

MINUTES OF BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2019

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 109

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The Board of Directors (the "Board") of Harris County Municipal Utility District No. 109 (the "District") met in regular session, open to the public, at the Atascocita Fire Department, 18425 Timber Forest Dr., Humble, Texas 77346, at 6:00 p.m. on November 19, 2019, whereupon the roll was called of the members of the Board, to wit:

Owen H. Parker, President
Chris Green, Vice President
Cheryl Moore, Secretary
Robin Sulpizio, Assistant Secretary
Nancy Frank, Assistant Secretary

All members of the Board were present thus constituting a quorum. Also attending all or parts of the meeting were Mr. Bill Bedell, District resident; Lieutenant Steve Romero of Harris County Precinct 4 Constable's Office; Mr. Tim Spencer of Ad Valorem Appraisals, tax assessor and collector for the District; Mr. Cory Burton of Municipal Accounts & Consulting, LP, bookkeeper for the District; Mr. Darrin Fentress and Bill Kotlan of BGE, Inc. ("BGE"), engineer for the District; Mr. Clint Gehrke and Ms. Frayde Torres of Water Waste Water Management Services, Inc. ("WWWMS"), operator for the District; and Mr. Dimitri Millas and Ms. Jane Maher of Norton Rose Fulbright US LLP ("NRF"), attorneys for the District.

The President called the meeting to order in accordance with notice posted pursuant to law, copies of the Certificates of Posting are attached hereto as *Exhibit A*, and the following business was transacted:

1. **Public Hearing concerning First Amendment to Strategic Partnership Agreement with the City of Houston.** President Parker opened the public hearing concerning the First Amendment to Strategic Partnership Agreement with the City of Houston. The President recognized Mr. Bedell, who stated that he is pleased with the Board's work. Hearing no further public comments the President proposed closing the public hearing. Upon motion by Director Green, seconded by Director Moore, after full discussion and the question being put to the Board, the Board voted unanimously to close the public hearing.

The Board reviewed the First Amendment to Strategic Partnership Agreement with the City of Houston (the "Amendment"), a copy of which is attached hereto as *Exhibit B*. Upon motion by Director Moore, seconded by Director Sulpizio, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Amendment.

2. **Public Comments.** President Parker recognized Mr. Bidell, who thanked the Board and stated he had no further comments. President Parker thanked Mr. Bidell for his attendance.

3. **Minutes.** The Board considered the proposed minutes of the meetings held on October 15, 2019, and October 23, 2019, previously distributed to the Board. Upon motion by Director Sulpizio, seconded by Director Green, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the meetings held on October 15, 2019 and October 23, 2019.

4. **Security Report.** President Parker recognized Corporal Gamble, who reviewed the Security Report for the month of October 2019, which was previously distributed to the Board. A copy of the Security Report is attached hereto as *Exhibit C*.

The Board discussed the option of adding an extra deputy. Corporal Gamble stated he can look at the crime rates and verify the best time to have the deputy patrol. Upon motion by Director Green, seconded by Director Sulpizio, after full discussion and the question being put to the Board, the Board voted unanimously to approve the security report and the addition of an extra deputy.

5. **Tax Collector's Report and authorize payment of certain bills.** President Parker recognized Mr. Spencer, who presented to and reviewed with the Board the Tax Assessor and Collector's Report for the month of October 2019, a copy of which is attached hereto as *Exhibit D*. Mr. Spencer noted that 0.98% of the District's 2019 taxes had been collected as of October 31, 2019.

Upon motion by Director Moore, seconded by Director Sulpizio, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor and Collector's Report and to authorize payment of check numbers 1983 through 1985, from the Tax Account to the persons, in the amounts, and for the purposes listed therein.

6. **Review Bookkeeper's Report.** President Parker recognized Mr. Burton, who presented to and reviewed with the Board the Bookkeeper's Report, a copy of which is attached hereto as *Exhibit E*. Mr. Burton reviewed disbursements from the General Operating Fund.

Upon motion by Director Green, seconded by Director Moore, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, to authorize payment of the checks in the amounts, to the persons, and for the purposes listed therein.

7. **Engineer's Report.** President Parker recognized Mr. Kotlan, who presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit F*.

Mr. Kotlan stated that BGE and WWWMS are coordinating to put together a repair solution for the pumps at both elevated storage tanks.

Mr. Kotlan stated that three easements are required for the FM 1960 widening project. He requested the Board to authorize the initial offer letters for easement for the FM 1960 widening project in the amounts recommended by ROW Management. Mr. Millas presented an Easement Acquisition Services Agreement between the District and ROW Management, a copy of which is attached hereto as *Exhibit G*.

Mr. Kotlan stated that for the 11th annexation, BGE is working on the City of Houston consent petition and that for the 12th annexation, the legal description for the annexation should be done this week.

Upon motion by Director Green, seconded by Director Frank, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Engineer's Report, to authorize the initial offer letters for easements for FM 1960 widening project in the amounts recommended by ROW Management and to approve the Easement Acquisition Services Agreement.

8. **Discuss annexation matters.** This item was addressed under the previous item.

9. **Review Operations Report and authorize repairs.** President Parker recognized Mr. Gehrke, who presented the Operations Report dated November 19, 2019 and a list of delinquent accounts, copies of which are attached hereto as *Exhibit H*. Mr. Gehrke reported that 90% of the water pumped was billed for the period October 1, 2019 through October 31, 2019.

Mr. Gehrke recommended that the Board consider cleaning out all meter boxes with vacuum excavator equipment at \$40.00 per meter box including commercial meter vault boxes.

Upon motion by Director Sulpizio, seconded by Director Green, after full discussion and the question being put to the Board, the Board voted unanimously to: (1) approve the Operations Report; (2) to terminate service to delinquent accounts in accordance with the terms of the District's Rate Order and (3) authorize the cleaning out all meter boxes with a vacuum excavator equipment at \$40.00 per meter box including commercial meter vault boxes.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The above and foregoing minutes were passed and approved by the Board of Directors on November 19, 2019.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

