

MINUTES OF MEETING OF BOARD OF DIRECTORS  
September 9, 2021

THE STATE OF TEXAS  
COUNTY OF HARRIS  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 136

The Board of Directors (the “*Board*”) of Harris County Municipal Utility District No. 136 (the “*District*”) met in regular session, open to the public, at 4045 Deerfield Village Drive, Houston, Texas at 6:00 p.m. on September 9, 2021; whereupon the roll was called of the members of the Board, to wit:

Neil Polansky, President  
Barry Greer, Vice President  
Brent Phelps, Assistant Vice President  
Adam Rodriguez, Secretary  
Eric Worthington, Assistant Secretary

**Persons Attending.** All members of the Board were present except Director Rodriguez, thus constituting a quorum. Also attending all or parts of the meeting were Ms. Colleen Vera, resident of the District; Mr. Eric Toureilles of the Deerfield Village Community Association (“DVCA”); Ms. Fran Matuska of F. Matuska, Inc., bookkeeper for the District; Ms. Patty Rodriguez of Bob Leared Interests (“BLI”), tax assessor and collector for the District; Mr. Bob Wempe of Pape-Dawson Engineers (“Pape-Dawson”), engineer for the District; Mr. Keith Arrant of Municipal Operations & Consulting, Inc. (“MOC”), operator for the District; and Ms. Jane Maher of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District.

**Call to Order.** The President called the meeting to order and, in accordance with notice posted pursuant to law, copies of Certificates of Posting of which are attached hereto as Exhibit “A,” the following business was transacted:

1. **Public comments.** The President recognized Ms. Vera, who stated that she went to the State legislature and asked about making a law that prohibits special purposes districts from making donations and was informed that there is a law already in place. She asked what terms the District uses to provide funds to another entity if it isn’t a donation. The President stated that the District has contributed funds to other entities, like the elementary school and the DVCA for things like playground equipment and upgrades to help preserve the taxing base. He suggested that Ms. Vera reach out to NRF for the statute that allows the District to contribute funds.

The President recognized Mr. Toureilles, who presented to and reviewed with the Board a request to consider a contribution of \$85,000.00 to the DVCA for projects to beautify/enhance the community, a copy of which is attached hereto as Exhibit “B.” The President asked if the items listed are currently budgeted for by the DVCA, or if the items are outside the budget. Mr. Toureilles stated that some of the items are not currently budgeted by the DVCA. Director Worthington asked about the insurance on the diving board. Mr. Toureilles stated he can look into the insurance. Discussion ensued. The President noted that no action would be taken tonight, and that the item can be placed on the next agenda.

2. **Minutes.** Proposed minutes of the meeting of August 12, 2021, previously distributed to the Board, were considered for review and approval. Upon motion by Director Greer, seconded by Director Phelps, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the meeting of August 12, 2021, as presented.

Proposed minutes of the meeting of September 2, 2021, previously distributed to the Board, were considered for review and approval. Upon motion by Director Worthington, seconded by Director Greer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the meeting of September 2, 2021, as presented.

3. **Consider Financial Advisor's tax rate recommendations and Order Designating Officer to Calculate and Publish Tax Rate and Taking Other Actions in Connection with the Levy of a Tax for 2021.** The Board reviewed with the Board the 2021 Tax Rate Study prepared by Blich Associates, a copy of which is attached hereto as Exhibit "C." Discussion ensued.

Upon motion by Director Phelps, seconded by Director Greer, after full discussion and the question being put to the Board, the Board voted by majority, with Director Worthington voting nay, to publish a tax rate of \$0.1600 for maintenance and operations.

Ms. Maher then presented to the Board the Order Designating Officer to Calculate and Publish Tax Rates and Taking Other Actions in Connection with the Levy of a Tax for 2021 (the "Order"), a copy of which is attached hereto as Exhibit "D." Ms. Maher informed the Board that this order authorizes the tax assessor to publish the proposed tax rate and the date and time of the District's next meeting. Ms. Rodriguez stated that the notice would be published in the Katy Rancher. Director Rodriguez stated that he will post the notice on the District's website. It was the consensus of the Board to also publish the notice in the DVCA Newsletter.

4. **Review Bookkeeper's Report, investment report and authorize payment of bills.** The President recognized Ms. Matuska, who presented the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "E."

Ms. Matuska stated that check no. 11034 for the interconnect usage with Harris County Municipal Utility District No. 183 in the amount of \$58,308.14 and check no. 11035 to NRF in the amount of \$5,444.18 were not listed on the report but were included in the checks for approval.

Director Phelps asked about investing in TexPool Prime. Ms. Matuska stated that she can start preparing the paperwork to invest in TexPool prime and that next month there can be an agenda item for further discussion. The President proposed that a footnote be included on the Bookkeeper's Report to include the interest earned in the current TexPool account.

Upon motion by Director Greer, seconded by Director Phelps, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Bookkeeper's Report, and to authorize payment of check nos. 11032 through 11028, 11034 and 11035, from the General Operating Fund in the amounts, to the persons, and for the purposes listed in the Bookkeeper's Report.

