

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71

August 12, 2019

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 71 (the "District") met in regular session, open to the public, on the 12<sup>th</sup> day of August, 2019, 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:

Pam Kerr	President
Katrina Thornhill	Vice President
Mary DuBois	Secretary
Michael Williams	Assistant Vice President
Jennifer Elms	Assistant Secretary

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

Also present were Mike Thornhill, District resident; Deputy Arhelger of the Harris County Sheriff's Office; Tracy Scott of Myrtle Cruz, Inc.; Esther Flores of Tax Tech, Inc.; Steve Woodring, Ginny Woodring and Scott Barr of Regional Water Corporation ("RWC"); Alene Efaw of BGE, Inc.; Jeff Lewis of Compass Bank; Michael Carrera of First Billing; Robert Betts of Farm Pointe, LLC; and Katie Carner and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

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

SECURITY REPORT, INCLUDING CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES

At 6:01 p.m. the Board met in executive session to deliberate the deployment, or specific occasions for implementation of security personnel or devices. Deputy Arhelger, Ms. Carner and Ms. Miller also were present.

RE-CONVENE IN OPEN SESSION

At 6:13 p.m., the Board reconvened in Open Session. No action was taken by the Board.

## COMMENTS AND WEBSITE INQUIRIES FROM THE PUBLIC

Ms. Woodring provided a written report and reported to the Board regarding emails received through the District website and response returned to the customers making inquiries, none of which required Board action, with the exception of an appeal filed by customer, Ivaria Bursey, which will be discussed more fully as part of the operator's report.

## DIRECTORS AND DISTRICT CONSULTANT'S REPORTS

The Board discussed and concurred to discuss more fully under appropriate agenda items per diems issued to Directors, addressing overflow event parking at Directors Park and water accountability.

## MINUTES

The Board considered approving the minutes of the July 8, 2019, regular meeting. Following review and discussion, Director Thornhill moved to approve the meeting minutes for the July 8, 2019, regular meeting, as amended. Director Kerr seconded the motion, which passed unanimously.

## GARBAGE COLLECTION AND RECYCLING

Director Kerr updated the Board regarding a proposed recycling facilities tour.

## TAX ASSESSMENT AND COLLECTIONS MATTERS AND AMENDED AND RESTATED AGREEMENT FOR TAX SERVICES

Ms. Flores reviewed the monthly tax assessor/collector's report, a copy of which is attached, including an update on 2018 taxes collected as of July 31, 2019.

Ms. Flores updated the Board regarding the status of finalizing an Amended and Restated Agreement for Tax Services. The Board took no action.

Following review and discussion, Director Elms moved to approve the tax assessor/collector's report. Director Thornhill seconded the motion, which carried unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Scott reviewed a summary of the bookkeeper's report and investment report, copies of which are attached, presented the bills for payment.

After review and discussion, Director Thornhill moved to approve the bookkeeper's report and investment report. Director Elms seconded the motion, which carried unanimously.

Ms. Carner updated the Board on a request for capacity to serve a proposed multi-family development. She said that the deposit to cover feasibility expenses requested from the developer has not been received.

Discussion ensued regarding an overpayment refund written to District customer, Ted Buchanan, for an erroneously imposed pulled meter charge, and customer service issues reported by Mr. Buchanan. Following review and discussion, Director Thornhill moved to approve an overpayment refund in the amount of \$151.75 to Mr. Buchanan. The motion was seconded by Director Williams and passed unanimously. Ms. Woodring said that disciplinary action has been taken with regard to the customer service complaint. Ms. Woodring also said that as a preventative measure, RWC now keeps an inventory of all meters, including pulled meters.

#### OPERATION OF DISTRICT FACILITIES

Mr. Woodring distributed the operator's report, a copy of which is attached, and reviewed the operations and repairs performed in the District during the previous month.

Mr. Woodring reported on pumpage numbers for July 2019 and discussed a high volume water users report for the month of July 2019. Discussion ensued regarding higher than average accountability reported in the joint water accountability report. The Board also discussed Senate Bill 239 language to be added to District utility bill messages.

The Board received a written appeal requesting a leak adjustment from customer, Ivaria Bursey. Mr. Woodring stated that the account qualified for a leak adjustment pursuant to the District's policy, but that no credit was due because the customer's usage during the billing period in question was lower than the average usage. After reviewing the leak adjustment form submitted by Ms. Bursey, along with other information provided by both the customer and RWC, the Board concurred to take no action regarding Ms. Bursey's appeal, as recommended.

