBois	Secretary
Garth Freeze	Assistant Vice President
Phillip Smith, Jr.	Assistant Secretary

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

Also present were Steve Woodring and Ginny Woodring of Regional Water Corporation ("RWC"); Rodney Heisch of Brown & Gay Engineers, Inc.; Kendall Purgatorio, Phil Martin, and Megan Browne of Mike Stone Associates, Inc. ("MSAi"); and Katie Carner and Justine M. Cherne of Allen Boone Humphries Robinson LLP.

Director Thornhill called the meeting to order at 6:00 p.m.

REPORT ON PARK LANDSCAPE AND LAKE MAINTENANCE

The Board reviewed a Park and Landscape Management report and a proposal chart with attached proposals and photographs, copies of which are attached.

Ms. Purgatorio discussed missing retaining wall bricks at the gazebo located at Bundy Lake due to vandalism. She reported on a proposal from Four Palms Construction and Remodeling for replacing the missing bricks in the amount of \$475.00.

Ms. Purgatorio discussed the efforts of Lonestar Animal Recovery to prevent the overpopulation of ducks at Bundy Lake. She reported on a proposal from Scanlin Sign Service, Inc. for the fabrication and installation of four "Do Not Feed the Ducks" signs in the amount of \$1,150.00. She reviewed a design sheet for the proposed signs and discussed proposed locations for installation of the signs. A copy of the design sheet is attached.

Ms. Purgatorio reviewed a photograph of a broken geyser nozzle on the AquaControl fountain located at Bundy Lake. A copy of the photograph is attached.

She reported on a proposal from Lake Management Services, LP for replacing the geyser nozzle in the amount of \$463.00.

Ms. Purgatorio discussed the District's landscape consultant's recommendation to apply additional fill dirt in depressed areas at the location where the vault at Bundy Lake was previously filled with concrete. She reported on a proposal from Native Land Design for the labor and materials to fill and level the depressed areas in the amount of \$870.00.

Ms. Purgatorio and Ms. Carner reported on their contacts with Michael Muir regarding the proposed Bundy Lake Plaza Rehabilitation project.

Following review and discussion, Director Kerr moved to approve the following for Bundy Lake: (1) the proposal for replacing the missing retaining wall bricks at the gazebo in the amount of \$475.00; (2) the proposal for the fabrication and installation of four "Do Not Feed the Ducks" signs in the amount of \$1,150.00; (3) the proposal for replacing the geyser nozzle on the AquaControl fountain in the amount of \$463.00; and (4) the proposal for labor and materials to fill and level depressed areas in the amount of \$870.00. Director DuBois seconded the motion. Discussion ensued regarding including the Spanish translation on the "Do Not Feed the Ducks" signs. Following discussion, Director Kerr amended the motion to include the Spanish translation on the signs in an additional amount not to exceed \$200.00. Director Freeze seconded the motion, which passed unanimously.

Ms. Purgatorio discussed the District's landscape consultant's recommendation to apply additional fill dirt in depressed areas in Directors Park. She reported on a proposal from Native Land Design for the labor and materials to fill and level the depressed areas in the amount of \$870.00.

Ms. Purgatorio discussed the schedule for Phases IV and V of the Directors Park reforestation project. She reviewed a proposal from Native Land Design for plant materials, tree removal, and irrigation adjustment for Phase IV of the project in the amount of \$20,081.94. A copy of the proposal is attached. Discussion ensued regarding the project and the number of trees planned for removal.

Ms. Purgatorio reported only the task of installing the concrete pad remains to complete the backflow assembly repair project at Directors Park. She stated the project is on hold pending the Board's determination on whether to add a cage enclosure to the project. She reviewed a photograph of a proposed clamshell cage enclosure for the backflow assembly. A copy of the photograph is attached. She reported on a proposal from Doug Turner Plumbing for custom fabrication and installation of the enclosure in the amount of \$5,052.00. Discussion ensued regarding whether installation of the

enclosure was necessary. Following discussion, the Board concurred to complete the backflow assembly repair project without the enclosure.

