

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191
January 22, 2020**

STATE OF TEXAS §
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COUNTY OF HARRIS §

The Board of Directors of Harris County Municipal Utility District No. 191 of Harris County, Texas, met in **regular session**, open to the public, beginning at **6:30 PM** at the Champions MPC Clubhouse, 13719 Champions Centre Drive, Houston, Texas 77069, on **January 22, 2020**, and the roll was called of the duly constituted officers and members of the Board, to-wit:

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| Robert Price | President |
| Ernest F. Gigliotti | Vice President |
| Rob Harris | Secretary |
| Vaughan G. Miller | Treasurer |
| Ronald Young | Assistant Secretary and Director |

and all were present, thus constituting a quorum. Also present were: Rich Rankin and Howard Wilhite of Hays Utility South Corporation; Tim Hardin and Omar Rodriguez of Langford Engineering, Inc.; James Dougherty, attorney for the District; Patty Rodriguez of Bob Leared Interests; and Deputy Jose Rivera of the Harris County Precinct 4 Constable's Office. Ms. Claudia Redden of Claudia Redden & Associates shortly after 7:00 PM. The President called the meeting to order, and the following business was transacted:

1. Constables, Etc. Later during the meeting, Deputy Rivera presented a written Constables report. There were questions and discussion about unauthorized entry to an old building on Dotson Road that was not properly secured. Mr. Dougherty presented the proposed renewal of the law enforcement agreement with Harris County. He pointed out a change in wording and increased fees. After a brief discussion, Director Harris moved to approve and authorize the renewal. Director Miller seconded, and all voted in favor. It was signed during the meeting and delivered to Deputy Rivera.

2. Regular Subjects, Minutes and Consent Agenda

a. Bookkeeping and financial matters. Ms. Redden presented the bookkeeper's report with checks that had been prepared to pay bills. There was a discussion about the three reserves authorized by the Board at the previous meeting. Mr. Redding asked about an invoice submitted by the Greens Bayou Coalition, but was not approved.

b. Tax Assessor-Collector. Ms. Rodriguez presented the Tax Assessor-Collector's report. There was a question about current collections. She also presented a report from the delinquent tax attorney. It was duly moved and seconded to accept the Tax Assessor-Collector's report and authorize the prepared tax-account checks to be paid, and all voted in favor. The authorized checks were signed during the meeting.

c. Legal matters. The attorney reported on election preparations. Director Miller moved to approve the Secretary's designation of agent for election purposes and to authorize an advertisement relating to accessible/electronic voting equipment. Director Gigliotti seconded, and all voted in favor.

d. Utility operations. Mr. Rankin presented and reviewed the operations report. He mentioned a request for a bill reduction. The President asked that the operator allow a two-month payout period, but without an adjustment of the amount. There was a discussion of a manhole problem on Hargrave at Breton Ridge. Mr. Rankin said he would bring back more information the following month.

The President opened a public hearing for any persons present to be heard to show cause why their water service should not be terminated for non-payment of utility bills. The operator reported that the hearing notice was given for each account on the list of proposed terminations. It was noted that no persons were present to be heard, and the

public hearing was closed. The operator recommended service terminations for the accounts on the list in accordance with the District's standard operating procedures. It was then duly moved and seconded that: (i) the amount shown for each account on the list of proposed service terminations be found to be correct, (ii) although notice of that night's hearing was given to each person on the list, no one appeared, and (iii) water service be authorized to be terminated to the accounts listed, in accordance with the District's standard operating procedures. The motion carried by unanimous vote.

It was duly moved and seconded to approve the Operator's report. All voted in favor.

e. *Minutes.* Mr. Dougherty submitted draft minutes for the meetings held December 9, 2019 and December 18, 2019. It was duly moved and seconded to approve both sets of minutes as submitted. The motion passed unanimously.

3. Water and Sewer Matters. The President reported on the reconciliation of the of amounts owed on the Le-Vu Project, also the refund of the remainder \$16,692 special deposit under a 2015 memorandum and . . . Motion to authorize submission of a combined bill, offsetting the amount owed and the 6,692, with a net amount due to the District.

4. Engineering & Projects. Mr. Hardin presented the engineer's report. He mentioned a proposal from Hovis Surveying Company, Inc. for title and easement work related to the sanitary sewer project near Paragon Court. It was duly moved and seconded to authorize a work order to accept it, including both base work and the additional items. The motion passed unanimously. Mr. Hardin updated the Board on the process for abandoning part of the old easement and acquiring a new one for that project. Later, there was a motion made and seconded to authorize additional engineering work on the project by LEI, with additional maximum amount payable set at \$25,000. The motion was adopted.

There was a discussion of the shopping center development at the corner of Cutten Road and Cockrum. After discussion, it was moved and seconded to authorize a capacity permit for the development, limited to 4,725 GPD, but subject to the owner completing the application, including details on the size and use of the space.

Next, Mr. Hardin mentioned plan review for the second-floor build-out of the Livingwell Building on Hargrave Road, and there was a discussion of plan approval and permit timing. Mr. Hardin said he would make sure his plan approval letter refers to the other requirements for extending service, including the permit, inspections, etc.

Mr. Hardin also mentioned the Mousa project to extend a sanitary sewer line around the property on Cutten Road. There was a discussion about a new request from Mr. Mousa about an old utility development agreement and possible reimbursement. At that point, Mr. Price advised the Board that his father had done consulting work for Mr. Mousa relating to that old agreement (through his consulting firm, ASWT, Inc.), and he thought he should recuse himself from working on Mr. Mousa's request. He disclosed the nature of his interest in ASWT, Inc. in an affidavit that he had filed before the meeting. Mr. Gigliotti then took over as presiding officer. Mr. Dougherty recommended that the Board authorize one of its members to oversee further discussions with Mr. Mousa, including exchanges of legal materials. After discussion, Mr. Harris volunteered. It was then duly moved and seconded to authorize Mr. Harris to oversee further discussions with Mr. Mousa and to authorize the attorney to share legal work products with Mr. Mousa, in connection with settlement negotiations, and to authorize Mr. Harris (in lieu of Mr. Price) to approve and sign the proposed pre-construction agreement with Mr. Mousa. The motion was passed by a vote of four in favor, none against (Mr. Price abstaining).

Mr. Price then resumed participation in the meeting, as presiding officer. Mr. Hardin updated the Board on the work that LEI was doing on relocation of utilities along FM 1960. He and Mr. Rodriguez presented quadrant maps showing relocation options for each quadrant. There was an extended discussion of options and option combinations. After the discussion, the President and Mr. Hardin said they would meet with TxDOT representatives to discuss options.

5. Energy, Streetlights, Etc. There was no action taken.

6. *FM 1960 Project.* There was a presentation and discussion of the project earlier in the meeting, in connection with the engineering report.

7. *Records, Communications, Meetings, etc.* No action was taken.

(*Adjournment*) The meeting adjourned at approximately 9:15 PM.

A handwritten signature in black ink, appearing to read "Peter D. Hammett". The signature is written in a cursive style with a horizontal line underneath the name.

Secretary, Board of Directors

(SEAL)