

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368

Minutes of Meeting Thursday, February 1, 2018

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 368 (the "District") met in regular session, open to the public, at 6:30 p.m. on Thursday, February 1, 2018, at the District meeting place located inside the District, whereupon the roll was called of the members of the Board to-wit:

Roy P. Lackey	President
Tiffani C. Bishop	Vice President/Investment Officer
Sharon L. Cook	Secretary
Eric Daniel	Treasurer
Allison V. Dunn	Assistant Secretary

All members of the Board were present, thus constituting a quorum. Consultants in attendance were: Mike Plunkett of Eagle Water Management, Inc. ("Operator"); Kameron Pugh, E.I.T., of IDS Engineering Group ("IDS" or "Engineer"); Kaye Townley of Municipal Accounts and Consulting, L.P. ("MAC" or "Bookkeeper"); and Tyler Scully, attorney, and Mirna Croon, paralegal, of Johnson Petrov LLP ("JP" or "Attorney"). Also present was Perry Liston, a resident of the District.

The President called the meeting to order at 6:40 p.m. and in accordance with the notice posted pursuant to law, the following business was transacted:

- I. **Public Comment.** There was no public comment.
- II. **General Business.**
 - A. **District's Website.** There were no matters to report.
 - B. **Pay Bills and Estimates.** There were no pay bills/estimates presented.
 - C. **Rate Order Amendment.** Upon motion by Director Cook, seconded by Director Lackey, after full discussion and with all Directors present voting aye, the Board amended the Rate Order to reduce the administrative charge from 10 percent to 7 percent in connection with the costs of surface water charged by the North Harris County Regional Water Authority; and amended the residential tap rates to account for the smart meter installation costs.
 - D. **Order Declaring Surplus Property and Authorizing Sale of Surplus Property ("Order").** Mr. Plunkett stated that the Board may want to consider selling the portable generator as it is too large for the lift station and its annual maintenance costs are approximately \$1,000. The funds received from the sale of the generator may be used to purchase a smaller generator for the lift station.

Discussion ensued after which upon motion by Director Cook, seconded by Director Lackey, after full discussion and with all Directors present voting aye, the Board agreed to declare the portable generator as surplus property and authorize its sale. A copy of the Order is attached hereto as Exhibit "A".

III. **Operator's Report.** The President recognized Mr. Plunkett who presented to and reviewed with the Board the Operator's Report, a copy of which is attached hereto as Exhibit "B". Mr. Plunkett noted that the District had 102.2% accountability for the period from December 14, 2017 through January 12, 2018.

Mr. Plunkett reported that blower no. 3 at the Wastewater Treatment Plant ("WWTP") has been pulled for repairs. He presented a repair proposal from All-Pump & Equip. Co. at a cost of \$7,674.88, a copy of which is attached to the Operator's Report. Upon motion by Director Cook, seconded by Director Daniel, after full discussion and with all Directors present voting aye, the Board approved the proposal from All Pump & Equip. Co. at a cost of \$7,674.88.

Mr. Plunkett next reported that the fine grit chamber screen on the WWTP developed a leak. Eagle is waiting on a repair quote.

Mr. Plunkett next stated that the Water Smart application has been submitted to the Water Smart Committee at the Association of Water Board Directors. Mr. Plunkett further noted that new water smart signs have been purchased and will be posted throughout the District.

Mr. Plunkett then reviewed with the Board the Termination List, a copy of which is attached to the Operator's Report, and affirmed that all Customers on the list were at least sixty (60) days past due and had been notified in writing of their right to attend this meeting to address the Board.

Upon motion by Director Cook, seconded by Director Lackey, after full discussion and with all Directors present voting aye, the Board authorized termination of service to customers listed on the Termination List, in accordance with provisions of the District's Rate Order; and approved the Operator's Report as presented.

IV. **Engineer's Report.** Mr. Pugh presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as Exhibit "C".

A. **Northern Point Drainage.** Mr. Pugh reported that the construction for the extreme event swales to serve Northern Point subdivision is underway. The contractor is awaiting CenterPoint Energy to lower a gas line in one of the swale locations. Once the gas line is lowered, the contractor will finish the swales within the District property.

IDS is working with Park-USA to determine the best configuration for use of their pre-fabricated floatable screen devices, which would replace the existing storm water quality inlet feature in the Northern Point detention basin. The side-by-side configuration would be approximately \$5,000 for fabrication (not including

installation). Park-USA is working to determine the structural feasibility and pricing for the vertical configuration.

