

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500  
(Master)

October 25, 2023

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 500 (the "District") met in regular session, open to the public, on the 25th day of October, 2023, at the Lakehouse, 10000 Towne Lake Parkway, Cypress, Texas, outside the boundaries of the District but inside the boundaries of the Service Area, and the roll was called of the members of the Board:

Jeffry D. Ottmann	President
Joanne E. Quintero	Vice President
Jeff P. Collins	Secretary
James Spackman	Assistant Secretary
Alan Steinberg	Asst. Vice President/ Asst. Secretary

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

Also present at the meeting were Dan Weidner of Caldwell Companies; Leslie Cook of RBC Capital Markets; JC Reno of Storm Water Solutions, LLC; Lynn Kurtz of Myrtle Cruz, Inc.; Amanda Benzman of Environmental Development Partners ("EDP"); J.T. Gaden of EHRA Engineering ("EHRA"); Brenda McLaughlin of Bob Leared Interests; and Allison Leatherwood and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board reviewed the minutes of the September 12, 2023, regular meeting. After review and discussion, Director Collins moved to approve the minutes of the September 12, 2023, regular meeting, as presented. Director Steinberg seconded the motion, which passed unanimously.

ENGINEERING MATTERS

REPORT ON STORMWATER FACILITIES MAINTENANCE AND REPAIRS

Mr. Reno reviewed the report on maintenance of the District's stormwater facilities, a copy of which is attached.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Kurtz reviewed the bookkeeper's report, a copy of which is attached, and submitted the bills for the Board's review. She requested the Board approve additional check no. 5738 in the amount of \$409.50, payable to Director Ottmann.

Ms. Leatherwood stated that the West Harris County Regional Authority ("WHCRWA") completed the true-up of the costs for construction of the surface water trunk line to water plant no. 2 and the District is owed approximately \$327,000 for overage paid by the District. She then reviewed a draft receipt for the funds and noted that interest on the funds will be calculated through October 31, 2023.

The Board discussed the total cost of repairs and maintenance thus far in the fiscal year. After discussion, the Board concurred to consider amending the budget at the next regular meeting.

After review and discussion, Director Collins moved to (1) approve the bookkeeper's report and the payments presented, including check no. 5738 as detailed above; and (2) authorize execution of the receipt for the funds owed to the District from the WHCRWA, subject to Director Ottmann's final approval. Director Ottmann seconded the motion, which passed unanimously.

### ADOPT RESOLUTION EXPRESSING INTENT TO REIMBURSE

The Board considered adopting a Resolution Expressing Intent to Reimburse for the costs associated with the emergency replacement of the water plant no. 1 ground storage tank no. 2 roof. After review and discussion, Director Collins moved to adopt the Resolution Expressing Intent to Reimburse and direct that the Resolution be filed appropriately and retained in the District's official records. Director Ottmann seconded the motion, which passed unanimously.

## LANDSCAPE ARCHITECT'S REPORT

The Board reviewed the landscape architect's report prepared by KGA/DeForest Design, LLC ("KGA"), a copy of which is attached.

The Board reviewed the status of construction of the wastewater treatment plant no. 1 landscape improvements. Ms. Leatherwood stated that KGA recommends approval of Pay Estimate Nos. 7 and 8 and Final in the amounts of \$1,425.00 and \$13,488.40, respectively, submitted by D.L. Meacham L.P. ("D.L. Meacham") and final acceptance of the project. The Board discussed the dead plant material that KGA reported at the previous regular meeting.

After review and discussion, and based on the landscape architect's recommendation and subject to confirmation of the replacement of the dead plant

material and Director Ottmann's final approval, Director Quintero moved to: (1) approve the landscape architect's report; (2) approve Pay Estimate Nos. 7 and 8 and Final in the amounts of \$1,425.00 and \$13,488.40, respectively, to D.L. Meacham; and (3) accept the wastewater treatment plant no. 1 landscape improvements project. Director Collins seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

Ms. Benzman presented the operator's report, a copy of which is attached. She reported on routine maintenance and repair items in the Service Area.

