

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191
March 8, 2022**

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 **special session**, open to the public, beginning at **5:30 PM** on **March 8, 2022**, at the Cy-Champ PUD facility at **13455 Cutten Road, Suite 1A, Houston, Texas 77069**. The following officers and members of the Board, to-wit:

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| 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 Mr. Rich Rankin and Mr. Howard Wilhite of H2O Innovation Maintenance and Operation LLC; Ms. Monica Martin and another representative of NWDLs, Inc. (laboratory company) and Mr. Chayn Mousa. Mr. James Dougherty, attorney for the District arrived after the meeting began. The President called the meeting to order, and the following business was transacted:

1. Water and Sewer Matters. Mr. Price distributed materials to be used during the public hearing, including a large spreadsheet. He asked the attorney to serve as parliamentarian and hearing officer. The attorney distributed an outline showing the proposed hearing procedure. He gave a brief overview of the four administrative decisions (or rulings) listed on the outline. Mr. Mousa indicated he was appealing all four rulings, and he asked that the second ruling on the outline be taken first (the ruling on grease trap inspections not completed).

**RULING ON GREASE TRAP INSPECTIONS
NOT COMPLETED**

The attorney gave a summary of that ruling. Mr. Mousa gave a presentation. He described various missed inspections and the condition of one of the grease traps. He said he did not get any phone calls or letters about the inspections. He said he had paid thousands of dollars in inspection fees over the years. He said the operator could put anything they want on the inspection reports. He said he knew everything that happened at the shopping center. He said Mirage 38 has no fryer or dishwasher. He said the donut shop does a smaller volume of business. He asked how his surcharges compared to the surcharges of other large restaurants. He said he closed the donut shop for five days to replace the grease trap, with new pipes. He asked that all the inspection fees be refunded. He presented two letters (from tenants).

Mr. Rankin said he had reviewed inspection reports going back years. He said that, for future inspections, he had made some changes, including provisions temperature, sludge measurement and phone contacts. He said they should have been done previously. He explained what the inspectors did do.

Mr. Mousa said he observed an inspection that did not include a measurement of the grease level or sludge. He asked how he could trust any inspection. He said the Saints café was closed for 24 months, and the grease trap was inside. There were questions and discussions. Mr. Wilhite said it was the responsibility of the company that pumps out grease traps to inspect the condition of the trap.

Mr. Mousa said he would send additional information about the grease traps after the meeting. He said it would be OK if the Board did not make a decision that night.

RULING ON RECALCULATION

OF WASTE LOAD SURCHARGES

The President explained the spreadsheet that the recalculation (and the ruling) were based upon. It showed a proposed credit of \$1,846.35, based on a comparison of recalculated surcharges to surcharges as billed. Initially, there was no presentation by the Applicant.

The lab representatives explained sampling methods. There was a discussion about the three manholes near the shopping center, indicating that the wrong manhole had been used three times (shown on the spreadsheet). There were questions about BOD, ammonia and grease. It appeared that the biggest charges were for BOD. Mr. Wilhite explained that putting hot water through a grease trap would cause grease to pass through the trap. There was a discussion about products and practices that would cause BOD or ammonia to be high. Ms. Martin pointed out that nail salons, dentists and donut shops are sources of BOD for many systems, not just the District's. The President presented a set of bar graphs that compared samples from the shopping center to samples from the Campioni Restaurant, also a line graph of the Applicant's surcharges over time. The line graph was shown above a bar chart showing components of the surcharge each month.

There was discussion about the three manholes. One of the lab representatives explained that the "shared" manhole was a "T" intersection where the service line from the shopping center intersected the main sewer line. He explained that the sampling probe could be placed to pull the sample from just the service line (from the shopping center), not the main sewer line.

RULING ON REFUNDS OF SURCHARGES BECAUSE GREASE TRAPS NOT INSPECTED (OR RUSTED OUT)

There was a brief explanation of this ruling, including the lack of a "discernable link" between the alleged grease trap problems and waste sampling—also that it was the owner's responsibility for maintaining the grease trap. The lab representatives and the operator indicated that grease trap problems would not affect BOD, TSS or ammonia. Apparently, grease could be affected by grease trap problems, but the data did not show a connection in this case. The matter was taken under advisement.

RULING ON PARTIAL REFUNDS FOR DIFFERENCES IN AMOUNT CHARGED FOR SAMPLING/ANALYSIS AND LAB INVOICE COSTS

It was explained that this ruling was based on an interpretation of wording in the Code of Operations ("cost of sampling and analysis"), specifically whether costs should include costs of operator time and overhead, or just the invoice from the lab. Mr. Mousa said the charge should include just the invoice amount. The operator explained that their costs were paid as part of a fixed monthly charge.

The Board took all the rulings under advisement

Mr. Mousa asked that the operator provide a quote for a tap before charging the customer a plan review fee. He said plan review fees are intended to be charged only for property added to the District, in his experience. Mr. Wilhite explained that it was not possible to calculate a price for a new tap (in advance) because materials can go up, after a quote is given.

Mr. Mousa said he did not get a breakdown of the cost of the fire tap, and he had to pay rent for two months while he was waiting for the breakdown. There was a discussion.

Mr. Mousa asked for a change in the fixed monthly fee for fire connections.

Mr. Wilhite said he was stepping away from management at H2O and would be doing client relations only. He said there were two new managers being brought in by H2O, and their operations were being consolidated with Gulf Utilities.

(Adjournment) The meeting adjourned at approximately 8:55 PM.


Secretary, Board of Directors

(SEAL)