- B. Hufsmith-Kohrville Improvements. IDS is awaiting construction plans from Harris County. Once the plans are received, IDS will review and send comments to Harris County's engineer.
- C. Operations Committee Meeting. The Operations Committee meeting has been scheduled for February 19, 2018.
- D. Water Quality Monitoring for Water Wells Nos. 2, 3, 4, 5, and 6. Mr. Pugh reported that the January 2018 laboratory test results for benzene, toluene, ethyl benzene, or xylene (BTEX) in Water Wells Nos. 2, 3, 4, 5, and 6 are non-detect.
- E. WP Nos. 1 and 2. Mr. Pugh reported EFS is completing the electrical modifications necessary to allow surface water to be transferred from Water Plant no. 2 to Water Plant no. 1.
- F. Water Plant ("WP") Ground Storage Tank Rehabilitation. The Contract was awarded to Pardalis Industrial Enterprises, Inc., in the amount of \$191,962. IDS plans to hold a preconstruction meeting in the next couple of weeks.
- G. Texas Commission on Environmental Quality ("TCEQ") Compliance. IDS has created the sanitary control easement exhibit for Water Well No. 6 and is coordinating with JP to complete the rules and regulations regarding sanitary control package. Once all the documents are complete, the package will be submitted to the TCEQ.
- H. Phase 3 Sanitary Sewer Rehab. The phase 3 point repairs are complete. IDS is working to obtain a proposal for the phase 4 sanitary sewer rehabilitation work.
- I. WWTP Odor Control. The project, including electrical modifications, is complete.
- J. Sandy Stream Sewer Capacity Evaluation: Upsize required for Dungrove tract. There were no new matters to report.
- K. Lift Station ("LS") Panel Replacements. IDS is awaiting information from the electrical engineer to complete design.
- L. Wastewater Treatment Plant Rehabilitation. Mr. Pugh stated that the Board approved the proposal from Concrete Conservation, Inc. in the amount of \$24,161 for the coating of the lift station interior. IDS is finalizing contract documents and specifications for this work.
- M. NorthPointe Center – Phase 2 (Santikos). Mr. Carpenter reported that the developer is planning to develop the 11.24 acre site, which would include three (3) restaurants and two (2) retail centers.

- N. 136-Acre Finger Tract. There were no matters to report.
- O. 9.6-acre Riverside Tract Potential Annexation. There are no additional updates.
- P. Hufsmith Heights tract. There are no new matters to report.

Next, upon motion by Director Bishop, seconded by Director Dunn, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report.

V. **Developer's Report**. Director Lackey reported that it appears that certain property owners south along Texas State Highway 249 need water and sewer service. Director Lackey stated that the District should inform such property owners that the District would be able to provide them with water and sewer service.

VI. **Attorney's Report**.

- A. Drainage Swale Easement. Mr. Scully reported that the signed easement has been received from Northern Point HOA.
- B. Reimbursement Agreement with RW Development Company. No action was taken.
- C. Minutes of January 18, 2018. Upon motion by Director Dunn, seconded by Director Cook, after full discussion and with all Directors present voting aye, the Board approved the minutes of the January 18, 2018 Board meeting.

VII. **Election Agenda**.

- A. Review and discuss locating polling places and obtaining election judges and clerks for May 5, 2018 directors election. Ms. Croon reminded the Board that this is an election year and that the Directors Election will be held on Saturday, May 5, 2018. Ms. Croon then stated to the Board that if no more than two (2) persons apply for a place on the ballot there will be no need to hold the Election. The Board next discussed compensation for election officials and agreed to pay election officials \$15.00 per hour.
- B. Adopt Order Calling Directors Election. Upon motion by Director Daniel seconded by Director Cook, after full discussion and with all Directors present voting aye, the Board approved the Order Calling Directors Election, a copy of which is attached hereto as Exhibit "D".
- C. Determine Canvassing Date for the May 5, 2018 election. Ms. Croon then stated that the Board needs to determine the date to canvass the returns of the election. After discussion, it was consensus of the Board to meet in special session on May 16, 2018 at the Water Plant to canvass the results, if needed.

VIII. **Adjournment.** With no additional matters before the Board, the Board adjourned the meeting at 7:58 p.m.

[EXECUTION PAGE FOLLOWS]

Passed and approved this 15th day of February, 2018.