Ms. Benzman reported that EDP filed an unauthorized discharge report with the Texas Commission on Environmental Quality ("TCEQ") and Harris County for an excursion at wastewater treatment plant no. 1 caused by a power outage. The Board discussed the ongoing power issues at wastewater treatment plant no. 1. The Board requested that EDP provide a proposal for an electrical survey and a proposal for a rental generator for the Board's review at the next meeting. The Board also requested that EHRA investigate other possible solutions for the power issues at the plant.

Ms. Benzman requested the Board authorize the replacement of the blower no. 2 motor at wastewater water treatment no. 1 in the approximate amount of \$15,000.00.

Ms. Benzman requested the Board authorize the replacement of the sump pump at the on-site lift station at water plant no. 2 in the approximate amount of \$7,000.00.

Ms. Benzman requested the Board authorize the repair of booster pump no. 2 at water plant no. 2 in the approximate amount of \$7,000.00.

Ms. Benzman updated the Board on the installation of a surge protector at wastewater treatment plant no. 1.

Ms. Leatherwood stated that the Board received a request from the Harris County Public Health Department for a tour of the District's wastewater treatment plant related to possible participation in a wastewater surveillance program. After discussion, the Board concurred to deny the request and to decline to participate in the surveillance program.

After discussion, and based on the operator's recommendation, Director Quintero moved to (1) approve the operator's report; (2) approve the replacement of the blower no. 2 motor at wastewater water treatment no. 1 in the approximate amount of \$15,000.00; (3) approve the replacement of the sump pump at the on-site lift station at water plant no. 2 in the approximate amount of \$7,000.00; and (4) approve the repair of booster pump no. 2 at water plant no. 2 in the approximate amount of \$7,000.00. Director Collins seconded the motion, which passed unanimously.

## DISCUSS LAKE MANAGEMENT AND MAINTENANCE

### WILDLIFE MANAGEMENT, INCLUDING REPORT FROM A ALL ANIMAL CONTROL ("AAAC")

The Board discussed the status of wildlife management in the District, including wildlife monitoring and trapping, and reviewed a report from AAAC for September, a copy of which is attached.

### EROSION, DREDGING, AND WATER QUALITY

There was no discussion on this agenda item.

### REPORT FROM TOWNE LAKE COMMUNITY ASSOCIATION ("HOA") REGARDING LAKE AND LANDSCAPE MAINTENANCE MATTERS

The Board reviewed water quality reports for the regional detention facilities from Lake Management Services, LP, provided by the HOA, copies of which are attached. The Board noted the lack of water testing data and requested that ABHR ask the HOA for more detailed water testing results.

## ENGINEERING MATTERS (CONT'D)

Mr. Gaden presented the engineer's report, a copy of which is attached, and reviewed it with the Board.

### GRADE SEPARATION AT UNION PACIFIC RAILROAD AND INTERSECTION IMPROVEMENTS AT HIGHWAY 290 ("UPRR/HIGHWAY 290 PROJECT")

Mr. Gaden updated the Board on the status of design of the UPRR/Highway 290 project. He stated that EHRA provided the updated project schedule.

Ms. Leatherwood reviewed a task order from Raba Kistner for additional geotechnical engineering services related to design of the UPRR/Highway 290 project. After review and discussion, Director Quintero moved to approve the task order from Raba Kistner, to be incorporated as an additional exhibit to the engineering services agreement with EHRA for the project. Director Collins seconded the motion, which passed unanimously.

The Board tabled discussion on a First Amendment to Agreement with Harris County and CW SCOA West, L.P. related to Mound Road extension and construction of drainage facilities.

### APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE WASTEWATER TREATMENT PLANT NO. 1 EXPANSION,

#### PHASE 4

Mr. Gaden updated the Board on the status of design of the wastewater treatment plant no. 1 expansion, phase 4 project.

#### LAKE EROSION REHABILITATION PROJECT

Mr. Gaden updated the Board on the status of design of the lake erosion rehabilitation project.

#### APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR CONSTRUCTION OF WASTEWATER TREATMENT PLANT NO. 2

Mr. Gaden updated the Board on the status of construction of wastewater treatment plant no. 2. He reviewed and recommended approval of Pay Estimate Nos. 9 and 10 in the amounts of \$601,423.58 and \$551,439.83, respectively, submitted by C4 Partners.

