

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 401**  
**Minutes of Meeting of Board of Directors**  
**June 17, 2024**

The Board of Directors of Harris County Municipal Utility District No. 401 met at Staybridge Suites, 10011 Farm to Market Road 2920, Harris County, Texas 77385, on June 17, 2024, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Blair Fesler, President  
Mark Atchison, Vice-President  
Santee Wright, Secretary  
Roland Massey, Assistant Vice President/Secretary  
Jordan Thomas, Assistant Vice President/Secretary

and all of said persons were present, thus constituting a quorum.

Also present were Andres Aranzales of Vogler and Spencer Engineering, Inc. ("V&S"); Scott Shelnett of Municipal Operations & Consulting, Inc. ("MOC"); Les Griffith of Champions Hydro-Lawn, Inc. ("Champions"); Angela Riley of District Data Services; Robin Goin of Bob Leared Interests, Inc.; Deputy Martinez of Harris County Constable's Office ("HCCO"); Linda McLaughlin, resident; and Kara Richardson of Marks Richardson PC ("MRPC").

The President called the meeting to order.

SECURITY PATROL

As the first order of business, the Board considered the report from the HCCO regarding security services in the District. Deputy Martinez reviewed the Patrol Statistics, a copy of which is attached hereto as Exhibit A. She stated that the game cameras are still installed in the Cottage Gardens neighborhood, and she has not heard any shooting over the past month. Director Atchison stated that the HCCO and Harris County Sheriff's Office traffic might be deterring the kids from coming into the District.

Deputy Martinez exited the meeting at this time.

PUBLIC COMMENT

The Board next considered comments from the public. Ms. McLaughlin asked who sets the timer for the sprinklers in the common areas of the District. Director Atchison stated that the sprinklers are owned and operated by the Inverness Property Owners Association's ("POA"). He noted that the District has been trying to encourage the POA to water responsibly for several years. Ms. McLaughlin stated that the POA waters the areas at all hours of the day and on days when it rains and that they should put timers on the sprinklers. Director Massey stated that Mr. Mike Brazell of the POA worked that issue for a long time and was told that the POA could not put timers on the sprinklers. Ms. McLaughlin also stated that there have been recent reports from residents about low water pressure. Director Atchison stated that there were low pressure issues

in the past, but the new water well has helped with that. He also stated that some of the recent flushing might be adding to that issue. Director Atchison stated that he has encouraged the POA to cut the grass taller so that it does not need as much water. The Board recommended that Ms. McLaughlin approach the POA with her concerns about the POA watering practices.

#### APPROVE MINUTES

The Board considered approval of the minutes of the Board meeting held on May 20, 2024. After discussion, Director Atchison made a motion to approve the minutes of the meeting of May 20, 2024, as presented. Director Thomas seconded the motion, which unanimously carried.

#### BOOKKEEPING REPORT

The Board reviewed the bookkeeper's report received from District Data Services dated June 17, 2024, a copy of which is attached hereto as Exhibit B. After discussion, Director Atchison made a motion to approve the bookkeeper's report and to authorize payment for the invoices listed therein. Director Massey seconded said motion, which carried unanimously.

#### TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Goin presented and reviewed the tax assessor-collector's report dated April 30, 2024, a copy of which is attached hereto as Exhibit C. She stated that the preliminary taxable value for 2024 is \$517,695,322 which is a 6% increase from last year. After discussion on the report presented, Director Thomas made a motion to approve the tax assessor-collector's report, and to authorize payment of the checks listed therein. Director Massey seconded the motion, which carried unanimously.

#### AUTHORIZE DELINQUENT TAX COLLECTIONS ATTORNEYS

The Board next considered authorizing Perdue Brandon Fielder Collins & Mott LLP ("Perdue") to proceed with the collection of 2023 delinquent taxes, including the filing of lawsuits. After discussion, Director Atchison made a motion to authorize Perdue to proceed with the collection of the District's 2023 and prior years' delinquent tax accounts on July 1, 2024, including filing of lawsuits, as necessary. Director Thomas seconded the motion, which carried unanimously.

#### FACILITY SITE MAINTENANCE

Mr. Griffith presented and reviewed a detention and drainage facilities report from Champions, a copy of which is attached hereto as Exhibit D.

Mr. Griffith stated that the District was last serviced on May 25<sup>th</sup>.

Director Massey stated that a neighbor that lives in a house by the new trail and concrete path contacted him about possibly having the area behind his house mowed but he is not sure if the area is HOA or District property. Mr. Griffith stated that he is unsure who mows the subject property. Director Atchison stated that the District needs to determine who owns the property to see who is responsible for mowing same. He then stated that the District has been mowing some of the common areas owned by the POA as it was not being mowed by the POA. Mr. Aranzales

then presented the attached map showing that the subject area is POA property. Director Massey stated that the POA needs to address it with their landscaping company. Director Atchison then asked that V&S send the map to the Board for review. Director Fesler then discussed money given to the POA in the past to fill holes by the pool, and he noted that the POA approached him to report that the issues have appeared again.