Sharon Cook
Secretary, Board of Directors

Exhibits:

- "A" Order Declaring Surplus Property and Authorizing Sale of Surplus Property
- "B" Operator Report
- "C" Engineers Report
- "D" Order Calling Election



P.O BOX 11750
SPRING, TEXAS 77391-1750
281-374-8989

OPERATIONS REPORT

For

HARRIS COUNTY MUD #368

FEBRUARY 1, 2018
BOARD MEETING

MONTHLY ACTIVITY REPORT
FOR
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT # 368

COLLECTIONS DATE RANGE: December 21, 2018 thru January 23, 2018

Water Collections:	\$ <u>77,417.41</u>
Sewer Collections:	<u>160,512.76</u>
NHCRWA Fees:	<u>83,688.16</u>
Security Service Fees	<u>13,620.00</u>
Late Letter Fees:	<u>3,322.27</u>
Penalties:	<u>6,599.24</u>
Deposits:	<u>6,879.57</u>
Transfer Fees:	<u>1,100.00</u>
Service Fees:	<u>10.00</u>
Miscellaneous:	<u>2,010.19</u>
Unapplied Payments/Overpayments:	<u>3,064.00</u>

TOTAL COLLECTIONS: **\$358,223.60**

CURRENT BILLING DUE FOR PERIOD ENDING January 12, 2018:

Water:	\$ <u>69,844.50</u>
Sewer:	<u>159,463.51</u>
NHCRWA Fees:	<u>78,445.71</u>
Security Service Fee:	<u>13,760.00</u>

TOTAL CURRENT BILLING: **\$321,513.72**

PREPARED BY: EAGLE WATER MANAGEMENT, INC.

**HARRIS COUNTY MUD #368
 WATER ACCOUNTABILITY
 FEBRUARY 2018 MEETING**

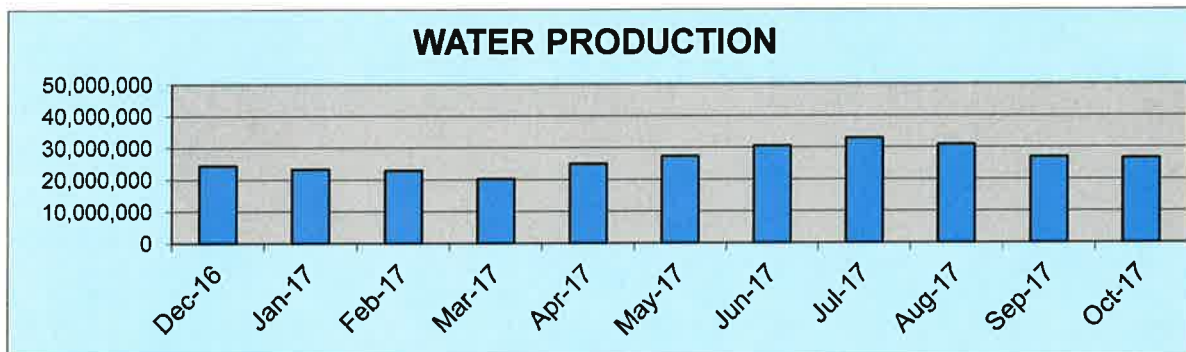
<u>Billing Period: December 14, 2017 thru January 12, 2018</u>	<u>GALLONS</u>	<u>GALLONS</u>
TOTAL WELL GALLONS PUMPED DURING BILLING CYCLE:	0	
RECEIVED FROM NHCRWA	<u>20,979,000</u>	
TOTAL GALLONS PUMPED:	20,979,000	
<u>WATER LOSSES</u>		<u>LOSS</u>
WASTE TREATMENT PLANT USAGE:		4,000
INTERCONNECT USAGE DELIVERED:		0
LINE FLUSHINGS:		0
FIRE HYDRANT FLUSHINGS:		0
UNAUTHORIZED CONSUMPTION: (Theft - estimate)		0
STORAGE TANK DRAINING/FLUSHING: (Overflow)		0
HYDROPNEUMATIC TANK REFILLS:		0
MAIN BREAKS: (Estimate)		0
SERVICE LINE LEAKS:		173,000
WATER MAIN FILLINGS:		0
FIRE HYDRANT METER RENTAL USAGE:		0
OTHER: FROZEN CLA VALVES		
<u>TOTAL WATER LOSSES FOR BILLING CYCLE:</u>		<u>177,000</u>
<u>TOTAL NET GALLONS PUMPED:</u>	<u>20,802,000</u>	
<u>GALLONS BILLED FOR BILLING CYCLE:</u>	<u>21,259,000</u>	
<u>PUMP TO BILL PERCENTAGE FOR BILLING CYCLE:</u>		<u>102.2%</u>
<u>ADDITIONAL INFORMATION:</u>		
<u>NUMBER OF CONNECTION ACCOUNTS</u>		
RESIDENTIAL	3,798	
COMMERCIAL	27	
APARTMENTS	0	
NON PROFIT	2	
BUILDERS	10	
IRRIGATION/OTHERS	43	
<u>TOTAL NUMBER OF ACCOUNTS:</u>	<u>3,880</u>	

EAGLE WATER MANAGEMENT, INC.

