

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

December 18, 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 December 18, 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.; Carol Lueb of the DAB; and Clark Lord and Debbie Russell of Bracewell.

**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 November 2018.

**APPROVE MINUTES**

The Board reviewed the minutes of November 20, 2018. Following discussion, upon a motion made by Director Hlavenka and seconded by Director North, the Board voted unanimously to approve the minutes of November 20, 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 November 20, 2018 to December 18, 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 November 30, 2018. Mr. Diaz then presented the monthly investment report for the period ending November 30, 2018.

Following discussion on the bookkeeper's report, upon a motion made by Director Going and seconded by Director Hlavenka, 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 November 2018, a copy of which is attached. She reviewed the report, stating that as of November 30, 2018, the District's 2018 taxes are 6.37% collected and the 2017 taxes are 99.22% collected. Ms. Olvera also presented the checks for payment. She next reported on the status of payments on delinquent installment accounts.

Ms. Olvera then requested the Board's authorization to transfer account number 1146550030033 in the amount of \$16.91 to an uncollectable reserve. She also noted that the property now owned by Fairbanks Baptist Church has a delinquent amount due on the account as a result of a proration of the account at the time of acquisition by the Church. Ms. Olvera stated that the account has been placed on the uncollectable roll, but noted that she sent a tax bill to the previous owner. She stated that if the owner pays the delinquent amount, she remove the account from the uncollectable roll.

Following discussion on the tax assessor/collector's report, upon a motion made by Director Going and seconded by Director Murphree, the Board voted unanimously to approve the tax assessor/collector's report, payment of the tax bills and the transfer of two accounts to an uncollectable reserve.

### **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 November 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 110%.

Mr. White reported on maintenance and repairs conducted during the month.

Upon a motion made by Director North and seconded by Director Murphree, 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 North to serve notice of termination utility service to customers with delinquent accounts, but to take no action on terminating for the month. Director Murphree seconded the motion, which carried by unanimous vote.

## **DISCUSS RATE ANALYSIS AND ADOPT AMENDED RATE ORDER**

Mr. White distributed a rate analysis of the impact of various increases to water and sewer rates, a copy of which is attached as an exhibit to these minutes. The Board also discussed whether to implement as escalating garbage fee which would allow for an automatic increase each time garbage rates are increased. Director Mendel stated his opposition against such an increase. After review and discussion, Director Going moved that the Board approve the increases reflected on Example B2 of the rate analysis to increase revenues by approximately \$135,840 per year with such increase becoming effective on January 1, 2019. Director North seconded the motion and it carried unanimously.

## **ENGINEER'S REPORT**

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

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 have determined the scope of work needed to resolve the apparent utility conflicts. Mr. Sharkey stated that construction should commence in early June.

Mr. Sharkey reported that the construction of the emergency sanitary sewer manhole replacement is 100% complete. He stated that all regulatory agencies have been notified of the emergency work and the scope and cost of the work that was performed in connection with the repair.

Mr. Sharkey then reported that he has solicited and received three bids 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. Director Mendel stated that there is no need to conduct the cleaning and televising of the lines in Mauna Loa Gardens. Mr. Sharkey stated that he will contact the contractor to determine if there is an issue with deleting those sections from the contract. The Board deferred action pending the response from the contractor. Mr. Sharkey then reminded the Board that he will incur engineering expenses related to viewing the tapes of the lines. Director Mendel requested an estimate of the cost of

same. Mr. Sharkey stated that he will review the costs of a previous project to try and estimate a per foot cost for reviewing tapes. The Board deferred action on the matter until the January meeting.

After discussion, Director Going moved that the Board accept the engineer's report. Director North seconded the motion and it carried by unanimous vote.

### **BUILDING OFFICE MANAGER'S REPORT**

Ms. Lueb reported that a number of lights in the parking lot have stopped working and she presented a proposal from Classic Sports for replacing the ballasts and bulbs on the poles in the parking lot in the amount of \$7,656.25. After review and discussion, Director Going moved that the Board accept the proposal from Classic Sports in the amount of \$7,656.25 for replacing the ballasts and bulbs on seven poles in the parking lot. Director Hlavenka seconded the motion and it carried by unanimous vote. Ms. Lueb also reported that she had replaced the trash cans at the DAB.

### **WEBSITE MAINTENANCE**

Director Hlavenka informed the Board that she has been working with the website maintenance provider to update information such as the fees for usage of the DAB, a telephone number for the trash collection company, information regarding the Directors and their terms of office and meeting information. The Board agreed with the updates recommended by Director Hlavenka.

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

Director Mendel reported on matters discussed at the November meeting of the White Oak Bayou Joint Powers Board.

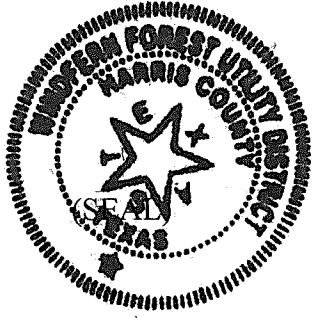
### **PROPOSAL FOR AUDIT OF DISTRICT ACCOUNTING PROCEDURES**

Mr. Lord reported that the District's auditor has agreed to conduct a review of the accounting procedures during the regular conduct of the audit for the fiscal year ending September 30, 2018. The Board took no other action on the matter.

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

The Board did not meet in executive session.

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



*Shaw B. North*  
Secretary, Board of Directors

**ATTACHMENTS**

bookkeeper's report .....1  
tax assessor/collector's report for the month of November .....2  
operator's report.....2  
rate analysis.....3  
engineer's report .....3