

MINUTES
CIMARRON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS

October 21, 2020

The Board of Directors (the "Board") of Cimarron Municipal Utility District (the "District") met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 21st day of October, 2020, and the roll was called of the members of the Board being present by telephone:

Richard May	President
David F. Jones	Vice President
David Aitken	Secretary
John Linn	Assistant Secretary
Gary Russell	Assistant Vice President

and all the above were present via teleconference, thus constituting a quorum.

Also attending by teleconference were: Mike Baker of Freeway Properties; Adam Cohen of Robert W. Baird & Co. Incorporated; Lauren Martin of Municipal Accounts & Consulting, L.P. ("MAC"); Brenda McLaughlin of Bob Leared Interests, Inc. ("BLI"); Brian Bare of Si Environmental, LLC; Erik Spencer and Ema Paz of Vogler and Spencer Engineering, Inc.; Chip Patronella of Champions Hydro-Lawn, Inc. ("Champions"); Justin Klump of Storm Water Solutions, LLC; Michael Murr of Murr, Inc.; Jan Bartholomew of Robert W. Baird & Co. Incorporated; Deputy R.B. Merrow and Deputy Molina of the Harris County Sherriff's Department; and Greer Pagan and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

Mr. Pagan reviewed certain recommended protocols for conducting the District's meeting via teleconference. He announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at www.districtdirectory.org/agendapackets/cimarronmud.

PUBLIC COMMENT

There being member of the public present or requesting to make public comment, Director May moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the District's regular meeting held on September 16, 2020. Following review and discussion, Director Jones moved to approve the minutes for the District's regular meeting on September 16, 2020, as amended. Director Russell seconded the motion, which passed unanimously.

SECURITY PATROL

Mr. Baker and Mr. Pagan discussed the status of a proposed cost sharing by and among the District, Harris County and Harris-Fort Bend Counties Municipal Utility District No. 3 ("HFB3") for buildout of a proposed patrol storefront for the Harris County Sheriff's Office ("HCSO") in HFB 3.

Deputies Merrow and Molina discussed patrol and calls in the District since the last Board meeting.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Martin reviewed the bookkeeper's report, a copy of which is attached, and considered payment of the bills. The Board also discussed using surplus bond funds to partially fund the District's sanitary sewer rehabilitation. Following review and discussion, Director May moved to (1) approve the bookkeeper's report and payment of the bills; and (2) authorize notice of the Texas Commission on Environmental Quality ("TCEQ") of the District's intent to use surplus funds, as discussed. Director Linn seconded the motion, which passed unanimously.

ANNUAL REVIEW OF INVESTMENT POLICY

The Board reviewed the District's Investment Policy adopted on October 18, 2017 and determined that no revisions were necessary. Following review and discussion, Director Russell moved to adopt a Resolution Regarding Annual Review of Investment Policy. Director Jones seconded the motion, which passed unanimously.

DEPOSITORY INSTITUTIONS AND QUALIFIED BROKER/DEALERS

The Board reviewed the District's list of qualified broker/dealers.

After review and discussion, Director Russell moved to adopt Resolution Establishing the Authorized Depository Institution and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. Director Jones seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS AND COLLECTION OF DELINQUENT TAXES

Ms. McLaughlin reviewed a written tax assessor/collector's report and a report from the District's delinquent tax attorney, copies of which are attached.

Ms. McLaughlin presented an Account Access Authorization Agreement ("Positive Pay Agreement") between the District and BLI authorizing BLI as an access party to the District's tax account and establishing an access portal.

Following review and discussion, Director Russell moved to (1) approve the tax assessor/collector's report, including payment of bills; and (2) approve the Positive Pay Agreement. Director May seconded the motion, which passed unanimously.

2020 TAX RATE

Ms. McLaughlin stated that notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2020 total tax rate of \$0.365.

Director May opened the public hearing. There being no comments from the public, Director May closed the public hearing.