HARRIS COUNTY MUD #368

WATER PRODUCTION & ACCOUNTABILITY

MO/YR	PUMPED (MG)	BILLED (MG)	%	Four Month Average
Dec-16	24,444,000	22,359,000	91.5%	93.6%
Jan-17	23,296,000	21,801,000	93.6%	92.5%
Feb-17	22,875,000	22,797,000	99.7%	94.9%
Mar-17	20,238,500	20,224,000	99.9%	96.2%
Apr-17	24,966,500	24,288,000	97.3%	97.6%
May-17	27,337,500	25,772,000	94.3%	97.8%
Jun-17	30,446,060	30,361,000	99.7%	97.8%
Jul-17	32,934,250	32,703,000	99.3%	97.6%
Aug-17	30,917,570	30,979,000	100.2%	98.4%
Sep-17	26,959,000	28,315,000	105.0%	101.1%
Oct-17	26,612,600	26,029,000	97.8%	100.6%
Nov-17	25,872,000	26,201,000	101.3%	101.1%
Dec-17	24,133,000	23,080,000	95.64%	99.9%
Jan-18	20,802,000	21,259,000	102.20%	99.2%



Code	Name	Location	#	NODI	Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 3	Value 3	Units	of Ex.	of Analysis	Type		
01092	Zinc, total [as Zn]	1 - Effluent Gross	0	--	Sample =	0.426	Permit Req. AV	Req Mon DAILY AV	26 - lb/d	0.067	=	0.074	19 - mg/L	0	01/07 - Weekly	CP - COMPOS
01105	Aluminum, total [as Al]	1 - Effluent Gross	0	--	Sample <	0.196	Permit Req. AV	Req Mon DAILY AV	26 - lb/d	0.031	=	0.035	19 - mg/L	0	01/07 - Weekly	CP - COMPOS
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	--	Sample =	0.714	Permit Req. AV	Req Mon DAILY MX	03 - MGD	3.61	=	4 MO MAX	19 - mg/L	0	01/01 - Daily	GR - GRAB
50060	Chlorine, total residual	1 - Effluent Gross	0	--	Sample =	1.15	Permit Req. NODI	Req Mon DAILY MX	03 - MGD	1.15	=	1 MO MIN	19 - mg/L	0	01/01 - Daily	GR - GRAB
X 51040	E. coli	1 - Effluent Gross	0	--	Sample <	29.98	Permit Req. AV	Req Mon DAILY AV	26 - lb/d	1	=	2	30 - MPN/100mL	0	01/07 - Weekly	GR - GRAB
80082	BOD, carbonaceous [5 day, 20 C]	1 - Effluent Gross	0	--	Sample <	75	Permit Req. AV	Req Mon DAILY AV	26 - lb/d	5	=	12	32 - CFU/100mL	0	02/30 - Twice Per Month	GR - GRAB

Submission Note
 If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

Edit Check Errors

Parameter Code	Name	Monitoring Location	Field	Type	Description	Acknowledge
51040	E. coli	1 - Effluent Gross	Units	Soft	The selected units do not match the units specified by the permit for this parameter. The provided sample value(s) may be outside the permit limit. (Error Code: 3)	

Attachments

No attachments.

Report Last Saved By

HARRIS COUNTY MUD 368

User: mplunkett@eaglewatermanagement.com

Name: Mike Plunkett

E-Mail: mplunkett@eaglewatermanagement.com

Date/Time: 2018-01-16 08:54 (Time Zone: -06:00)

Certification Statement

I certify under penalty of law that this submission was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are criminal penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. By entering my password and security question answer and pressing the Submit button, I agree that:

1. I am Mike Plunkett.
2. I have not violated any term in my Electronic Signature Agreement.
3. I am otherwise without any reason to believe that the confidentiality of my password has been compromised now or at any time prior to this submission.
4. I have the authority to submit these data on behalf of the listed facilities.
5. This action constitutes an electronic signature equivalent to my written signature.
6. I understand that this attestation of fact pertains to the implementation, oversight, and enforcement of a federal environmental program and must be true to the best of my knowledge.

