

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 159

## Minutes of Meeting of Board of Directors

November 18, 2024

The Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 159 (the "District") met in regular session, open to the public, on November 18, 2024, at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted members of said Board of Directors, as follows:

William Cook, President  
Nicholas J. Russo, III, Vice President  
Krystal Helbig, Secretary  
Laura Maham, Assistant Secretary  
Robin Goin, Assistant Secretary

and all of said persons were present, with the exception of Director Russo, thus constituting a quorum.

Also present were Wendy Maddox of B&A Municipal Services, Inc. ("B&A"); Trevor Smith of Municipal Accounts & Consulting, LP ("MA&C"); Kristen Turkal and Will Gutowsky of BGE, Inc. ("BGE"); Greg Lentz of Masterson Advisors LLC ("Masterson"); Mike Scott of Si Environmental, LLC ("Si Environmental"); Scott Gray, a resident of the District; and Mitchell G. Page, Peyton Ellis, and Lindsey Pittman of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before it.

### **PUBLIC COMMENTS**

The Board considered public comments. Mr. Gray advised that he had no comments for the Board at this time.

### **APPROVAL OF MINUTES**

The Board considered the approval of the minutes of its meetings held on September 16, 2024, and October 15, 2024. After discussion of the draft minutes presented, Director Goin moved that such minutes be approved, as written. Director Maham seconded said motion, which unanimously carried.

### **BOOKKEEPER'S REPORT**

Mr. Smith presented to and reviewed with the Board the Bookkeeper's Report dated November 18, 2024, a copy of which is attached hereto as **Exhibit A**. Following discussion, it was moved by Director Cook, seconded by Director Maham and unanimously carried, that the

Bookkeeper's Report be approved, as presented, and the disbursements listed therein be approved for payment, with the exception of check no. 3674, which was voided.

**COMPLIANCE BY DISTRICT WITH TEXAS GOVERNMENT CODE, CHAPTER 2265  
RELATIVE TO ENERGY REPORTING REQUIREMENTS**

The Board considered the District's compliance with Texas Government Code, Chapter 2265, relative to energy reporting requirements. In connection therewith, Mr. Page advised the Board that governmental entities, including the District, are required to prepare an annual report of its metered usage of electricity and the aggregate costs for same. Mr. Smith then presented the Energy Usage Report prepared by Acclaim Energy, a copy of which is attached to the Bookkeeper's Report, summarizing the District's electricity usage and costs. It was noted that said report satisfies the statutory reporting requirements.

**TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. Maddox presented to and reviewed with the Board the Tax Assessor-Collector's Report and Delinquent Tax Roll for the month ending October 31, 2024, copies of which are attached hereto as **Exhibit B**. Following discussion, Director Maham moved that the Tax Assessor-Collector's Report be approved, as presented, and the disbursements listed therein be approved for payment. Director Cook seconded said motion, which unanimously carried.

**DELINQUENT TAX COLLECTIONS REPORT**

The Board deferred consideration of a Delinquent Tax Report, as it was noted that no report was due at this time from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., delinquent tax attorneys for the District.

**ENGINEER'S REPORT**

Ms. Turkal presented to and reviewed with the Board the Engineer's Report dated November 18, 2024, a copy of which is attached hereto as **Exhibit C**, including the pay estimates and change orders listed therein. Following discussion of the Engineer's Report, Director Maham moved that the Engineer's Report and the action items listed therein be approved, as recommended by BGE, as presented. Director Cook seconded said motion, which unanimously carried.

**LANGHAM CREEK DETENTION PHASE 2**

The Board then considered the status of the Langham Creek Detention Phase 2 project, and noted that there were no items for discussion in connection with this matter at this time.

**OPERATOR'S REPORT**

Mr. Scott presented to and reviewed with the Board the Operator's Report dated November 18, 2024, a copy of which is attached hereto as **Exhibit D**. Mr. Scott advised that various repairs are needed at the Irrigation Pump Station No. 5 ("IPS No. 5") and that Si Environmental is currently

working to obtain estimates for those repairs. Mr. Scott also advised that IPS No. 5 requires a repair to its control cabinet cooler, and in connection therewith, requested that the Board approve a repair estimate in the amount of \$3,338. Director Goin moved that the proposal for repairs to the control cabinet cooler be approved. Director Maham seconded said motion, which unanimously carried. The Board requested that Si Environmental also evaluate costs for a protective cover of the IPS No. 5 repair area.