Mr. Pagan presented an Order Levying Taxes reflecting the proposed 2020 tax rate.

After review and discussion, Director May moved to: (1) adopt the Order Levying Taxes reflecting a total 2020 tax rate of \$0.365 per \$100 of assessed valuation, comprised of \$0.20 to pay debt service on water, sewer, and drainage bonds and \$0.165 for operations and maintenance; and (2) direct that the Order be filed appropriately and retained in the District's official records. Director Linn seconded the motion, which passed by unanimous vote.

The Board took no action to amend the District's Information Form.

ENGINEERING MATTERS AND DEVELOPMENT

Mr. Spencer reviewed the engineer's report, a copy of which is attached, and stated that bids were received for Phase 5 Sanitary Sewer Rehabilitation. Mr. Spencer recommended that the Board award the contract to Texas Pride Utilities ("Texas Pride") in the amount of \$265,010. The Board concurred that, in its judgment, Texas Pride was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Mr. Spencer also discussed the status of construction of fencing at water plant no. 2 and the lift station and recommended that the Board approve Pay Estimate No. 1 and Final in the amount of \$44,324.73, payable to Backwater Fence, Inc.

Mr. Spencer next discussed a request received from Harris County Municipal Utility District No. 81 ("No. 81") proposing to cost share improvements to the Harris County Flood Control Channel No. T-107 (the "channel"). Mr. Spencer said that the District's estimated share is \$176,000 and said that the proposed project is beneficial to the District. Following review and discussion, the Board concurred to authorize the District engineer to communicate to No. 81 the District's willingness to share the cost of, as proposed, subject to participation of all other Districts draining into the channel.

Following review and discussion, Director May moved to (1) award the contract for Phase 5 Sanitary Sewer Rehabilitation in the amount of \$265,010 to Texas Pride, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (2) approve Pay Estimate No. 1 and Final in the amount of \$44,324.73, payable to Backwater Fence, Inc. Director Linn seconded the motion, which passed by unanimous vote.

STORM WATER PERMITTING MATTERS

Mr. Klump updated the Board on the District's Stormwater Management Plan ("SWMP"). He distributed and reviewed the 4th quarter memorandum for the SWMP and an update regarding completion of the year 2 training and goals under the SWMP, copies of which are attached.

Mr. Klump began his training session with the Board and other consultants. The topic of the year 2 training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements.

LANDSCAPING AND TRAIL REPORT

Mr. Murr discussed landscaping maintenance and improvements in the District, A copy of Murr, Inc.'s report is attached.

POND MAINTENANCE AND MOWING

Mr. Patronella discussed pond mowing and maintenance in the District. A copy of Champions' report is attached.

OPERATION OF DISTRICT FACILITIES AND TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

Mr. Bare reviewed the operator's report, a copy of which is attached.

The Board received and reviewed the residents listed on the delinquent statement of the operator's report who were mailed written notice prior to this meeting, notifying them of the opportunity to appear before the Board of Directors to explain, contest or correct the utility service bill and to show reason why utility service should not be terminated for reason of nonpayment.

Following discussion, Director May moved to (1) approve the operating report; and (2) that, since the residents on the termination list were neither present at the meeting nor had presented any statement on the matter, utility service should be terminated in accordance with procedures set forth in the Rate Order, with additional customer notice, as discussed. Director Aitken seconded the motion, which passed unanimously.

WEST MEMORIAL REGIONAL WASTEWATER TREATMENT PLANT MATTERS

Director Russell reported regarding the most recent meeting of the West Memorial Municipal Utility District ("West Memorial") and progress made on planning for West Memorial's generator upgrade project.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("WHCRWA") MATTERS

There was no discussion for this agenda item.

DISTRICT WEBSITE

There was no discussion for this agenda item.

GARBAGE COLLECTION MATTERS

There was no discussion for this agenda item.

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



David Aitken

Secretary, Board of Directors

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