

MINUTES
CIMARRON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS

September 20, 2023

The Board of Directors (the "Board") of Cimarron Municipal Utility District of Harris County, Texas (the "District"), met in regular session, open to the public, on the 20th day of September 2023, at the regular meeting place outside the boundaries of the District, and the roll was called of the members of the Board:

David F. Jones	President
Gary Russell	Vice President
John Linn	Secretary
David Aitken	Assistant Secretary
Mia Hull	Assistant Vice President

and all the above were present expect for Director Linn, thus constituting a quorum.

Also present at the meeting were Mary O'Conner a resident of the District; Deputy Hawn of Harris County Sheriff's Office ("HCSO"); Taylor Watson of Municipal Accounts & Consulting, L.P. ("MAC"); Brenda McLaughlin of McGrath & Co., PLLC ("McGrath"); Chase Wolf of Robert W. Baird & Co. Incorporated; Ema Paz of Vogler & Spencer Engineering, Inc. ("VSE"); Michael Murr of Murr Incorporated ("Murr, Inc."); Travis Benes and Justin Klump of Storm Waters Solutions, LLC ("SWS"); Corey Andujar of Si Environmental, LLC ("Si"); Dane Turner of Best Trash; Greer Pagan, Kelsey Taylor, and Franky Wallace of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT AND TAX MATTERS

Ms. O'Conner discussed her mistaken payment of \$988.83 in District property taxes to Cimarron Community Improvement Association, Inc. ("CIA"). Ms. McLaughlin reviewed and discussed the letter and payment to the Board. Ms. O'Conner is requesting a waiver of penalties and interest of \$411. Following discussion, Director Jones moved to accept Ms. O'Conner's request to waive the payment of \$411. Director Hull seconded the motion, which passed 3 to 0 with Director Aitken being absent at the time of voting.

MINUTES

The Board considered approving the minutes of the August 16, 2023, regular meeting. Following review and discussion, Director Russell moved to approve the minutes of the August 16, 2023, regular meeting, as submitted. Director Jones seconded the motion, which passed 3 to 0 with Director Aitken being absent at the time of voting.

SECURITY MATTERS

Deputy Hawn discussed the Interlocal Agreement for Law Enforcement Services between Harris County and the District. Discussion ensued.

Director Aitken entered the meeting.

RESOLUTION ESTABLISHING ADDRESSES AND METHODS FOR TEXAS PUBLIC INFORMATION ACT REQUESTS

Mr. Pagan reviewed with the Board a memorandum regarding designating addresses and methods for receipt of requests for public information under the Texas Public Information Act ("TPIA Requests"), a copy of which is attached. The Board considered designating a mailing address and an email address and approving other methods for receipt of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. After review and discussion, Director Aitken moved to: (1) adopt a Resolution Establishing Addresses and Methods for Texas Public Information Act Requests ("Resolution") to (a) designate the address of the District's official office as the mailing address and cim00@txdistricts.info as the email address for receipt of TPIA Requests to the District, (b) approve facsimile submission to (713) 800-1176 and electronic submission through the District's website, www.cimarronmud.com as methods for submittal of TPIA Requests to the District, and (c) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government Code, and posted continuously on the District's Internet website; and (2) direct the Resolution to be filed appropriately and retained in the District's official records. Director Russell seconded the motion, which passed unanimously.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board reviewed a renewal proposal from McDonald Wessendorff for the District's insurance policies and discussed optional coverages. After review and discussion, Director Hull moved to approve the renewal proposal and direct that the proposal be filed appropriately and retained in the District's official records. Director Aitken seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Watson reviewed the bookkeeper's report, a copy of which is attached, and the Board considered payment of the bills. Following review and discussion, Director Jones moved to approve the bookkeeper's report, and payment of the bills. Director Hull seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. McLaughlin reviewed the tax assessor/collector's report, a copy of which is attached, and bills submitted for payment. Following review and discussion, Director Hull moved to approve the tax assessor/collector's report, including payment of bills. Director Russell seconded the motion, which passed unanimously.