Ms. Purgatorio discussed Kraftsman Commercial Playgrounds & Water Parks' proposal for replacing two decks on the playground of Directors Park under warranty at no cost. She reported the proposal includes replacing worn chains and hooks on the playground swing sets in the amount of \$1,352.18.

Ms. Purgatorio discussed MSAi's coordination of a thorough inspection of the District's Administrative Building to obtain proposals for a list of proposed prioritized repairs developed from the inspection.

Following review and discussion, Director Smith moved to approve the following for Directors Park: (1) the proposal for labor and materials to fill and level depressed areas in the amount of \$870.00; (2) the proposal for Phase IV of the reforestation project in the amount of \$20,081.94; (3) completion of the backflow assembly repair project without installation of an enclosure; and (4) the proposal for replacing worn chains and hooks on the playground swing sets in the amount of \$1,352.18. Director Freeze seconded the motion, which passed unanimously.

DEVELOPMENT OF DISTRICT DETENTION PONDS, LAKES, PARKS, AND RECREATIONAL FACILITIES

Ms. Purgatorio reported on small routine repairs needed for fountains located at three detention pond locations. She reported on three proposals from Lake Management Services, LP for the repairs in the total amount of \$1,045.60. Following review and discussion, Director Thornhill moved to approve the proposals for the repairs. Director Kerr seconded the motion, which passed unanimously.

Ms. Purgatorio discussed coordination with Storm Water Solutions, LP ("SWS") on cleaning of the Morton Ranch pilot channel to remove sediment and grass and alleviate backup in the Morton Ranch drainage system. She stated cleaning of the channel is not currently included in the District's contract with SWS. She stated SWS has agreed to clean the channel at no cost and reviewed a proposal submitted by SWS to add cleaning of the Morton Ranch pilot channel to the maintenance schedule of SWS' current contract. She reviewed SWS' proposal in the amounts of \$5,000.00 for cleanings performed twice a year and \$6,600.00 for cleanings performed three times each year. A copy of the proposal is attached.

Ms. Purgatorio reviewed e-mail correspondence with attached exhibits from SWS explaining the drainage issues related to the Morton Ranch detention ponds. She reported the correspondence states that the drainage issues are caused by the downstream conditions of the Harris County Flood Control District's ("HCFCD")

channel, U101-05-01, and reports on SWS' efforts to discuss the matter with HCFCD. A copy of the e-mail correspondence is attached. Mr. Heisch stated cleaning of the Morton Ranch pilot channel is not a long term solution for the drainage issues related to the Morton Ranch detention ponds. He explained that, due to accumulated sediment in HCFCD's channel, the Morton Ranch detention ponds are unable to drain into HCFCD's channel as designed because the elevation of HCFCD's channel is higher than the elevation of the detention ponds. He stated HCFCD's channel is located outside of the District's boundaries. Mr. Heisch discussed the process required for obtaining the HCFCD's evaluation and eventual cleanout and/or expansion of the channel. Ms. Purgatorio noted the process can take as long as two years. Following discussion, the Board concurred to defer consideration of SWS' proposal to add cleaning of the Morton Ranch pilot channel to the District's current contract with SWS pending cleaning and/or expansion of HCFCD's channel.

Ms. Purgatorio reported Tackle Construction Company, Inc. completed the repairs of depressions located near the storm sewer manhole on Mt. Elbus Way.

ADMINISTRATION BUILDING, GAZEBO AND RESTROOM AT BUNDY LAKE

Discussion ensued regarding the amount of water used on the Bundy Lake six-acre tract. Mr. Woodring reported the water usage is being monitored and has not reached an amount close to the 50,000 gallons per month allocated to the tract.

OPERATION OF DISTRICT FACILITIES

Mr. Woodring reported there were no customer appeals or correspondence for consideration.

Mr. Woodring reminded the Board of its previous authorization for removal, inspection, and disassembling of a thickener drive gear box located at the wastewater treatment plant in the amount of \$5,000.00. He stated approximately \$3,000.00 of the authorization has been used. He reported a component of the gear box needs to be replaced for the estimated cost of \$4,900.00. He recommended rebuilding the entire gear box to improve sludge flow over a longer period of time in the amount of \$13,500.00. He noted the project is included in the District's Capital Improvement Plan. He stated he will coordinate with Mr. Heisch to review the proposed project to ensure no additional related items need to be addressed. He stated the vendor may recommend use of an alternate material to provide enhanced durability. Following discussion, Director DuBois moved to approve rebuilding of the entire gear box in the amount of \$13,500.00 as recommended. Director Thornhill seconded the motion, which passed unanimously.

