

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191
January 26, 2022**

STATE OF TEXAS §
 §
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** on **January 26, 2022**, at the Cy-Champ PUD facility at **13455 Cutten Road, Suite 1A, Houston, Texas 77069**. The roll was called of the duly constituted officers and members of the Board, to-wit:

Robert Price	President
Ronald Morrison	Director
Rob Harris	Secretary
Vaughan G. Miller	Treasurer
Ronald Young	Assistant Secretary and Director

and all were present, thus constituting a quorum. Also present were Ms. Patty Rodriguez of Bob Leared Interests; Mr. Rich Rankin and Mr. Howard Wilhite of H2O Innovation Maintenance and Operation LLC; Mr. Timothy Hardin of Langford Engineering, Inc.; Ms. Claudia Redden of Claudia Redden & Associates; Mr. James Dougherty, attorney for the District; and Mr. Mark Eyring, auditor for the District. Also present were Bill Goudeker of the Lanier Foundation and Mr. Ke Chen and Mr. Justin Chen of KC United, Inc. (engineers for Lanier Foundation). Deputy D. Matheu of the Harris County Precinct 4 Constable's Office attended the first part of the meeting. The President called the meeting to order, and the following business was transacted:

1. Constable/Patrol/County Matters. Deputy Matheu gave a brief Constable report. He mentioned some minor incidents.

2. Regular Subjects, Minutes and Consent Agenda

a. Bookkeeping and financial matters. Mr. Eyring presented a proposed engagement letter with a Form 1295. He said it was for two years, and the annual fee was unchanged from prior periods. There was a motion to approve and authorize the engagement letter. The motion was seconded, and all voted in favor. The President signed the letter, in duplicate originals.

Mr. Eyring continued by presenting the draft audit (Financial Report) for FY 2021. After discussion, Director Miller made two motions: (i) to approve the draft audit, subject to further review; and (ii) to approve and authorize a representation letter to the auditor. Both motions were seconded, and both were adopted by unanimous votes.

Later in the meeting, Ms. Redden presented the bookkeeper's report. She described the new "sweep" arrangements and how they affected the balances shown in the report. There were questions about the point of sale (for sales tax purposes) for building materials, also about the new Bell Furniture store on FM 1960 and the amount of water used irrigating the Cutten Road medians. After discussion, Director Miller moved to: (1) accept the bookkeeper's report and approve and authorize the checks presented, and (2) receive and approve the investment report submitted by the Investment Officer and order that a written instrument be adopted and shown on the report to state that the Board had: (i) received and approved the report;(ii) reviewed the District's investment policy and investment strategies and decided to make no changes to them, The motion was seconded, and all voted in favor.

b. Tax Assessor-Collector. Ms. Rodriguez presented the Tax Assessor-Collector's report and gave an update on the large delinquencies for the hotel on SH 249. The owner had asked for an 18-month payout agreement (and had paid the 2021 taxes). She reported that Mr. Sandin had indicated that the payout agreement would not prejudice the District's position in the pending litigation. After discussion,

Director Harris moved to authorize the Tax Assessor-Collector to enter into the proposed payout agreement. The motion was seconded, and all voted in favor.

c. Legal matters. The attorney reported that Harris County was going to hold a countywide election on the uniform election date in May, so, for the first time in many years, the County would conduct water district elections jointly with the countywide election. He said the fee charged by the County to a district for a similar joint election in November was \$2,500 plus \$1.05 per registered voter in the district. After discussion, Director Miller moved that:

- (1) the District declare its intention to hold its May 2022 director election jointly with the countywide election to be conducted by the County;
- (2) the Board approve and authorize execution of the County's agreements for the joint election;
- (3) the Board formally call the May 2022 director's election, by adopting an order on the Secretary of State's form, with inserts appropriate for the County to conduct the election jointly;
- (4) the Board authorize the President, the Secretary and attorney (each) to take such other actions as may be necessary or convenient for election preparation.
- (5) authorize the Secretary to determine if the election is contested and notify the County accordingly, in accordance with Chapter 49 of the Water Code.

The motion was seconded, and all voted in favor.

d. Utility operations. Mr. Rankin presented the written operator's report. He mentioned that there was a missing (or unlocated) valve at the Cy-Champ PUD interconnection that was hindering the replacement of the meter. He answered a question about an autodialer at the water plant which had experienced a failure. There were questions and a discussion about lab services for wasteload surcharges and grease trap inspections. The President described a pending complaint and request for public records relating to the surcharges and inspections. After questions and discussion, there was motion to authorize the President to waive the charges for public records that had been estimated, because of the unusual circumstances of that particular case. The motion was seconded, and all voted in favor.

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.

There was a motion to accept the operator's report. It was seconded, and all voted in favor.

e. Minutes. Draft minutes for the meeting held December 14, 2021 were reviewed. It was duly moved and seconded to approve them as presented. All voted in favor.

3. Water and Sewer Matters. Earlier in the meeting, Mr. Goudeker described a request for service for the Lanier Foundation's proposed new site west of Hargrave Road. He said that a well and septic system were taking up a lot of land. He also described Lanier Foundation facilities in the existing learning center east of Hargrave Road. He said the Foundation would be interested in having both properties annexed. He said work on the west side had not started, and the first phase would be parking. Mr. Ke Chen said it did not appear that much work would be required for utility lines. The President referred the request to the engineer for review and recommendation.

4. Engineering & Projects. Mr. Hardin presented the engineer's report. He pointed out the estimates for manhole repairs. There were questions and a brief discussion of high-priority rehab projects. It was moved and seconded to accept the engineer's report, and all voted in favor.

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

6. *FM 1960 Project*. Mr. Price gave an update on the most recent updates that were being made to the previously-approved contracts.

7. *Records, Communications, Meetings, etc.* There was no action taken

(Adjournment) The meeting adjourned at approximately 8:40 PM.

(SEAL)



Secretary, Board of Directors