2023 TAX RATE

The Board considered the District's 2023 tax rate. Mr. Wolf distributed and reviewed a debt service tax rate analysis reflecting the recommendation for the District to levy a 2023 water, sewer, and drainage debt service tax rate of \$0.30 per \$100 of assessed valuation, based on the District's initial 2023 certified value of \$1,465,024,633 plus \$141,199,314 representing 80% of the uncertified value under protest. A copy of the debt service tax rate analysis is attached. The Board then discussed the District's operation and maintenance tax rate. Mr. Pagan discussed the two-step process for setting the District's tax rate.

Following review and discussion, Director Aitken moved to: (1) set the public hearing date for October 18, 2023 and (2) authorize the tax assessor/collector to publish notice in the Katy Times of the District's meeting on October 18, 2023, to set the proposed 2023 total tax rate of \$0.30 per \$100 of assessed valuation, with \$0.1375 allocated for debt service, and \$0.1625 allocated for operations and maintenance. Director Russell seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Ms. Paz reviewed the engineering report, a copy of which is attached, and updated the Board on pending projects. Following review and discussion Director Aitken moved to approve the engineer's report. Director Hull seconded the motion, which passed unanimously.

LANDSCAPING AND TRAIL REPORT

Mr. Murr presented and reviewed the landscape maintenance report, a copy of which is attached.

POND MAINTENANCE AND MOWING

Mr. Benes reviewed the pond maintenance and mowing report, a copy of which is attached. Mr. Benes presented a proposal in the amount of \$6,985 for the cleanout of an SWST-80 Storm Trooper Unit and \$10,923 for labor, equipment, and materials to desilt Springfield Detention Pond.

Following review and discussion, Director Jones moved to (1) approve the pond maintenance and mowing report; (2) approve the proposal in the amount of \$6,985 to clean the Storm Trooper; and (3) approve the proposal in the amount of \$10,923 to desilt the Springfield Detention Pond. Director Russell seconded the motion, which passed unanimously.

STORM WATER PERMITTING MATTERS

Mr. Klump updated the Board on the District's Storm Water Management Plan ("SWMP") and permit status. He also distributed and reviewed the year 5 training and goals under the SWMP, a copy of which is attached.

Mr. Klump began his training session with the Board and other consultants. He stated the topic of the year 5 training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements. Mr. Klump explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers, to prevent adding to bacterial impairment. He then continued with the training, thoroughly explaining the sources of bacteria and outlining the program elements of the SWMP that deal with these sources.

After review and discussion, Director Aitken moved to approve the preamble of the Stormwater Guidance Manual. Director Hull seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Andujar reviewed the operator's report, a copy of which is attached, and updated the Board regarding District operations and facilities. Following discussion, Director Hull moved to approve the operator's report. Director Jones seconded the motion, which passed unanimously.

TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

Mr. Andujar presented a list of delinquent customers and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Following review and discussion, Director Hull moved to authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Jones seconded the motion, which passed unanimously.

WEST MEMORIAL REGIONAL WASTEWATER TREATMENT PLANT MATTERS

There was no discussion on this matter.

DISTRICT WEBSITE

Director Russell updated the Board on website matters.

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

Director Russell reported on the WHCRWA notice of Stage 2 Drought Conditions, a copy of which is attached.

GARBAGE AND RECYCLING MATTERS

Mr. Turner reviewed a letter from Best Trash, providing notice of the annual Consumer Price Index ("CPI") adjustment to the District's rate for garbage collection services, a copy of which is attached. He noted the letter reflects a CPI adjustment of 6.2%, resulting in an increase in the monthly fee for curbside service with recycling from \$17.45 to \$18.53 per residence, effective for the billing cycle beginning in July 2023 and continuing through June 2024.

Mr. Turner then reviewed a letter requesting an additional 3.5% adjustment due to increased costs for labor, fuel, and materials, which would bring the total monthly fee to \$19.18 for curbside service and recycling per residence, effective for the July 2023, billing cycle.

Following review and discussion, Director Russell moved to approve the new rate of \$19.18 per residence effective retroactively to July 2023. Director Aitken seconded the motion, which passed unanimously.





Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes <u>Page</u>
TPIA Request	2
Bookkeeper's Report.....	2
Tax Assessor/Collector's Report	3
Tax Rate Analysis.....	3
Engineering Report.....	3
Landscape Maintenance Report.....	3
Pond maintenance and mowing report	3
SWMP Year 5 Goals & Training and Storm Water Guidance Manual.....	4
Operator's Report.....	4
West Harris County Regional Water Authority Letter	5