

**MINUTES OF REGULAR MEETING  
OF  
WINDFERN FOREST UTILITY DISTRICT**

October 16, 2018

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 October 16, 2018, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Pat Going	Vice President
Shari North	Secretary
Karen Hlavenka	Assistant Vice President
Ann Murphree	Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also present were Jorge Diaz of McLennan & Associates, LP; Rebecca Olvera of B & A Municipal Tax Service, LLC; Nathan White and Deano Wright of TOPS; Sergeant Curry and Constable Martinez of the Harris County Constable’s Office, Precinct 4; Shawn Sharkey of Jacobs Engineering Group, Inc.; and Clark Lord and Debbie Russell of Bracewell LLP.

**APPEARANCES BEFORE THE BOARD**

There were no appearances before the Board

**SECURITY REPORT**

Sergeant Curry reported on security matters within the District for the month of September 2018.

**PUBLIC HEARING**

The Board convened a public hearing to receive comments regarding a proposed tax rate for 2018. There were no residents in attendance to make comments on the proposed tax rate and the public hearing was adjourned upon a motion made by Director Murphree and seconded by Director Hlavenka.

**CONVENE REGULAR MEETING OF THE BOARD**

The Board next convened the regular monthly meeting of the Board of Directors.

**ORDER LEVYING TAXES**

The Board discussed adopting a tax rate for 2018. Following discussion, a motion was

made by Director Murphree and seconded by Director Hlavenka to adopt an Order Levying Taxes establishing a tax rate for 2018 of \$0.48 per \$100 assessed valuation, consisting of a \$0.23 component for debt service and a \$0.25 component for operation and maintenance. The motion carried by unanimous vote. A copy of the Order, thus adopted, is attached to and considered a part of these minutes.

**AMENDED INFORMATION FORM**

Mr. Lord stated that it is necessary for the District to file an Amended Information Form with the Texas Commission on Environmental Quality (the "TCEQ") and Harris County reflecting the newly adopted tax rate for 2018. Following discussion, a motion was made by Director Going to approve an Amended Information Form and authorize its filing with the TCEQ and Harris County. The motion was seconded by Director North and carried unanimously.

**APPROVE MINUTES**

The Board reviewed the minutes of September 18, 2018. Following discussion, upon a motion made by Director Going and seconded by Director Murphree, the Board voted unanimously to approve the minutes of September 18, 2018, as revised.

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

Mr. Diaz presented the bookkeeper's report, a copy of which is attached to these minutes, for the period September 18, 2018 to October 16, 2018. 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 September 30, 2018. Mr. Diaz then presented the monthly investment report for the period ending September 30, 2018.

Following discussion on the bookkeeper's report, upon a motion made by Director Going and seconded by Director Murphree, the Board voted unanimously to approve the bookkeeper's report, payment of the bills, the investment report and investment of the District's funds.

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

Ms. Olvera presented the tax assessor/collector's report for the month of September 2018, a copy of which is attached. She reviewed the report, stating that as of September 30, 2018, the District's 2017 taxes are 98.83% collected and the 2016 taxes are 99.76% collected. Ms. Olvera also presented the checks for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North and seconded by Director Hlavenka, the Board voted unanimously to approve the tax assessor/collector's report and payment of the tax bills.

**DELINQUENT TAX ATTORNEY'S REPORT**

There was no delinquent tax attorney report for the month.

**OPERATOR’S REPORT**

Mr. White presented the operator’s report for September 2018, a copy of which is attached to these minutes.

Mr. White then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 98.6%.

Mr. White reported on maintenance and repairs conducted during the month. He also noted that he is continuing to work with the apartment managers about flushing the lines in the complexes.

Mr. White then reported that the manhole and sinkhole on Philippine and Windy Acres was repaired. He stated that he had inspected the remainder of the manholes in Sections 1, 2 and 3 and found 32 that need repairs. Mr. White noted that the manhole on Windlawn has infiltration and should be repaired immediately. The Board directed that the manhole on Windlawn be repaired immediately and that the other repairs being staggered over several months.

Upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to 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 terminated for reason of nonpayment, all as required by the District’s Rate Order and stated there were no appeals from residents.

Following discussion, a motion was made by Director Going to terminate utility service to customers with delinquent accounts. Director North seconded the motion, which carried by unanimous vote.

**ATTORNEY’S REPORT**

Agreement with Woodwind Lakes HOA Regarding the Amenity Pond

Mr. Lord stated that there has been no change in the stance of the Woodwind Lakes HOA as to signing the License Agreement. The Board agreed that no further action would be taken on the matter.

**ENGINEER’S REPORT**

The Board next reviewed the engineer’s report, a copy of which is attached, including the following matters:

Mr. Sharkey informed the Board that final approval from TCEQ for the Air Quality Permit is expected to be issued this month.

Mr. Sharkey then reported Harris County Engineering Department (the "County") has published the final design plans relating to the utility conflicts on Gessner Road. He stated that they are analyzing the documents and determining the scope of work needed to resolve the apparent utility conflicts. Mr. Sharkey stated that the County is in the process of acquiring right-of-way and anticipate completing same by March 20, 2019. He stated that construction should commence in early June.

Mr. Sharkey next reported that the closing of two valves to divide the District's water distribution system in to two zones seems to be working. He stated that the District will eventually need a permanent recirculation pump. The Board requested that the engineer prepare an estimate for same for review at the next meeting.

Mr. Sharkey reported that the construction of the emergency sanitary sewer manhole replacement is substantially complete. He stated that during the construction, it was confirmed that the existing concrete sanitary sewer pipes upstream and downstream of the affected manhole had not collapsed, but noted that they are in very poor condition.

Mr. Sharkey then reported that he has received quotes for the cleaning and televising of the existing sanitary sewer infrastructure in Windfern Forest, Sections 2, 3, 4 and 5; Windfern Gardens, Sections 1 and 2 and Mauna Loa Gardens, Sections 1 and 2 in the amount of \$53,023.55.

Mr. Sharkey information the Board that First Metropolitan Baptist Church plans to enlarge their facility and has requested additional capacity to serve the expansion.

After discussion, Director Going moved that the Board accept the engineer's report and approve the additional capacity for the Church. Director Hlavenka seconded the motion and it carried by unanimous vote.

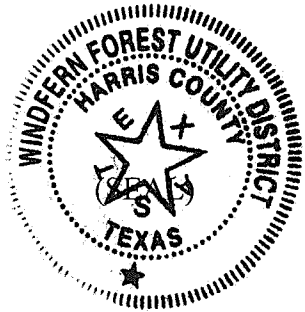
**BUILDING OFFICE MANAGER'S REPORT**

The Board reviewed the report on the DAB prepared by Carol Lueb. Ms. Lueb's report updated the Board on the roof replacement job and transmitted a bid from A.J. Warren Service Company for the replacement of one of the air conditioning units in the amount of \$9,830. Upon a motion made by Director Going and seconded by Director Hlavenka, the Board voted unanimously to accept the proposal from A.J. Warren for the replacement of the air conditioner.

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

Director Mendel reported on matters discussed at the September meeting of the White Oak Bayou Joint Powers Board. The Board discussed the costs of the ongoing rehabilitation at the Plant and about increasing revenue to address the shortfall. The Board requested that an agenda item be included on the next agenda to consider amending the rate order.

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



Shau B. North  
Secretary, Board of Directors

**ATTACHMENTS**

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