

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 238
Minutes of Meeting of Board of Directors
July 23, 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, Jewel Wheeler, and Jeffrey Blakenship, representatives of Roach & Associates, PLLC (the “District’s Attorney”); Scott Gray, a representative of Champions Hydro-Lawn, Inc. (the “District’s Landscaping Consultant”); and 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 June 23, 2024. After no discussion, Director Nelson made a motion, seconded by Director Crane, to approve the June 23, 2024, regular meeting minutes.

**INTERLOCAL AGREEMENT AND RELATED MATTERS FOR PLACES 4 PEOPLE TRAIL/
SIDEWALK OPTIONS**

Mr. Roach discussed the revised Interlocal Agreement regarding the Places 4 People sidewalk project. He advised that the total cost is one million dollars (\$1,000,000), with the District responsible for \$43,000, and the remaining cost will be split by the following parties: Harris County (“County”) contributing \$500,000, Harris County Emergency Services District #47 contributing \$145,000, West Park Municipal Utility District (“MUD”) contributing \$54,000, Westlake MUD contributing \$33,000 with the remaining balance to be paid by the County. Mr. Roach then noted that Harris County seems agreeable to paying the remaining amount after all other parties have paid.

Director Love motioned to approve the revised Interlocal Agreement. Director Julun seconded the motion, which passed unanimously.

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 Julun seconded the motion, which passed unanimously.

DELINQUENT TAX ATTORNEY REPORT

Mr. Roach presented this report and noted no new changes.

BOOKKEEPER'S REPORT

Ms. Tujague presented the Bookkeeper's Report, including payment of invoices contained therein; a copy is attached hereto as **Exhibit "B"**. Director Nelson noted a few concerns regarding surplus funds. Ms. Tujague stated she would like to discuss a surplus resolution at next month's regular Board meeting. 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 provided an update on the Canterbury Development, including the Water Meter, Lift Station, and Fire Hydrant Easement. Mr. Roach requested Board approval for the easements.

After no further discussion, Director Nelson motioned to approve the Water Meter, Lift Station, and Fire Hydrant Easement. The motion was seconded by Director Julun and passed unanimously.

ENGINEER'S REPORT

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

- a) Canterbury Development/ Miller & Miller Family Partnership, noting these developments are waiting on executed easements as discussed under the Development Reports.
- b) Radium Treatment-Ion Exchange Water Plant No. 1 and No. 2, noting after a site meeting the system is now operational without the media installed to ensure it is running properly. The District's Engineer will allow it to run in this phase until the end of July, and

pending any issues, the District's Engineer will install the media and put the system online. Mr. Reed further noted that a report has been submitted to the Texas Commission on Environmental Quality.

- c) Sanitary Sewer Clean & TV Plan, noting construction is underway, and the District's Engineer has begun reviewing videos of this project.
- d) Wastewater Treatment Facility Fence Replacement, noting that Houston Fence Company, Inc. mobilized and began replacing the fence.
- e) Sinkhole Video at Barker's Crossing Pond. Mr. Reed provided an update, noting that he expects a price increase due to the project scope, originally approved for \$10,000, and asks for Board approval to proceed with the repairs at a cost not exceeding \$16,000.

After no further discussion, Director Crane motioned to accept the Engineer's report and approve the District's Engineer to proceed with the Sinkhole repairs at Barker's Crossing Pond, not to exceed \$16,000. Director Nelson seconded the motion, which passed unanimously.

Mr. Reed then noted he had received a request for a cell tower to be placed beside the District's retention pond. The Board concurred not to discuss this further.

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 that a tree fell behind the Waste Water Treatment Plant ("WWTP") and is requesting Board approval to remove it for \$562.50.

Director Julun motioned to approve the removal of the tree for \$562.50. Director Crane seconded this motion, which passed unanimously.

Director Richardson briefly discussed the cell tower inquiry. After a brief discussion, Mr. Roach noted this topic would be added to the August Board meeting agenda.

OPERATIONS AND MAINTENANCE REPORT

Mr. Minter presented the Operations and Maintenance Report; a copy is attached as **Exhibit "E"**, which includes updates on the following topics: (i) Repair and maintenance of District facilities; (ii) a report on the manhole inspection; (iii) Options for sanitary sewer line cleaning and issues; (iv) Status of maintenance cost-sharing; (v) Appeals of District charges and customer disconnects, (vi) Lead & Copper Rules Revisions; (vii) Storage of excess supplies at WWTP site; and (viii) Storm damage assessment, repairs, and readiness.

After no further discussion, the Board concurred to approve the Operations Report.

EMERGENCY INTERCONNECT AGREEMENTS AND ISSUES WITH NEIGHBORING DISTRICTS/WATER SYSTEMS

Mr. Roach noted that drafts of the Emergency Interconnect agreements have been sent to the neighboring district's attorneys for final comments and review.

TECHNOLOGY AND WEBSITE UPDATES

Mr. Roach noted the website updates have been implemented and that Director Richardson now has a District email address.

Then, Mr. Blakenship provided an update on the drone footage. He noted that due to the airport, he could not capture the whole District. He further advised that he applied for Federal Aviation Administration permission to fly at 400 feet or less within the restricted airspace to capture other parts of the District.

DIRECTOR'S REPORTS

Director Julun provided an update from the last West Harris County Regional Water Authority ("WHCRWA") meeting, including engineering highlights, map updates, and the state of water supply following Hurricane Beryl. Next, a lengthy discussion amongst the Board regarding the Stage One Drought Contingency Plan put out by WHCRWA. The Board concurred they would be interested in the District's Attorney researching the legality of disconnecting services with WHCRWA in favor of using the District's own water supply for water quality purposes.

ATTORNEY'S REPORT

Mr. Roach noted he spoke with GO WEISS's owner regarding their unkept property neighboring the District and explained why the property had not been mowed. Mr. Roach expects GO WEISS to begin property maintenance soon.

Mr. Roach then provided an update on the House of Representatives Bill No. 7525, informing the Board that the bill passed through the House of Representatives and is now in the hands of the U.S. Senate. He explained to the Board that this bill would recognize MUDs and other Special Purpose Districts at a federal level. He then reminded the Board that an email was sent to the Board President to lobby support for the bill. The Board concurred to support Bill No. 7525.

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, August 27, 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 27th day of August 2024.

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

[SEAL]



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