Submission Information

Name: Mike Plunkett

User: mplunkett@eaglewatermanagement.com

Submitter Telephone: 281-374-8989

Confirmation Code: 71396ed2-9df3-4531-9db2--ccc2beb12c3c

Submitter Hashed Password: ffb1fe74103dc45b8650fe669a61e03d623a6ec1582fd243c8a538b029a9149

DMR Hash: 8f713df490c545a1dfec3fead2c1862eca1c16fb11cdfb43795578eafb1f382

NetDMR Certificate Id: 4

Certificate Alias: netdmr_uat sample certificate 2

Date/Time: 2018-01-16 08:54 (Time Zone: -06:00)
E-Mail: mplunkett@eaglewatermanagement.com
Submitter Ip: 50.240.243.62

@2008 NetDMR

See the [Test Support Page](#) for utilities to facilitate testing.



All-Pump & Equip. Co.

707 NORTH DRENNAN ST. HOUSTON, TEXAS 77003
Pumps & Controls · Repair or Replace
 Since 1980



1/19/2018

SOLD TO:

**EAGLE WATER MANAGEMENT INC.
 P.O. BOX 11750
 SPRING, TX 77391**

SHIP TO:

**HC Mud #368 STP
 19744- 1/2 LOGAN BRIAR DR.
 GATE CODE #001334
 MIKE 281-330-8415
 CHRIS 281-642-3699**

QUOTE # H13580

JOB # HC MUD #3...

QTY	Description	Total
	<p>All-Pump & Equip.Co is pleased to quote the following:</p> <p>Lamson Blower repairs as per the manufacturer's specifications. See the attached inspection report for details</p> <p>** Repairs include:</p> <ul style="list-style-type: none"> ** Replace Bearings ** Replace air seals ** Replace one impeller ** Repair key way and replace key ** Rotating Assemble balance ** Test ** Includes TB Woods Coupling ** Teardown and inspection fee of \$220.00 waived if All-Pump makes repairs <p>Service call to install blower</p> <ul style="list-style-type: none"> ** Check rotation ** Confirm operation ** Install coupling ** Align blower and motor <p>1)-This Quote is subject to engineer/owner's written approval via fax or e-mail. 2)-If a purchase order number (PO) is required please provide with written approval.</p> <p>Respectfully Submitted, Howard Jacobson</p>	<p>5,519.88</p> <p>2,155.00</p>

Total	\$7,674.88
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QUOTE GOOD FOR (30) DAYS
 IF IN AGREEMENT, PLEASE SIGN & RETURN



February 1, 2018

Board of Directors
Harris County Municipal Utility District No. 368
c/o Johnson Petrov LLP
1001 McKinney, Suite 1000
Houston, Texas 77002-1223

Reference: District Engineer's Status Report, IDS Job No. 0456-001-MR

Members of the Board:

The status of the various projects in the District is as follows:

GENERAL DISTRICT MATTERS

1. Northern Point Drainage

The construction for the Extreme Event Swales to Serve Northern Point Subdivision is underway. The contractor is awaiting CenterPoint Energy to lower a gas line in one of the swale locations. Once the gas line is moved, the contractor will finish the swales within District property.

We are working with Park-USA to determine the best configuration for use of their pre-fabricated floatable screen devices, which will replace the existing storm water quality inlet feature in the Northern Point detention basin. The side-by-side configuration would be approximately \$5,000 for fabrication (not including installation). Park-USA is working to determine the structural feasibility and pricing for the vertical configuration.

2. Hufsmith Kohrville Improvements

We are awaiting construction plans from Harris County. Once we receive the plans, we will review and send comments to Harris County's engineer.

3. Operations Committee Meeting

The next Operations Committee Meeting has not been scheduled.

WATER SUPPLY SYSTEM MATTERS

4. Water Quality Monitoring for Water Well Nos. 2, 3, 4, 5, and 6

The January 2018 laboratory test results for benzene, toluene, ethyl benzene, or xylene (BTEX) in Well No. 2, Well No. 3, Well No. 4, Well No. 5, and Well No. 6 are non-detect.

5. Water Plant Nos. 1 and 2

EFS is completing the electrical modifications necessary to allow surface water to be transferred from Water Plant No. 2 to Water Plant No. 1.