5. **Review Tax Assessor and Collectors Report and authorize payment of bills.** The President recognized Ms. Rodriguez, who presented to and reviewed with the Board the Tax Assessor and Collector's Report and Delinquent Roll, copies of which are attached hereto as

Exhibit "F."

Upon motion by Director Worthington, seconded by Director Phelps, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor and Collector's Report, and to authorize payment of check nos. 1318 through 1320 from the Tax Account in the amount, to the person, for the purposes listed in such report.

**6. Review Engineer's Report, Jackrabbit Road Public Utility District ("Jackrabbit") matters, Pine Forest Country Club matters, Asset Management Plan, and take appropriate action.** The President recognized Mr. Wempe, who presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as Exhibit "G." Mr. Wempe reported on the status of the Water Plant Electrical Improvements and stated that Pay Estimate No. 6 and the Final in the amount of \$59,334.10 is presented for approval. He stated that he expects the contractor, Andrew-Jordan Industrial LLC, to be finished by tomorrow. He noted that the check was approved under the Bookkeeper's Report, however, Pape-Dawson will hold the check until the Board approves the release. He noted that there is a \$3,800.00 expense for the lock out on the pumps and that the bill will be sent to Pape-Dawson and is not part of the pay estimate.

**7. Receive report from subcommittee to review the water plant control building construction project and take appropriate action.** The President reported that the subcommittee provided a report at the special meeting held on September 2, 2021. Director Phelps stated that he has a chronological summary he can provide if necessary. Discussion ensued regarding contacts with CenterPoint Energy.

**8. Review Asset Management Plan and quotes for repair to 18-inch gravity line and take any necessary action.** It was the consensus of the Board to not take action on the repair to the 18-inch gravity line until it is incorporated into the Asset Management Plan. Mr. Wempe stated that Pape-Dawson will update and redistribute the Asset Management Plan.

**9. Discuss Jackrabbit Public Utility District ("Jackrabbit") matters and take appropriate action.** Director Worthington stated that the Jackrabbit meeting is next week.

**10. Review Operations Report, authorize repairs, and authorize termination of services to delinquent accounts.** The President recognized Mr. Arrant, who reviewed with the Board the Operations Report, a copy of which is attached hereto as Exhibit "H."

Mr. Arrant reported on various maintenance items in the District.

Mr. Arrant reviewed the delinquent list with the Board and stated that MOC will provide a separate report for the delinquent list due to recent legislative changes.

Upon motion by Director Worthington, seconded by Director Phelps, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Operations Report and to authorize termination of service to delinquent accounts in accordance with the terms of the District's Rate Order.

**11. Discuss patio homes drainage and settlement issue and take appropriate action.** The Board discussed the drainage issue behind the patio homes. The President discussed the option of adding dirt to the manhole and sod to help stabilize the fence while the ownership of the pipes is determined. Mr. Arrant discussed the option of cutting the pipe back

from the manhole and to relay and grade the pipe and connect it to the existing pipe. Discussion ensued. Upon motion by Director Phelps, seconded by Director Worthington, after full discussion and the question being put to the Board, the Board voted unanimously to authorize MOC to work on the pipe as describe, not to involve the manhole, at an amount not to exceed \$6,000.00, and to provide notice to the President and Mr. Toureilles when MOC plans to begin the work. Mr. Toureilles gave approval to allow MOC on the property.

12. **Report on WHCRWA monthly meeting, and related service and construction issues, including WHCRWA installation of an 84” water line through the District. Eric – next week.** Director Greer provided an update on the West Harris County Regional Water Authority (“WHCRWA”) meeting and stated that the last section of pipe was installed on Windsong.

13. **Discuss District website.** There was no report.

14. **Discuss text message notification system and take any necessary action. no report.** There was no report.

15. **Discuss recycling event and take any necessary action.** Director Worthington provided an updated on the recycling event and stated that the event is scheduled for October 23, 2021. He stated that he spoke with a previous Board member regarding the contract and reported that the contract has always been based on a verbal quote provided by the subcontractor of Texas Pride, CompuServe, so an agreement is not needed. He noted that the date will be published in the newsletter and the Board could send a text message alert about the event. Ms. Maher noted that the Board approved the quote of \$950.00 plus \$0.25 per pound at the previous meeting.

16. **Review Article for DVCA Newsletter.** Director Greer stated that he will prepare the article for the DVCA Newsletter.

17. **Discuss meeting format.** It was the consensus of the Board to continue meeting in person.

18. **Discuss possible rescheduling of October meeting.** It was the consensus of the Board to continue with the October 14, 2021 meeting as scheduled.

19. **Review agenda items for next meeting (October 14, 2021) and such other matters as may properly come before the board.** There were no further reports.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The above and foregoing minutes were passed and approved by the Board of Directors on October 14, 2021.

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President, Board of Directors

ATTEST:

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Secretary, Board of Directors

(DISTRICT SEAL)