

MINUTES OF REGULAR MEETING  
OF  
WINDFERN FOREST UTILITY DISTRICT

March 19, 2024

The Board of Directors of Windfern Forest Utility District of Harris County, Texas, met in regular session, open to the public, at a regular meeting place inside the boundaries of the District, at the Windfern Forest Utility District Administration Building (“DAB”), 14410 Mauna Loa Lane, Houston, Texas, on March 19, 2024, and the roll was called of the duly constituted officers and members of the Board, to wit:

Karen Hlavenka	President
Eddie Mendel	Vice President
Phyllis Schoelman	Assistant Vice President
Shari North	Secretary/Treasurer
Ann Murphree	Assistant Secretary

All members of the Board of Directors were present, except Director Mendel thus constituting a quorum.

Also present were Officers W. Curry, M. Ramirez and D. Domapias of Harris County Constable’s Office, Precinct 4; Matt Winters, member of the public; Linda Castro of OffCinco; Carole Lueb, Building Manager for the District; Demitra Berry of McLennan & Associates, LP (the “Bookkeeper”); Tim Hardin of Langford Engineering Inc.(“Langford”) the District’s Engineer (“Engineer”); Rebecca Olvera of B & A Municipal Tax Service, LLC (“B&A”); Deano Wright of SiEnvironmental, LLC (the “Operator”); Clark Lord and Tiffany Ehmke of Bracewell LLP, the District’s legal counsel.

Whereupon, the meeting was called to order. A copy of the notice of the meeting is attached hereto as Exhibit “A”.

**PUBLIC COMMENTS**

The Board recognized Mr. Winters who inquired about any irrigation incentives or penalties for high water usage months. The Board stated that recent discussions have been made regarding increased in costs based on usage and noted that there are penalties for violators during drought contingency stages.

**SECURITY REPORT**

The Board previously received a report on security matters within the District for the month of February 2024, a copy of which is attached hereto as Exhibit “B”. The Board discussed plate readers and cameras. No action was taken.

**APPROVE MINUTES**

The Board reviewed the minutes of February 20, 2024 meeting. After review, upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to approve the minutes of February 20, 2024 meeting.

## **OffCinco Presentation**

The Board recognized Ms. Castro presented a review of the District's current paid and requested adjusted from OffCinco for updates, a copy of which is attached hereto as Exhibit "C". She noted some of the requested adjusted are backpay for services. Mr. Lord stated that the District cannot backpay for services that is not in the current contract. No action was taken on this matter.

## **TAX ASSESSOR/COLLECTOR'S REPORT AND APPROVE PAYMENT OF BILLS**

Ms. Olvera presented the tax assessor/collector's report for the month ending February 29, 2024, a copy of which is attached hereto as Exhibit "D". She reported that there was one (1) uncollectible account and requested the Board execute and authorize that account for uncollectible status.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North and seconded by Director Murphree, the Board voted unanimously to approve the tax assessor report and one (1) account for uncollectible status.

## **DELINQUENT TAX ATTORNEY'S REPORT**

No report.

## **BOOKKEEPER'S REPORT, APPROVE PAYMENT OF BILLS AND REVIEW INVESTMENT OF DISTRICT FUNDS**

Ms. Berry presented the Bookkeeper's report, a copy of which is attached hereto as Exhibit "E". He next reviewed the checks presented for payment, the District's investments and a comparison of actual versus budgeted revenues and expenses for the period ending March 19, 2024. Ms. Berry presented the monthly investment report for the period ending February 29, 2024.

Director Hlavenka recommending approving, signing and holding Jacobs Engineering final check until all the documents have been send to the Engineer. Following discussion on the Bookkeeper's report, upon a motion made by Director Murphree and seconded by Director North, the Board voted unanimously to approve the Bookkeeper's report and hold the Jacobs Engineering final check until the documents have been received by the Engineer..

## **OPERATOR'S REPORT**

Mr. Wright presented the Operator's report, a copy of which is attached hereto as Exhibit "F". He then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 79.49% and the current connection count is 1,324. Mr. Wright reported that there were recent fire hydrant repairs and flushes, which may be a component into the District's low water accountability. He added that he is coordinating with SAMCO for a leak detection test.

### **Revised Lead and Copper Rule**

Mr. Wright will contact the third-party vendor for an update.

### **Discuss Rate Order and Irrigation Rates**

The Board discussed increasing water, sewer and irrigation rates to be made effective as of April 19, 2024, attached hereto as Exhibit "G". Director Hlavenka stated she could prepare a letter to the high users of irrigation to be distributed and would coordinate with the Operator and legal counsel. Director Hlavenka also asked the Operator to include a notification on the next bill regarding rate increases.

After consideration, upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to (i) adopt the Rate Order, to be effective as of April 19, 2024; and (ii) approve the Operator's report.

### **CONDUCT HEARING ON TERMINATION OF WATER SERVICE TO DELINQUENT WATER AND SEWER ACCOUNTS AND AUTHORIZE APPROPRIATE ACTION**

The Board next considered termination of utility service to customers with delinquent accounts. Mr. White reported that the residents appearing on the termination list were given proper notice and the opportunity to be heard in order to explain, contest or correct the utility service bill and show reason why utility service should not be termination for reason of nonpayment, as required by the District's Rate Order and stated there were no appeals from residents.

Following discussion, upon a motion made by Director Schoelman, seconded by Director North, the Board voted unanimously to terminate utility service to customers with delinquent accounts, including those reported for delinquent taxes in accordance with the provisions of the District's Rate Order.

### **ENGINEER'S REPORT**

The Board recognized Mr. Hardin who reviewed the Engineer's report, a copy of which is attached hereto as Exhibit "H" and previously distributed to the Board.

#### **Well No. 1 Pump and motor Equipment Project**

Mr. Hardin reported to the Board that a submersible pump may be more efficient and requested the Board authorize him to solicit bids and coordinate with the Operator.

#### **Series 2020 Bond Funds and Application for Change in Use to TCEQ**

Mr. Hardin recommended to Board authorize the Change in Use of Funds and submit to the TCEQ, a copy of the Resolution Authorizing Application to TCEQ for approval of Change in Project Scope and Use of Surplus Funds (the "Resolution") as Exhibit "I".

After consideration, upon a motion brought by Director North, seconded by Director Schoelman, the Board unanimously (i) authorized the Engineer to solicit bids for a submersible pump for Well No. 1, and coordinate with the Operator; (ii) approve the Resolution; and (iii) the Engineer's Report.

### **ATTORNEY'S REPORT**

#### **Discuss credit rating**

The Board recognized Mr. Lord who reported that the District recently received notice that the credit rating has improved.

**BUILDING OFFICE MANAGER'S REPORT**

Ms. Lueb gave a general report on the District's office building. The Board discussed a proposal for a new playground. Director Hlavenka instructed Ms. Lueb to tape off the playground and request two (2) additional quotes for the Board's review.

**REPORT ON MATTERS DISCUSSED AT THE MEETING OF THE WHITE OAK BAYOU JOINT POWERS BOARD**

A copy of the minutes from the White Oak Bayou Joint Powers Board, dated February 27, 2024, is attached hereto as Exhibit "J".

**IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074, CHAPTER 551, TEXAS GOVERNMENT CODE**

The Board did not meet in executive session.

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

*Shari B. Novak*  
Secretary, Board of Directors