6. Water Plant Rehabilitation

The contract was awarded to Pardalis Industrial Enterprises, Inc. in the amount of \$191,962.00. We plan to hold a preconstruction meeting in the next couple of weeks.

7. TCEQ Compliance

We are coordinating with the Attorney to complete the rules and regulation regarding sanitary control package. Once all the documents are complete, we will submit to TCEQ.

WASTEWATER TREATMENT SYSTEM MATTERS

8. Phase 3 Sanitary Sewer Rehab

The phase 3 point repairs are complete. We are working to obtain a proposal for the phase 4 sanitary sewer rehabilitation work.

9. Wastewater Treatment Plant Odor Control

The project, including electrical modifications, is complete.

10. Sandy Stream Sewer Capacity Evaluation: Upsize Required for Dungrove Tract

No new activity to report.

11. Lift Station Control Panel Replacements

The electrical engineer is awaiting information necessary to complete design.

12. Wastewater Treatment Plant Rehabilitation

The Board approved the proposal from Concrete Conservation, Inc. in the amount of \$24,161.00 for the coating of the lift station interior. We are finalizing contract documents and specifications for this work.

RESIDENTIAL AND COMMERCIAL DEVELOPMENT PROJECTS

13. Harris County Street Acceptance Status

All streets eligible for acceptance have been accepted by the County.

14. NorthPointe Center-Phase II (Santikos)

The developer is planning to develop the 11.24-acre site, which would include three restaurants and two retail centers. No new activity to report.

15. 136-Acre Finger Tract

No new activity to report.

16. 9.6-Acre Riverside Tract

The developer is working with the landowner to purchase land for commercial use, and there are no new updates on this tract.

17. Huffsmith Heights Tract

No new activity to report.

We will be glad to answer any questions the Board may have.

Respectfully,



Matthew Carpenter, P.E.



Kameron H. Pugh, E.I.T.

X:\0400\045600100 HCMUD 368 Gen Con\MR - DIST ENGR REPORTS\2018\ESR HCMUD 368 20180201.docx

**CERTIFICATE FOR ORDER DECLARING SURPLUS PROPERTY AND
AUTHORIZING SALE OF SURPLUS PROPERTY**

**THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368**

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I, the undersigned Secretary of the Board of Directors (the "Board") of Harris County Municipal Utility District No. 368 (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 1st day of February 2018 at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Roy P. Lackey	President
Tiffani C. Bishop	Vice President/Investment Officer
Sharon L. Cook	Secretary
Eric Daniel	Treasurer
Allison V. Dunn	Assistant Secretary

All members of the Board were present with the exception of none thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

**ORDER DECLARING SURPLUS PROPERTY AND
AUTHORIZING SALE OF SURPLUS PROPERTY**

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Resolution be adopted; and, after due discussion, such motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: 5 NOES: 0

2. A true, full, and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Resolution has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Resolution would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Chapter 551, Texas Government Code and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 1st day of February, 2018.

(SEAL)




Secretary, Board of Directors

**ORDER DECLARING SURPLUS PROPERTY AND
AUTHORIZING SALE OF SURPLUS PROPERTY**

**THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368**

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WHEREAS, HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368 (the "District") is a political subdivision of the State of Texas created pursuant to Article XVI, Section 59, Texas Constitution, and operating under the provisions of Chapters 49 and 54, Texas Water Code, as amended; and

WHEREAS, the District owns a portable generator ("Equipment").

WHEREAS, the Board has determined that the Equipment is no longer needed for any propose by the District; and

WHEREAS, the District finds that it is in the best interest to sell the property by private sale pursuant to Section 49.226, Texas Water Code, as amended, and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368 THAT:

Section 1. Declaration of Surplus Property. The Board hereby declares that the Property is not needed by the District and is surplus property.

Section 2. Approval of Sale. The Board hereby approves and authorizes the sale of the Property to the bidder that offers a purchase price that is equivalent to the fair market value of the Property as determined by the District.

Section 3. Authority of Officers. The President, Secretary and other officers are authorized to take any and all action to consummate the donation of the Property, and the President, Secretary and other officers, or any of them individually, is authorized to execute, attest and deliver the Bill of Sale to the Property and to execute and deliver any such other documents as may be necessary for the transfer of the Property, as the act and deed of the District and take any other action reasonably necessary to execute the intent of this Order.