After review and discussion, Director Quintero moved to approve Pay Estimate Nos. 9 and 10 in the amounts of \$601,423.58 and \$551,439.83, respectively, to C4 Partners, as recommended. Director Collins seconded the motion, which passed unanimously.

#### APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE BARKER CYPRESS LEFT TURN LANE

Mr. Gaden updated the Board on the status of construction of the Barker Cypress left turn lane project. He had no action items from SAS Concrete Construction, LLC.

#### APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR EMERGENCY WATER INTERCONNECT

Mr. Gaden updated the Board on the status of construction of the emergency water interconnect with Harris County Municipal Utility District No. 196. He reviewed and recommended approval of Pay Estimate No. 4 and Final in the amount of \$19,676.16, submitted by P&Z Logistics, Inc. ("P&Z"). Mr. Gaden also recommended the Board accept the project.

After review and discussion, Director Quintero moved to approve Pay Estimate No. 4 and Final in the amount of \$19,676.16 to P&Z and accept the project, as recommended. Director Collins seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR WATER WELL NO. 1 AND WATER PLANT NO. 1 HYDROPNEUMATIC TANK ADDITION

Mr. Gaden updated the Board on the status of construction of water well no. 1 and the additional hydropneumatic tank. He reviewed and recommended approval of Pay Estimate No. 16 in the amount of \$4,184.99, submitted by HCG, LLC.

After review and discussion, Director Quintero moved to approve Pay Estimate No. 16 in the amount of \$4,184.99 to HCG, LLC, as recommended. Director Collins seconded the motion, which passed unanimously.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE MOUND ROAD EAST UTILITY EXTENSION PROJECT

Mr. Gaden updated the Board on the status of construction of the Mound Road East Utility Extension project. He had no action items from Texasite, LLC.

APPROVE PAY ESTIMATES AND CHANGE ORDERS FOR THE WATER PLANT NO. 1 GROUND STORAGE TANK NO. 2 EMERGENCY ROOF REPLACEMENT AND RECOATING PROJECT

Mr. Gaden updated the Board on the status of construction of the water plant no. 1 ground storage tank no. 2 emergency roof replacement and recoating projects. He stated that the TCEQ has approved the District's request for the emergency construction of the projects.

APPROVE CAPACITY RESERVATIONS AND UTILITY COMMITMENT LETTERS

There was no discussion on this agenda item.

CONVEYANCE OF EASEMENTS/DEEDS; ABANDONMENT OF EASEMENT; CONSENTS TO ENCROACHMENT

The Board considered authorizing Berg Oliver Associates, Inc. ("Berg Oliver") to perform a Phase I Environmental Site Assessment for conveyance of certain park land tracts to the District in an amount not to exceed \$5,000.00. After review and discussion, Director Quintero moved to authorize Director Ottmann to execute a proposal in an amount not to exceed \$5,000.00 from Berg Oliver. Director Collins seconded the motion, which passed unanimously.

Ms. Leatherwood reviewed with the Board a legal conflicts waiver regarding representation by ABHR of the WHCRWA and the District in connection with a proposed Encroachment Agreement with the WHCRWA. After review and discussion,

Director Collins moved to approve the legal conflicts waiver. Director Steinberg seconded the motion, which passed unanimously.

WATER, SEWER, AND DRAINAGE BOND APPLICATION NO. 13; PARK SURPLUS FUNDS APPLICATION; ROAD BOND ISSUE NO. 6

Ms. Leatherwood updated the Board on the status of water, sewer, and drainage bond application no. 13.

Ms. Leatherwood updated the Board on the status of the preparation of the park surplus funds application. The Board deferred adoption of a Resolution Authorizing Application to the TCEQ for Use of Surplus Funds.

The Board considered authorizing the preparation of road bond issue no. 6. After review and discussion, Director Ottmann moved to authorize the preparation of road bond issue no. 6. Director Steinberg seconded the motion, which passed unanimously.

WHCRWA MATTERS

There was no discussion on this agenda item.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

There was no discussion on this agenda item.

REPORTS FROM DISTRICT CONSULTANTS REGARDING DISTRICT CORRESPONDENCE AND PROVISION OF RECORDS

There was no discussion on this agenda item.

REVIEW AND REVISE ACTION LIST

The Board reviewed the action list and noted items to be included and removed from the list.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

(SEAL)



  
Secretary, Board of Directors

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