

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 238
Minutes of Meeting of Board of Directors
June 25, 2024

The Board of Directors (the “Board”) of Harris County Municipal Utility District No. 238 (the “District”) met in regular session, open to the public, in accordance with the duly posted notice of meeting and the Texas Open Meetings Act. The roll, consisting of the duly constituted officers and members of said Board, was called as follows:

Randy Love	-	President
Gary Nelson	-	Vice President
C.L. “Steve” Crane	-	Secretary
Ronald Julun	-	Assistant Secretary
Patricia Richardson	-	Director

All of the said persons were present, thus constituting a quorum.

Also present were Creston Minter, a representative of H2O Innovation (the “District’s Operator”); Lynnette Tujague, a representative of District Data Services, Inc. (the “District’s Bookkeeper”); Taylor Reed, a representative of Vogler & Spencer Engineering, Inc. (the “District’s Engineer”); Jonathan Roach, Jennifer Rodriguez, and Jewel Wheeler, representatives of Roach & Associates, PLLC (the “District’s Attorney”); Scott Gray, a representative of Champions Hydro-Lawn, Inc. (the “District’s Landscaping Consultant”); Isabel Mata, a representative of Wheeler & Associates, Inc. (the “District’s Tax Assessor”).

PUBLIC COMMENTS

There were no public comments.

MINUTES OF PRIOR BOARD MEETINGS

The Board considered the regular meeting minutes of May 28, 2024. After a brief discussion, Director Richardson made a motion, seconded by Director Nelson, to approve the regular meeting minutes of March 28, 2024, subject to one change. The motion passed four-to-one (4-1), with Director Crane abstaining.

TAX ASSESSOR/COLLECTOR’S REPORT

Ms. Mata presented the Tax Assessor/Collector’s Report; a copy is attached as **Exhibit “A”**. After no further discussion, Director Nelson motioned to approve the Tax Assessor/Collector’s Report, including payment of checks presented therein. Director Love seconded the motion, which passed unanimously.

DELINQUENT TAX ATTORNEY REPORT

Ms. Mata noted there was nothing new to report.

BOOKKEEPER'S REPORT

Ms. Tujague presented the Bookkeeper's Report, including payment of invoices contained therein; a copy is attached hereto as **Exhibit "B"**. After no further discussion, Director Love motioned to approve the Bookkeeper's Report, including the payment of invoices. The motion was seconded by Director Julun and passed unanimously.

DEVELOPMENT REPORTS INCLUDING UTILITY CAPACITY AND/OR FINANCING AGREEMENT REQUESTS, SITE/FACILITY CONVEYANCES, OPTIONS FOR POSSIBLE ANNEXATION, AND RELATED MATTERS

Mr. Reed noted that he received a request for a neighboring property to be annexed and explained that a nearby apartment complex is already expanding their water line which makes it convenient to provide water to the property; however, noted that providing a sewer connection would be more difficult. Mr. Reed advised that the requesting property would be responsible for the annexation and connection costs.

ENGINEER'S REPORT

Mr. Reed presented the Engineer's Report, a copy is attached as **Exhibit "C"**, and provided the following updates:

- a) **GIS Upgrade**, noting a brief discussion regarding the latest updates.
- b) **Radium Treatment-Ion Exchange Water Plant No. 1 and No. 2**, noting (i) Wets LLC has completed the equipment coating; (ii) the project passed its best available (air pollution) control technology and the system will be put online without media; (iii) a walk-through is scheduled for June 24, 2024; and (iv) a report has been submitted to the Texas Commission on Environmental Quality.
- c) **Sanitary Sewer Clean & TV Plan**, noting construction is underway and they will review the CT videos once received..
- d) **Wastewater Treatment Facility Fence Replacement**, noting they are waiting for Houston Fence Company, Inc. to mobilize and advised that they are behind schedule due to the recent storms.
- e) **Sinkhole Video at Barker's Crossing Pond**, noting the District's Engineer reviewed video footage of the sinkhole and found the pipe in acceptable condition. He then advised the Board of a plan to fix the sinkhole that involves stabilizing it and pouring concrete on top, which is estimated to cost less than \$10,000. Director Crane made a motion, seconded by Director Nelson, to approve the repair at a cost not to exceed \$10,000. The motion passed unanimously.
- f) **Emergency Response Plan ("ERP")**, noting the ERP has been updated.

Director Richardson presented a letter from Oak Ridge Place Community Association Inc. regarding their request for a brick fence, which the District recently declined. The Board concurred to move forward with the original plan to build the fence with materials that were already purchased

for a nearby fence project.

STATUS OF MAINTENANCE BY CHAMPIONS

Mr. Gray presented and reviewed the Detention and Drainage Facilities Report, a copy is attached as **Exhibit “D”**, noting updates on the various detention ponds and channels. Mr. Gray noted the drainage system is working as designed and reported no problems. Director Nelson asked if the fallen trees had been removed, and Mr. Gray confirmed they had been.

OPERATIONS AND MAINTENANCE REPORT

Mr. Minter presented the Operations and Maintenance Report; a copy is attached as **Exhibit “E”**.