[EXECUTION PAGE FOLLOWS]

PASSED AND APPROVED this 1st day of February, 2018.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)



ORDER CALLING DIRECTORS ELECTION

**THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368**

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WHEREAS, pursuant to Section 49.103, Texas Water Code, as amended, and Sections 41.001 and 41.0052, Texas Election Code, as amended, Harris County Municipal Utility District No. 368 (the "District") is required to hold a Directors Election on the first (1st) Saturday in May, 2018 (the "Election"); and

WHEREAS, the Board of Directors (the "Board") of the District deems it necessary and appropriate to establish the procedures whereby such Election may be held; and

WHEREAS, the Board has determined that the number of registered voters in the District is more than 1,000, which pursuant to Section 85.005(b), Texas Election Code, as amended, requires that the polls be open for early voting for a minimum of eight (8) hours each weekday, except legal state holidays; and

WHEREAS, Section 61.012 of the Texas Election Code requires that the District must provide at least one (1) accessible voting system in each polling place used in a Texas election on or after January 1, 2006, which must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot; and

WHEREAS, Section 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems; and

WHEREAS, the Office of the Texas Secretary of State has certified that the iVotronic Voting System provided by Election Systems & Software ("ES&S") is an accessible voting system that may legally be used in Texas elections.

WHEREAS, Section 49.111 of the Texas Water Code exempts the District from the requirement to provide an accessible voting system for an election if: (1) the most recently scheduled District directors' election was canceled because the candidates were unopposed, pursuant to Section 2.053(b) of the Texas Election Code; or (2) fewer than 250 voters voted at the most recently held District directors' election;

WHEREAS, the Board has determined that the District is eligible for the exemption provided by Section 49.111, Texas Water Code, and has published notice in a newspaper of general circulation regarding the District's intention to hold an election without an accessible voting station and providing instructions on how a voter may submit a request for an accessible voting station to the District by March 21, 2018;

WHEREAS, the District intends to use only paper ballots for early voting by personal appearance and for voting on Election Day, but in the event that the District receives a timely request for an accessible voting station, then the District shall comply with Section 49.111(d) of the Texas Water Code and use the iVotronic Voting System.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368, THAT:

I.

An Election shall be held for and within the District between the hours of 7:00 a.m. to 7:00 p.m. on the 5th day of May, 2018 for the election of two (2) Directors for the District, each of which shall serve a four (4) year term.

II.

Such Election shall be held at Graceview Baptist Church, 25510 Tomball Parkway, Tomball, Harris County, Texas, a place within the District, and the boundaries of the District are hereby established as, and shall constitute one (1) election precinct for the Election.

III.

Such Election shall be held and conducted in all respects as provided by law for general elections, except as provided by Chapter 49, Texas Water Code, as amended.

IV.

All duly qualified resident voters of the District shall be allowed to vote at such Election.

V.

The Board hereby designates its Attorney, Johnson Petrov LLP ("Attorney"), 2929 Allen Parkway, Suite 3150, Houston, Harris County, Texas 77019, as authorized representative for purposes of the Election, and any and all documents required to be filed with or notices required to be given by the Secretary of the Board under the provisions of the Texas Election Code shall be deemed filed and notices shall be deemed given if filed with or given to the Board's Attorney.

VI.

Written applications for the listing of a candidate for director on the ballot, signed by the candidate, shall be received by the Attorney until 5:00 p.m. on Friday, February 16, 2018. No person shall be nominated or elected a director unless such person is qualified to serve under applicable law. Write-in candidates must make a declaration of write-in candidacy with the District's appointed agent no later than 5:00 p.m. on Tuesday, February 20, 2018.

VII.

The Secretary or any Assistant Secretary of the Board shall notify the President or Vice President of the Board not earlier than Tuesday, February 20, 2018, after 5:00 p.m. which time is past the deadline in which write-in candidates shall have to declare their intent to run for office and past the deadline for receipt of Applications for Place on Ballot, for purposes of this Election the names of any candidates for the two (2) positions on the Board of the District. If each candidate whose name is to appear on the ballot is unopposed, no proposition is to appear on the ballot, and no person has declared as a write-in candidate prior to the deadline therefore, then the Secretary or any Assistant Secretary of the Board shall certify in writing that a candidate is unopposed for election in accordance with the provisions of Section 2.052, Texas Election Code, as amended, no earlier than Tuesday, February 20, 2018, at 5:00 p.m. Upon receipt of such certification, the Board, by Order, and in accordance with the provisions of Section 2.053, Texas Election Code, as amended, may declare each unopposed candidate elected to office, in which case the Election provided for in this Order shall not be held.

VIII.