### ENGINEER'S REPORT

Mr. Aranzales presented and reviewed the Engineer's Report, attached hereto as Exhibit E.

Mr. Aranzales reported on Water Plant No. 1, Well No. 2. He stated that the District received approval from the Texas Commission on Environmental Quality (the "TCEQ") on the six-month (6) water quality report and that V&S will resubmit a twelve-month (12) water quality report by October 2024.

Mr. Aranzales reported on the status of the construction contract with C&C Water Services for the Water Plant No. 1, Well No. 1 Rehabilitation. He stated that construction is complete and presented an acceptance letter from the Texas Commission on Environmental Quality for execution by the Board. After discussion, Director Atchison made a motion to accept the Water Plant No. 1, Well No. Rehabilitation project as complete. Director Thomas seconded the motion, which unanimously carried.

Mr. Aranzales next discussed the Water Plant No. 1, Well No. 1 aerator. He stated that he coordinated with MOC regarding the aerator stripper and reviewed photos of same. Mr. Aranzales stated that it would be approximately \$1,000,000 to replace same. He stated that he discussed the matter with V&S's well expert who advised that it was not severe enough to warrant replacement at this time.

Mr. Aranzales reported that the flushing plan is complete and was successful.

Mr. Aranzales next reported on the Inverness detention pond outfall pipe repairs. He stated that he met with Champions to inspect the pipe rust damage on the outfall pipe. Mr. Aranzales then presented photos of the pipe rust damage and reviewed same with the Board. He requested authorization to solicit bids for pipe lining to extend the lift of the outfall pipe and prevent pipe replacement. Ms. Richardson recommended authorizing the use of surplus funds and interest earned on construction funds for the project. The Board requested that an item be added to the agenda for next month's meeting to consider same. After discussion, Director Atchison made a motion to authorize V&S to solicit bids for the pipe lining project, as discussed above. Director Thomas seconded the motion, which unanimously carried.

Mr. Aranzales next reported on the surveillance camera warranty service. He stated that V&S submitted a warrant service ticket for the Willow Creek camera. He noted that the interim camera swap and field adjustments were scheduled for June 14, 2024.

Mr. Aranzales reported on future recreational projects in Albury Trails Estates and Reserve at Inverness. Ms. Richardson noted that she has been unable to reach the Hooks family regarding the potential donation of the property to the District for development into a park and/or trails.

Mr. Aranzales reported on the District's Capital Improvements Plan. He requested authorization for V&S to coordinate with MOC to prepare a five (5) year Capital Improvements Plan and maintenance schedule. After discussion, Director Atchison made a motion to authorize V&S to coordinate with MOC to prepare a five (5) year Capital Improvements Plan and maintenance schedule. Director Thomas seconded the motion, which unanimously carried.

#### OPERATIONS REPORT

Mr. Shelnut presented and reviewed the operations report for May 2024, a copy of which is attached hereto as Exhibit F. He reported that the District accounted for 95% of the water pumped during the month of May and that the District's facilities operated in compliance with its respective permits during the month.

Mr. Shelnut next requested that the Board authorize MOC to turn over two (2) delinquent accounts totaling \$157.42 to Collections Unlimited ("CU"), as shown on the list attached to the Operator's Report. After discussion, Director Atchison made a motion to authorize MOC to turn over the two (2) subject accounts to CU as set out above. Director Thomas seconded the motion, which passed unanimously.

Mr. Shelnut reported that preventative maintenance on lift station nos. 2 and 3 generator set was completed on May 1, 2024.

Mr. Shelnut reported that the installation of the sprinkler system on Wixford Lane is scheduled for this week.

Mr. Shelnut reported that spillway pressure washing is pending.

Mr. Shelnut reported that the valve survey is complete along with the directional flushing.

Mr. Shelnut next gave an update on the status of replacement of old meters to electronic meters in the District.

#### UPDATE FROM TOUCHSTONE DISTRICT SERVICES

The Board next considered an update from Touchstone District Services. Director Wright stated that she and Director Atchison compiled a list of updates for the website and forwarded same to Touchstone for handling. She noted that the website is now live.

#### ITEMS FOR FUTURE AGENDAS

The Board next considered items for future agendas.

#### ADJOURN

There being no further business to come before the Board, the meeting was adjourned.

ASST. Secretary, Board of Directors

ATTACHMENTS TO MINUTES OF BOARD OF DIRECTORS  
June 17, 2024

- A. Patrol Report
- B. Bookkeeper's Report
- C. Tax Assessor-Collector Report
- D. Detention and Drainage Facilities Report
- E. Engineer's Report
- F. Operations Report and related handouts