

## THE STATE OF TEXAS

### COUNTY OF HARRIS

On the 21st day of September, 2021, the Crosby Municipal Utility District held a regular meeting of the Board of Directors at the office of the District at 103 W. Wahl St. Crosby, Texas with the following members present:

Steve Schreiber –	President	Present
Eddie Foster –	Vice President	Present
Donna Davenport-	Treasurer	Present
Wesley Zarsky-	Secretary	Present
Diane Feland-	Asst. Secretary	Present

**Visitors present:** Beth McCormack, Shari Sumner, Chris Wallace, Teague Harris, JoAnn Matthiesen, Dawn Muth, Joe Morrow, Rakesh Bansal, Rajib Batabyal, and Cherie Zarsky.

**Meeting was called to order at 5:30p.m. by Steve Schreiber.**

**Prayer:** Chris Wallace opened the meeting with a prayer.

#### **I. Approve minutes**

Diane Feland made a motion to approve minutes and Wesley Zarsky seconded the motion.

Steve Schreiber replied “aye”

Eddie Foster replied “aye”

Donna Davenport replied “aye”

Diane Feland replied “aye”

Wesley Zarsky replied “aye”

**Motion carried.**

#### **II. Citizen’s presentations and requests to address the Board of Directors and take necessary action granting connections for utility commitments and billing adjustments.**

N/A

#### **III. New Business**

N/A

#### **IV. Old Business**

a. Discuss certified value and tax rate, authorize notice and set date for public hearing regarding the 2021 tax rate and take any necessary action.

**The Financial Advisor recommended a 2021 tax rate of .46 cents for the District. The recommended Defined Area tax rate is .86 cents. Public hearing is set for October 17, 2021.**

**Wesley Zarsky made a motion to approve the recommended tax rates and to approve the date of the public hearing and seconded by Eddie Foster.**

Steve Schreiber replied “aye”

Eddie Foster replied “aye”

Donna Davenport replied “aye”

Diane Feland replied “aye”

Wesley Zarsky replied “aye”

**Motion Carried**

b. Discuss Bond Application number 8 and take any necessary action.

**A motion was made by Wesley Zarsky and seconded by Eddie Foster to approve Bond application number 8 and file with TCEQ.**

Steve Schreiber replied “aye”

Eddie Foster replied “aye”

Donna Davenport replied “aye”

Diane Feland replied “aye”

Wesley Zarsky replied “aye”

**Motion Carried**

#### **V. Tax Assessor/Collector’s Report**

Dawn Muth went over her report with board.

**A motion was made by Wesley Zarsky and seconded by Eddie Foster to approve Tax Assessor’s report.**

Steve Schreiber replied “aye”

Eddie Foster replied “aye”

Donna Davenport replied “aye”

Diane Feland replied “aye”

Wesley Zarsky replied “aye”

**Motion Carried.**

#### **VI. Attorney’s Report**

a. Consider and act on Annexation agreement with Harbajan Singh

**A motion was made by Donna Davenport and seconded by Wesley Zarsky to approve Annexation Agreement**

Steve Schreiber replied “aye”

Eddie Foster replied “aye”

Donna Davenport replied “aye”

Diane Feland replied “aye”

Wesley Zarsky replied “aye”

**Motion Carried.**

b. Consider and act on Resolution designating Voting Representative for AWBD Bylaws Election

**A motion was made by Diane Feland and seconded by Wesley Zarsky to designate Eddie Foster as the Voting Representative for AWBD Bylaws Election.**

Steve Schreiber replied "aye"  
Eddie Foster replied "aye"  
Donna Davenport replied "aye"  
Diane Feland replied "aye"  
Wesley Zarsky replied "aye"  
**Motion Carried.**

- c. Consider and act on Escrow Agreement regarding redemption of certain series 2011 Bonds, authorization of letter of instruction to paying agent and related matters concerning redemption.

**Item Tabled**

## **VII. Engineer's Report**

**Engineering matters and capital improvement projects, including authorize design, approve plans and specifications, approve easements, authorize advertisements for bids, review bids and approve award of contract, approve and pay estimates, time extensions, and change orders and final acceptance, as appropriate for the following:**

- a. Harris County Community Development Grants
- b. TCEQ Bond application No 8 series 2021 SWTP East site: Sludge disposal Relocation
- c. Rate order plumbing code matters
- d. Surface Water Treatment Plant Expansion
- e. SWTP East site: Sludge disposal Relocation Phase
- f. Replace 6" water line with 12" water line on FM 2100 (Kennings to Church)
- g. Pin Oak Lift station upgrade evaluation
- h. Pecan Estates residential development, including internal water, sanitary sewer, storm sewer, storm water detention and offsite water and sanitary sewer facilities
- i. Future lift station and force main to serve US 90 and Krenek
- j. Pin Oak lift station upgrade
- k. Pecan Estates force main and gravity sewer, phase 2
- l. Developments in the District
- m. Request for service and annexations

Teague Harris went over his report with Board.