The Board next reviewed a leak adjustment request for the months of June and July, 2019, submitted by customer, Courtney Phillips, along with a receipt in the amount of \$15.64 showing purchase of materials to make leak repairs. Following review and discussion, the Board concurred to defer action pending receipt of additional information confirming that required repairs were made.

Discussion ensued regarding a previous appeal filed by District customer, Edward Taylor, requesting reimbursement for additional after hour fees to reconnect service charged on his account for service he states was not accomplished until the following day during regular business hours. Following review and discussion, Director Thornhill moved to waive the \$180.64 after hours charge and all other fees and penalties charged to Mr. Taylor's account in connection with the disconnection of his account in June, 2019, and to offer Mr. Taylor a payment plan for the remaining portion of his bill. Director Williams seconded the motion, which passed unanimously. Ms. Woodring said that RWC will credit the service charge to the District for the after hours call.

The Board discussed an appeal filed by customer, Yolanda Burroughs, at the July 8, 2019 Board meeting requesting reimbursement of \$217.48 for overtime charges added to her account. Following review and discussion, Director Elms moved to place the account on hold pending receipt of additional information from RWC and to remove Ms. Burroughs from the termination list. Director Thornhill seconded the motion, which passed unanimously.

Following review and discussion, Director Elms moved to approve the operator's report. Director Thornhill seconded the motion, which passed unanimously.

#### TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

Mr. Woodring then presented a list of delinquent customers to the Board and reported the residents 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. Following review and discussion, Director Elms moved to authorize termination of delinquent accounts in accordance with the District's Rate Order, with the exception of customers, Edward Taylor, Courtney Phillips and Yolanda Burroughs. The motion was seconded by Director Thornhill and passed unanimously.

#### ENGINEERING MATTERS

Ms. Efaw presented the attached engineer's report and updated the Board regarding engineering matters and the status of current construction projects more specifically described in the report.

Ms. Efaw first discussed the status of design of Water Plant No. 2 generator and requested authorization to advertise for bids for purchase and installation.

Ms. Efaw next discussed a request from Farm Pointe Houston, LLC to renew an expired utility commitment through August 12, 2020. Following review and discussion, Director Kerr move to approve renewal of the District's utility commitment to Farm Pointe, LLC. Director Thornhill seconded the motion, which passed unanimously.

Discussion ensued regarding projected schedules for the West Harris County Regional Water Authority ("WHCRWA") to bring surface water supply to the District and notifications required prior to conversion.

Ms. Efaw next requested authorization to prepare an application to the Texas Commission on Environmental Quality ("TCEQ") for renewal of the District's discharge permit.

Following review and discussion, Director Elms moved to (1) approve the engineer's report; (2) authorize BGE to advertise for bids for purchase and installation of a generator at Water Plant No. 2; and (3) authorize BGE to prepare an application to the TCEQ for renewal of the District's discharge permit. Director Williams seconded the motion, which passed unanimously.

#### DISTRICT WEBSITE

The Board discussed updating the website documents page, and Director Elms reported additional website traffic and subscribers added since the Summer Event.

#### SUMMER EVENT

Discussion ensued regarding new website subscribers added through the Summer Event and the Board discussed parking issues and options to accommodate additional parking for future events.

#### SOLICITATION OF INSURANCE

The Board discussed renewal of the District's insurance on October 1, 2019, and concurred to request a renewal proposal only from the District's current carrier and to submit same for review by Director Thornhill in advance of the September regular Board meeting.

#### ATTORNEY'S REPORT

The Board reviewed and revised the Action List and discussed and amended the status of the items listed. The Board reviewed agenda items for the August 2019 special meeting and the September 2019 regular meeting.

The Board next considered approving in Interlocal Agreement with the Harris-Galveston Subsidence District for participation in the WaterWise Program for the 2019-2020 school year. Following review and discussion, Director Thornhill moved to approve the Interlocal Agreement. Director Williams seconded the motion, which passed unanimously.

FIRST BILLING AND COMPASS PRESENTATIONS

Mr. Lewis updated the Board regarding reactivation of the Check Free payment option at Kroger customer service centers. He then gave a demonstration of BBVA Compass Bank's payment site and discussed set up options available to the District.

The Board then received a presentation from Mr. Carrera regarding payment services offered through First Billing.

There being no additional business to consider, Director Elms moved to adjourn the meeting at 9:12 p.m. Director Thornhill seconded the motion, which passed unanimously.



*Mary Dubois*  
Secretary, Board of Directors

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