Director Nelson advised that he did a trial run to test the timeline of paying his invoice via check and noted it took a very long time to process. He suggested that this could be the reason why so many residents drop off their payments. Director Julun noted that the post office has expressed the dangers of mailing in checks due to mail theft, and that could also be a reason for the drop offs. Director Crane noted that residents should be utilizing the pay online feature since the District pays the processing fee that online payments incur. Ms. Mata brought to the Board’s attention that the District’s website states that the resident is responsible for the transaction fee, not the District. Mr. Roach advised that he would contact the District’s communications team to update the District’s website to inform residents that they can easily pay online at no extra cost.

EMERGENCY INTERCONNECT AGREEMENTS AND ISSUES WITH NEIGHBORING DISTRICTS/WATER SYSTEMS

Mr. Roach advised that he had not received any feedback from the neighboring districts’ attorneys regarding the proposed changes to the interconnect agreements. Mr. Roach further noted that due to their lack of response, he will be sending a full proposed amendment with a signature page and if they do not sign and return, the District’s emergency services would not be available to them.

POSSIBLE RATE ORDER AMENDMENT

Mr. Roach noted that he is amending the District’s Rate Order to incorporate the rate changes for Multi-Family Senior Living.

TECHNOLOGY AND WEBSITE UPDATES

Mr. Roach noted a recent drone service that the District’s Attorney is providing its districts, photographing their facilities to use for websites, maps and new projects and inquired if the Board would be interested in this service. After some discussion, Director Nelson made a motion, seconded by Director Crane, to authorize the District’s Attorney’s staff to obtain images and footage of the District’s facilities. The motion passed unanimously. Then, Mr. Roach noted that website updates were discussed during the Operations and Maintenance Report.

DIRECTOR'S REPORTS

Director Julun provided an update from the last West Harris County Regional Water Authority meeting, including engineering highlights and map updates.

Director Julun then gave a brief review of the seminars he attended at the Association of Water Board Directors Summer Conference, including the presentations for OneWater conservation, GIS systems, cybersecurity, and more. He stated he would create a summary of the key topics for the Boards review. Director Crane mentioned they should post the summary on their website.

Next, Director Crane noted that he had asked his local Homeowner's Association ("HOA") about enforcement of no parking in front of fire hydrants but never received a response. Director Richardson noted that HOAs cannot enforce any traffic laws, but the local Sheriff's Department can. The Board concurred to authorize the District's Attorney to prepare a letter to Harris County to request "red painting" within 15 feet of fire hydrants to prevent residents from parking there.

Director Crane then noted the neighboring property owned by GO Weiss has not been maintaining their lawn. After some discussion, Mr. Roach recommended sending a letter to GO Weiss informing them of their responsibility to maintain their property. Director Richardson made a motion, seconded by Director Julun, to authorize the District's Attorney to prepare and send a letter to GO Weiss informing them of their responsibility regarding this matter.

Director Love provided an update on the Places for People Sidewalk Project, noting the properties along Greenhouse Rd are not being taken care of. A brief discussion ensued amongst the Board regarding the District's \$60,000 pledge for the project. Mr. Roach reviewed the contribution pledge, and Director Love advised that he will be attending the project meeting next week.

ATTORNEY'S REPORT

Mr. Roach noted that the Board is required annually to file a form with the Secretary of State regarding the voting system(s) the District may have used during the year, and he asked for authorization for the District's Attorney to complete and file the form on behalf of the District as necessary. Director Nelson moved to authorize the submission of the voting system annual filing form. The motion was seconded by Director Julun and passed unanimously.

Mr. Roach then asked the Board to consider approval of the destruction of old copies of prior Board meeting notes as allowed by applicable law. He reminded the Board that the District's Attorney retains electronic copies of virtually all District records and that copies of all official meeting minutes are kept in perpetuity. After discussion, Director Nelson made a motion to authorize the destruction of old copies of prior Board meeting notes. Director Love seconded the motion, which passed unanimously.

Mr. Roach noted he spoke with the Acclaim Energy Representatives, and they are working on passing legislation.

ADDITIONAL PUBLIC COMMENTS

There were no additional public comments.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTIONS 551.071, 551.074, ET. SEQ.

The Board did not enter into executive session.

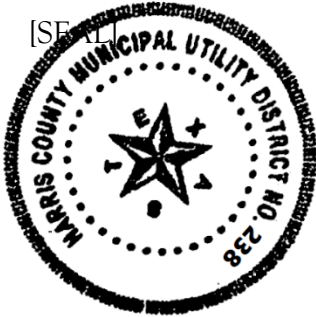
ADDITIONAL PENDING BUSINESS AND SCHEDULE FOR UPCOMING BOARD MEETINGS

The Board concurred to hold its next regular meeting on Tuesday, July 23, 2024, at 1:00 p.m. After no further discussion to come before the Board, the Board concurred to adjourn the meeting.

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Approved this 23rd day of July 2024.

/s/C.L. "Steve" Crane
Secretary, Board of Directors



LIST OF EXHIBITS

- Exhibit A – Tax Assessor/Collector’s Report
- Exhibit B – Bookkeeper’s Report
- Exhibit C – Engineer’s Report
- Exhibit D – Detention and Drainage Facilities Report
- Exhibit E – Operations and Maintenance Report