

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 82

November 26, 2018

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 82 (the "District") met in regular session, open to the public, on November 26, 2018, outside the boundaries of the District, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, and the roll was called of the members of the Board:

Jerry Chesnutt	President
Matthew Hoffpauir	Vice President
Don Hays	Secretary
Gary Sundstrom	Assistant Vice President
Jack Abercia, Jr.	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present were Steve Reifel of TNG Utility Corp. ("TNG"); Michelle Lofton of ETI Bookkeeping Services; Erik Spencer of Van De Wiele & Vogler, Inc. ("Van De Wiele"); Adam Kupstas of Aurous Development Services, Ltd; Barbara Nussa of Republic Services, Inc.; Sergeant Garret Lindley of the Harris County Constable's Office; Ed Taravella of Tara Corp.; and Hannah Brook and Sharon Covan of Allen Boone Humphries Robinson LLP ("ABHR").

APPROVE MINUTES

The Board considered approving the minutes of the October 22, 2018, regular meeting. After review and discussion, Director Abercia moved to approve the minutes of the meeting. Director Sundstrom seconded the motion, which passed unanimously.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

SECURITY AND CONSTABLE'S REPORT

Sergeant Lindley reviewed the security report, a copy of which is attached.

GARBAGE AND RECYCLING

The Board reviewed the October Customer Service Report, a copy of which is attached. Ms. Nussa said there has been no change in the status of recycling. Discussion ensued regarding the change of street names and addresses in Breckenridge Park, Section 13.

## OPERATION OF DISTRICT FACILITIES

Mr. Reifel presented the operator's report, a copy of which is attached, and reviewed the Water Production Report, the Esplanade Water Usage Report, and the Billing and Collections Report. He said ten new taps were installed during the prior month. The Board reviewed the report on builder back charges.

Mr. Reifel discussed District operations and maintenance. He said the vent screens on the ground storage tank at water plant no. 1 and water plant no. 3 will be replaced. Mr. Reifel said the ground storage tank at water plant no. 3 was pressure washed and may need to be painted. Mr. Reifel requested authorization to pressure wash and paint the fence at the Peerless lift station to remove the graffiti.

Mr. Reifel said residents have complained about the vine overgrowth on the fences behind homes on Pathfinder Pass in Bradbury Forest, Section 5. The Board reviewed photographs. Mr. Reifel said TMK Enterprises ("TMK") mows the District's ditch behind the fences four times a year. The Board requested TNG meet with TMK in the District and perform a site inspection and determine TMK's responsibilities, and to also inform TMK to access the ditch through the proper gate.

Mr. Reifel said three quotes were received for installation of two 25' steel light poles at the wastewater treatment plant. He recommended the work be awarded to Wright Solutions in the amount of \$7,200, for two break over light poles, including LED fixtures and electrical materials, labor and materials.

The Board reviewed the on-line utility payment numbers for 2016, 2017, and 2018.

The Board reviewed the delinquent accounts and utility cut-off list. The Board agreed to defer December water service terminations until January 3, 2019, after the holidays.

Following review and discussion, Director Abercia moved to: (1) authorize pressure washing and painting the fence at the Peerless lift station to remove the graffiti; (2) award the contract to install two break over light poles at the wastewater treatment plant to Wright Solutions in the amount of \$7,200; and (3) approve the operator's report. Director Sundstrom seconded the motion, which passed unanimously.

## CONDUCT HEARING ON TERMINATION OF WATER SERVICE

Mr. Reifel presented a list of delinquent customers to the Directors and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Following review and discussion, Director Sundstrom moved to authorize

termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. The motion was seconded by Director Abercia and passed by unanimous vote.

#### AMENDED RATE ORDER

The Board took no action on this matter.

#### FINANCIAL AND BOOKKEEPING

Ms. Lofton presented the bookkeeper's report, including the investment report, a copy of which is attached, and reviewed the bills presented for payment. After review and discussion, Director Sundstrom moved to approve the bookkeeper's report. Director Abercia seconded the motion, which passed by unanimous vote.

#### TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES

The Board discussed the winter Association of Water Board Directors conference in Austin, Texas. After discussion, Director Sundstrom moved to authorize two hotel nights, three fees of office, and reasonable meals in accordance with the District's guidelines for Directors who attend the conference. Director Abercia seconded the motion, which passed by unanimous vote.

#### TAX ASSESSMENT AND COLLECTIONS

Ms. Lofton reviewed the tax assessor/collector's report, a copy of which is attached, and the bills presented for payment. After review and discussion, Director Abercia moved to approve the tax assessor/collector's report. Director Hoffpauir seconded the motion, which passed unanimously.

#### ENGINEERING

Mr. Spencer presented the engineering report, a copy of which is attached.

#### EASEMENTS AND DEEDS, CONSENTS TO ENCROACHMENT, UTILITY COMMITMENTS

There was no discussion on this matter.

#### BRECKENRIDGE PARK, SECTION 2

Mr. Spencer reported on Breckenridge Park, Section 2. He said the project is in the Harris County one-year warranty period until April 21, 2019.

BRECKENRIDGE PARK, SECTION 1, PARTIAL REPLAT NO. 3, WATER, SEWER AND DRAINAGE

Mr. Spencer reported on Breckenridge Park, Section 1, Partial Replat No. 3, water sewer and drainage. He presented and recommended for approval Pay Application No. 1 in the amount of \$168,853.00, submitted by Fellers & Clark, LP.

BRECKENRIDGE PARK, SECTION 11, WATER, SEWER AND DRAINAGE

Mr. Spencer reported on Breckenridge Park, Section 11, water, sewer and drainage.

BRECKENRIDGE FOREST, SECTION 12

Mr. Spencer reported on Breckenridge Forest, Section 12. He said proposals are being solicited for storm water pollution prevention services.

Mr. Spencer reported on clearing and grubbing for Breckenridge Park, Section 12. He had no pay applications to present to the Board.

Mr. Spencer reported on construction of Breckenridge Forest, Section 12, water, sewer and drainage facilities. He recommended the Board award the contract to Fellers & Clark, LP in the amount of \$546,500.00. The Board concurred that, in its judgement, Fellers & Clark was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

BRADBURY FOREST SECTIONS 8, 9 AND 10

Mr. Spencer reported on the remainder of the clearing and grubbing for Bradbury Forest, Sections 8, 9 and 10. He presented and recommended for approval Pay Application No. 4 in the amount of \$23,763.60, submitted by Lindsey Construction.

Mr. Spencer reported on water, sewer and drainage for Bradbury Forest, Sections 8, 9 and 10. He recommended the Board award the contract to Fellers & Clark, LP in the amount of \$847,000. The Board concurred that, in its judgement, Fellers & Clark was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Mr. Spencer reported on Bradbury Forest, Sections 8, 9 and 10 detention. He presented and recommended for approval Pay Application No. 1 in the amount of \$197,252.10, submitted by Lindsey Construction.

### SANITARY SEWER REPAIRS IN SPRING RIDGE

Mr. Spencer reported on sanitary sewer repairs in Spring Ridge. He presented and recommended for approval Pay Application No. 3 in the amount of \$141,913.80. Mr. Spencer reviewed and recommended approval of Change Order No. 2 to the contract with Texas Pride Utilities for the sanitary sewer repairs in Spring Ridge to increase the contract in the amount of \$4,218.00. The Board determined that Change Order No. 2 is beneficial to the District.

### LIFT STATION NO. 3

Discussion ensued regarding lift station no. 3 to serve Spring Independent School District. Mr. Spencer said plans will be submitted to Harris County for approval.

### WASTEWATER TREATMENT PLANT EXPANSION

Mr. Spencer reported on the wastewater treatment plant expansion. He said preliminary engineering is underway.

### SURPLUS FUNDS

Discussion ensued regarding the use of surplus funds to reimburse the developer for costs associated with Breckenridge Park, Section 2, clearing and grubbing, water, sewer and drainage, detention and land costs. Ms. Brook said the application to the Texas Commission on Environmental Quality will involve a Purchase of Facilities letter and inspection instead of a surplus funds application.

### GIS MAPPING

Mr. Spencer said the next GIS mapping update will occur after Breckenridge Park Replat No. 3, Bradbury Forest, Section 8 and Breckenridge Forest, Section 12 are constructed.