The Board concurred it was not necessary to consider possible incentive programs for retrofitting of fixtures to low water use fixtures.

ENGINEERING MATTERS

Mr. Heisch updated the Board on the repair of the outfall pipe at the detention pond at Bridgewater Pointe by SWS. He reported the project is on hold pending the Board's consideration of a change order. He reviewed a photograph of the site of the outfall pipe repair project, a copy of which is attached. He explained there is significant wash-out at the outfall pipe site caused by termination of the pipe at grade. He stated the standard design would include construction of a toe wall or footer below grade to anchor the outfall pipe. He stated this unanticipated condition of the outfall pipe was encountered by SWS after draining the pond. He recommended approval of a change order to the contract for removal of broken concrete and pouring of new concrete slope paving in the amount of \$13,954.20. Ms. Carner noted the aggregate of change orders increasing the original contract price by more than 25% may be issued as a result of unanticipated conditions encountered during the repair. Following review and discussion, Director Kerr moved to approve the change order as recommended, based on unanticipated conditions discovered when the pond was drained. Director DuBois seconded the motion, which passed unanimously. Mr. Heisch stated he will notify SWS to proceed with the project and he will follow-up with a formal change order for execution at the September regular meeting of the Board. The Board directed Mr. Heisch to ensure there is a photograph of the site taken after repair and prior to being covered with water for review.

Discussion ensued regarding whether other outfall pipes within the District are incorrectly constructed. Following discussion, the Board concurred to add an item to the District's Capital Improvement Plan to drain and inspect each of the District's detention ponds.

Mr. Heisch discussed a request from Dad Entrepreneurs, LLC for reimbursement of costs for the portion of the sanitary sewer line to be constructed in public right-of-way. He stated the sanitary sewer line will serve a proposed gas station with a convenience store and fast food restaurant and a future office park on a 15-acre tract located at the southeast corner of Morton Road and Mason Road. Following discussion, the Board concurred to defer consideration of the request pending receipt of additional information on the costs of construction and taxable value attributable to the property that benefits from the portion of the sanitary sewer line to be constructed in the public right-of-way.

Mr. Heisch discussed the District's Joint Water Facilities and Cost Sharing Agreement with Harris County Municipal Utility District No. 287 ("MUD 287"). He reported he has re-evaluated the water capacity needs for the Joint Water Facilities and

believes they will require more capacity in the near future. He stated construction of an additional water well will be necessary.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board concurred to defer consideration of renewing the District's insurance policies until the September regular meeting.

ACTION LIST

The Board reviewed and revised the Action List and discussed and amended the status of the items listed.

Ms. Purgatorio reported on a proposal from Doug Turner Plumbing for annual testing of the backflow assembly located in Directors Park in the amount of \$187.00. Discussion ensued regarding requirements for testing of the District's backflow assemblies. Following discussion, the Board directed RWC to obtain proposals for annual testing of all of the District's backflow assemblies.

AGENDA FOR SEPTEMBER REGULAR MEETING

The Board confirmed its regular meetings on September 8, 2014 and October 13, 2014, and special meetings on September 29, 2014 and October 27, 2014, and discussed agenda items.

DIRECTORS AND DISTRICT CONSULTANTS' REPORTS ABOUT DISTRICT OPERATIONS

Director Kerr reported on the construction of a new power substation located near Franz Road and Mason Road.

Discussion ensued regarding a water spout caused by a lawn mower hitting a water blow-off valve.

There being no additional business to consider, Director DuBois moved to adjourn the meeting at 7:10 p.m. Director Kerr seconded the motion, which passed unanimously.

(SEAL)





Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	<u>Minutes</u>
	<u>Page</u>
Park and Landscape Management report	1
proposal chart with attached proposals and photographs	1
photograph of outfall pipe at the detention pond at Bridgewater Pointe	5