He has requested approval to submit the Bond Application No. 8 to TCEQ For its review & approval.

**A motion was made by Wesley Zarsky and seconded by Eddie Foster to submit Bond Application No 8 to TCEQ.**

Steve Schreiber replied "aye"

Eddie Foster replied "aye"

Donna Davenport replied "aye"

Diane Feland replied "aye"

Wesley Zarsky replied "aye"

**Motion carried**

Engineer recommends approval of a Change Order No. 5 to extend the contract time to December 31, 2021. HCCSD has requested this for their revision of the District's grant agreement.

**A motion was made by Wesley Zarsky and seconded by Diane Feland to extend the contract time to Dec. 31, 2021.**

Steve Schreiber replied "aye"

Eddie Foster replied "aye"

Donna Davenport replied "aye"

Diane Feland replied "aye"

Wesley Zarsky replied "aye"

**Motion carried**

**Teague Harris invited prospective buyers, Rakesh Bansal and Rajib Batabyal of 7C Equity to discuss future development of an apartment complex and retail center.**

Rakesh Bansal and Rajib Batabyal of 7C will need to increase the current water lines from a 2" to a 12" water line to connect to an existing 8" water line near Live Oak and FM 2100. This will also require a private lift station and a private storm water detention basin. This tract has more than one land use and more than one potential future owner therefore, a recorded private facilities maintenance agreement for the onsite lift station and the storm water detention would be required. 7C would like for Crosby MUD to assist in the expansion or to release the property outside of our District, to Newport MUD.

**The Directors explained to Mr. Bansal and Mr. Batabyal of 7C that Crosby MUD doesn't have the funds for this at this time. Attorney, JoAnn Matthiesen explained to Mr. Bansal and Mr. Batabyal of 7C that Crosby MUD cannot release the property in Newport MUD.**

Engineer reported that HKC Leasing Company submitted a commercial development application for a water and sewer commitment for a 24 unit apartment complex with 50 parking spaces and an onsite detention basin, with the following conditions:

- a. The 2" water line on Red Bud Ln will need to be replaced from FM 2100 to the western edge of their property.
- b. The 6" sanitary sewer line has sufficient capacity.
- c. The developer should be required to make a prorata contribution to the proposed Pin Oak lift station upgrade.

**A motion was made by Wesley Zarsky to approve the Utility Commitment Letter to HKC and seconded by Diane Feland.**

Steve Schreiber replied "aye"

Eddie Foster replied "aye"

Donna Davenport replied "aye"

Diane Feland replied "aye"

Wesley Zarsky replied "aye"

**Motion Carried**

**VIII. Office Manager's Report**

N/A

**IX. Utility Manager's Report**

N/A

**IX. Treasurer's Report**

- a. Approve customer write offs.

**A motion was made to table KMCO write off by Wesley Zarsky and seconded by Diane Feland. A motion was made to approve other customer write offs by Wesley Zarsky and seconded by Diane Feland.**

- b. Approve quarterly investment reports

N/A

- c. Approve financial statements.

**A motion was made by Wesley Zarsky and seconded by Diane Feland to approve Financial Statements.**

Steve Schreiber replied "aye"

Eddie Foster replied "aye"

Donna Davenport replied "aye"

Diane Feland replied "aye"

Wesley Zarsky replied "aye"

**Motions carried.**

**XI. Recess into Executive Session according to the Texas Government Code Section 551.074(a) regarding personnel matters and/or section 551.071 consultation with attorney pending or contemplated litigation.**

N/A

**XII. Reconvene into regular session**

N/A

**XIII. Consider and take necessary action on the result of the Executive Session.**

N/A

**XIV. Adjourn**

**Diane Feland made a motion to adjourn at 6:57pm and Wesley Zarsky seconded the motion.**

Steve Schreiber replied "aye"

Eddie Foster replied "aye"

Donna Davenport replied "aye"

Diane Feland replied "aye"

Wesley Zarsky replied "aye"

**Motion carried.**

ATTEST: S.S.

Eddie Foster Eddie Foster, Vice President

Steve Schreiber Steve Schreiber, President