### CONNECTION AND CAPACITY UPDATE

Mr. Spencer reported on the equivalent single family connections in the District.

### NORTHSRING RECREATION CENTER DRAINAGE IMPROVEMENTS

Mr. Spencer reported on the Northspring Recreation Center Drainage Improvement Project. He said the Harris County Flood Control District stated there is not enough covering on top of the pipe and want the pipe lowered. Mr. Spencer said a cost estimate is not available yet.

## DESIGN, CONSTRUCTION AND DEVELOPMENT IN THE DISTRICT

There was no report on this matter.

### BOND APPLICATION

There was no report on this matter.

Mr. Spencer discussed moving forward with cleaning and televising older sewer line sections not previously repaired. He requested authorization to advertise for bids.

After review and discussion, and based on the engineer's recommendation, Director Sundstrom moved to: (1) approve Pay Application No. 1 in the amount of \$168,853.00 for water, sewer and drainage facilities for Breckenridge Park, Section 1, Partial Replat 3; (2) award the contract for construction of water, sewer and drainage facilities for Breckenridge Forest, Section 12 to Fellers & Clark, L.P. in the amount of \$546,500.00, based upon the engineer's recommendation and subject to approval of bonds and review of the certificate of insurance and endorsements, if any, provided by the contractor; (3) approve Pay Application No. 4 in the amount of \$23,763.60 for clearing and grubbing, Bradbury Forest, Sections 8, 9, and 10; (4) award the contract for construction of water, sewer and drainage facilities for Bradbury Forest, Section 8 to Fellers & Clark, L.P. in the amount of \$847,000.00, based upon the engineer's recommendation and subject to approval of bonds and review of the certificate of insurance and endorsements, if any, provided by the contractor; (5) approve Pay Application No. 1 in the amount of \$197,252.10 for detention for Bradbury Forest, Sections 8, 9, and 10 detention; (6) approve Pay Application No. 3 in the amount of \$141,913.80 for sanitary sewer repairs in Spring Ridge; (7) approve Change Order No. 2 in the amount of \$4,218.00 as an increase to the contract with Texas Pride Utilities for sanitary sewer repairs in Spring Ridge; (8) authorize advertising for bids for televising and cleaning sewer lines; and (9) accept the engineer's report. Director Hoffpauir seconded the motion, which passed by unanimous vote.

Director Hays left the meeting.

### ANNEXATION MATTERS

Discussion ensued regarding the annexation of approximately 30.95 acres. Mr. Spencer reviewed the feasibility report, a copy of which is attached. After discussion, Director Abercia moved to accept the annexation feasibility report. Director Sundstrom seconded the motion, which passed by unanimous vote. Ms. Brook said the annexation is on hold pending purchase of the tract by Woodmere Development Co.

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY ("NHCRWA")

Mr. Abercia reported on the NHCRWA, including the budget workshop and the surface water fee increase.

WEBSITE

Director Sundstrom reported on the website.

DEVELOPER'S REPORT

There was no report on development

FINANCING AND REIMBURSEMENT AGREEMENTS; ASSIGNMENTS AND CONSENTS TO ASSIGNMENT

There was no discussion on this matter.

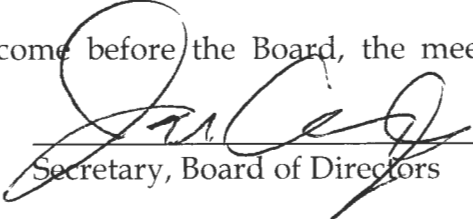
ACTION TAKEN DURING THE MONTH

There was no discussion on this matter.

DIRECTOR AND DISTRICT CONSULTANT REPORTS ABOUT DISTRICT OPERATIONS

The Board discussed the next Board meeting on December 17, 2018, at 6:00 p.m. at 2328 North Spring in the District.

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

  
Secretary, Board of Directors

(SEAL)



ACTION LIST

1. TNG will reconcile the NHCRWA pumpage fees.
2. TNG will reconcile the report on on-line utility payments.
3. TNG will follow up on the back charges to Ryland Homes.
4. TNG will meet with TMK for an on-site inspection.

LIST OF ATTACHMENTS

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