In regards to the IPS No. 5, Director Cook reminded the Board that there are various issues at the pump station that require attention, and requested preliminary approval to authorize repairs up to \$15,000 in aggregate in order to address those various issues and restore the pump station to good working order. Director Goin moved that Director Cook be authorized to spend up to \$15,000 in order to address the various issues at the IPS No. 5. Director Maham seconded said motion, which unanimously carried.

### **DETENTION FACILITY AND GROUNDS MAINTENANCE**

In regards to grounds maintenance in the District, Director Cook advised that Mr. Fiedler, of Fiedler Consulting, LLC, has surveyed the grounds and is currently preparing bids for the following maintenance items: (i) tree trimming; and (ii) removal and replacement of dead plants. The Board concurred that no action was required at this time until the bids have been received.

Director Cook next reported to the Board that a District resident is building a pool at their home and that the contractor for that project has placed the concrete wash-out on the District's side of the customer's fence. Director Cook informed that Board that he intends to speak to the resident regarding the issue, and will report back at the District's December meeting.

A discussion then ensued regarding a Master Agreement with Lake Pro, Inc. to provide lake management services for the District (the "Agreement"). After discussion, Director Goin moved that the President be authorized to execute the Agreement, subject to final approval as to form by SPH. Director Helbig seconded said motion, which unanimously carried.

### **WEBSITE UPDATES**

Mr. Page presented to the Board a Monthly Communications Report dated November 18, 2024, as prepared by Touchstone District Services, LLC, a copy of which is attached hereto as **Exhibit E**. No action was required by the Board in connection with the Monthly Communications Report.

Director Cook next advised the Board that the Bridgeland Council is currently reviewing a proposed agreement to take over management of the District's Internet website postings, a copy of which is attached hereto as **Exhibit F**. After discussion, the Board concurred that no action was required by the Board in connection with that proposed agreement.

### **RUE TRACT AND HORNBERGER TRACT ANNEXATIONS**

The Board considered the status of annexation of the 154 acres (the "Rue Tract") and the

adjacent 168 acres (the "Hornberger Tract"), as previously requested by TPHTL House Hahl, LLC. In connection therewith, Mr. Page advised the Board there were no new updates. No action was required by the Board in connection with this matter at this time.

### **DEVELOPER'S REPORT**

Mr. Page presented to and reviewed with the Board the home inventory report through October 2024, as prepared by the Developer, a copy of which is attached hereto as **Exhibit G**. It was noted that no action was required by the Board in connection with the Developer's Report.

### **MUNICIPAL SECURITIES RULEMAKING BOARD RULE G-10 ("MSRB RULE G-10")**

Mr. Page presented to and reviewed with the Board correspondence received from Masterson relative to disclosure requirements imposed by MSRB Rule G-10, a copy of which is attached hereto as **Exhibit H**. Following review and discussion, the Board concurred to formally acknowledge receipt of such disclosure.

### **EMINENT DOMAIN REPORT**

Mr. Page advised the Board that, pursuant to Section 2206.154, Texas Government Code, all political subdivisions with the power of eminent domain including the District, are required to file an annual report by February 1<sup>st</sup> of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He explained that the report is to contain the District's contact information as well as information related to the District's ability to exercise the power of eminent domain. After discussion, it was moved by Director Maham, seconded by Director Goin and unanimously carried, that the Board authorize SPH to prepare and file the annual eminent domain report with the Comptroller on behalf of the District, prior to the applicable deadline.

### **ATTORNEY'S REPORT**

Mr. Page next presented to the Board a Resolution Requesting the Appraisal District for an Estimate of Value as of December 1, 2024, as requested by the District's financial advisor, a copy of which Resolution is attached hereto as **Exhibit I**. After discussion, Director Cook moved to approve the Resolution Requesting the Appraisal District for an Estimate of Value as of December 1, 2024. Director Maham seconded said motion, which unanimously carried.

### **MATTERS FOR PLACEMENT ON FUTURE AGENDAS**

The Board considered items for placement on future agendas. No other specific agenda items other than routine and ongoing matters, or those discussed above, were requested.

**ADJOURNMENT**

There being no further business to come before the Board, on motion made by Director Goin, seconded by Director Helbig and unanimously carried, the meeting was adjourned.

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Secretary *Kristal Delbig*



**HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 159**

**LIST OF ATTACHMENTS TO MINUTES**

November 18, 2024

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Exhibit A Bookkeeper's Report

Exhibit B Tax Assessor-Collector's Report

Exhibit C Engineer's Report

Exhibit D Operator's Report

Exhibit E Monthly Communications Report

Exhibit F Proposed Website Posting Agreement

Exhibit G Developer's Home Inventory Report

Exhibit H Correspondence from Masterson

Exhibit I Resolution Requesting the Appraisal District for an Estimate of Value