The Secretary of the Board shall give notice of the purpose of such Election, the offices to be voted on, and the early voting and election day polling places pursuant to Section 4.003(a)(2), Texas Election Code, as amended, by posting a Notice of Election with the requisite Harris County translation(s) in a public place in each Election precinct that is within the boundaries of the District, not later than Monday, April 16, 2018. In addition, pursuant to Section 4.003(b), Texas Election Code, as amended, a Notice of Election with the requisite Harris County translation(s) shall be posted on the bulletin board used for posting notices of meetings of the Board of the District not later than Monday, April 16, 2018; provided, further, that if the polling location has changed from the previous election, Notice of Election with the requisite Harris County translation(s) shall also be posted at the location of the old polling place.

IX.

The ballots for such Election shall be prepared in sufficient number and in conformity with the Texas Election Code, as amended, and shall be substantially as follows:

Directors Election
Saturday, May 5, 2018

OFFICIAL BALLOT

Paper Ballot Instructions:

Mark the ballot by placing an "X" in the square beside none, one (1) one or two (2) candidates of your choice.

[] _____

The order in which the candidates' names appear on such ballot was determined at a drawing held under the supervision of the Secretary of the Board in compliance with the Texas Election Code, as amended. Any write-in votes cast in said Election shall not be counted unless the name appears on the list of write-in candidates.

X.

Voting shall be by the use of paper ballots which shall be printed in English, Spanish, Vietnamese and Chinese. The ballots used in the Election shall have printed thereon the names of the candidates for the office of Director and blank spaces for write-in votes. The voter may vote for up to two (2) persons for Director by writing the candidates name beside the position number in the blank spaces provided if there are any declared write-in candidates. The Presiding Judge shall be provided with two hundred (200) official ballots, and the Early Voting Clerk shall be provided with one hundred (100) early voting ballots.

XI.

In the event that the District is required by Section 49.111(d) of the Texas Water Code to use an accessible voting station, the District shall provide at least one (1) iVotronic Voting System in each polling place in every polling location used to conduct any election ordered on or after January 1, 2006. The iVotronic Voting System may be acquired by any legal means available to the District, including, but not limited to, lease or rental from ES&S or from any other legal source, as authorized or required by Sections 123.032 and 123.035, Texas Election Code. iVotronic Voting System ballots shall be in English, Spanish, Vietnamese and Chinese. The ballots used in the Election shall have printed thereon the names of the candidates for the office of Director and blank spaces for write-in votes. The voter may vote for up to two (2) persons for Director by writing the candidates name beside the position number in the blank spaces provided if there are any declared write-in candidates.

iVotronic Voting System Instructions:

Instruction Note:

Directors Election

Vote for none, one (1) or two (2) candidate(s) by placing an "X" in the square next to the name(s) of the candidate(s).

[] _____
[] _____
[] _____

XII.

The officers of such Election shall be as follows:

Presiding Judge	Connie Wendland
Alternate Presiding Judge	<u>TBD</u>
Early Voting Clerk	Hank Wendland

XIII.

Early voting by personal appearance shall be conducted at Amistad Ct. Tomball, Harris County, Texas 77375, being the office of the Early Voting Clerk and for the purposes of this Election shall be deemed a public place within the boundaries of the District during polling hours. Applications for ballots by mail may be obtained from and mailed to such clerk at Johnson Petrov LLP, Houston, 2929 Allen Parkway, Suite 3150, Houston, Texas 77019 email: elections@johnsonpetrov.com. The Early Voting Clerk shall keep the office for early voting by personal appearance open for such purposes from 8:00 a.m. through 5:00 p.m. on each day which is not a Saturday, Sunday, or official State holiday, beginning on Monday, April 23, 2018, and continuing through Tuesday, May 1, 2018.

XIV.

Immediately after such Election, the Election officers shall make returns of the results in triplicate. One (1) copy shall be retained by the Presiding Judge, one (1) copy shall be delivered to the President of the Board, and one (1) copy shall be delivered to the Secretary of the Board.

XV.

The President or Vice President and Secretary or any Assistant Secretary of the Board are hereby authorized to evidence adoption of this Order and directed to do any and all things legal and necessary in connection with the holding and consummation of such Election and to carry out the intent hereof.

XVI.

If any provision, section, sentence, clause, or phrase of this Order is held by any reason to be invalid, such invalid portions shall not affect the validity of the remaining portion of this Order.

(EXECUTION PAGE FOLLOWS)

WITNESS OUR HANDS AND THE SEAL OF THE DISTRICT this 1st day of February, 2018.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

