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**NOTICE OF MEETING OF BOARD OF DIRECTORS**

**STATE OF TEXAS** §  
§  
**COUNTY OF HARRIS** §  
**COUNTY OF MONTGOMERY** §

Pursuant to the Texas Open Meetings Act, Texas Government Code, Sections 551.001, *et seq.* and Sections 49.063 and 49.064, Texas Water Code, notice is hereby given that on the 15<sup>th</sup> day of March, 2017, the Board of Directors of the HMW Special Utility District of Harris and Montgomery Counties (the "District") will hold a meeting at 6:00 p.m. at its offices at 26726 Decker Prairie-Rosehill Road, Magnolia, Texas 77355. The subjects to be discussed are listed on the agenda which is attached to and made a part of this notice.

If, during the course of the meeting covered by this Notice, the Board of Directors should determine that a closed or executive meeting or session of the Board of Directors is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 *et seq.*, will be held by the Board of Directors at the date, hour, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board of Directors may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes:

Texas Government Code Section:

- 551.071 Private consultations with the board's attorney.
- 551.072 Discussions of the purchase, exchange, lease, or value of real property.
- 551.073 Discussions of prospective gifts or donations.
- 551.074 Discussions of personnel matters or complaints against employees or officers.
- 551.076 Consideration of the deployment, specific occasions for, or implementation of security personnel or devices, or of security audits.

Should any action, decision or vote of the Board of Directors in regard to, any matter considered in such closed or executive meeting or session, then such action, decision or vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the Board of Directors upon notice thereof; as the Board of Directors shall determine.

An original copy was posted on the public bulletin board in the offices of HMW Special Utility District, 26726 Decker Prairie-Rosehill Road, Magnolia, Texas 77355, at \_\_\_\_\_ a.m./p.m. on this the \_\_\_ day of March, 2017, and forwarded to the County Clerks of Montgomery County and Harris County, Texas, for posting with all public notices, on or before such date.



Patrick F. Timmons, Jr., General Counsel  
HMW Special Utility District of Harris and Montgomery  
Counties

**PROPOSED AGENDA FOR THE BOARD OF DIRECTORS**  
**HMW SPECIAL UTILITY DISTRICT OF HARRIS AND MONTGOMERY**  
**COUNTIES FOR MARCH 15, 2017**

1. Discussion and action on proposed agenda of the Board of Directors.
2. Review and discussion of communications from users of the utility system and the public.
3. Comments by utility customers, persons requesting service and members of the public and discussion with board of directors.
4. Discussion and action, as required, on reports to the Board of Directors on all posted agenda items, other items specified and as permitted by law.
  - a. District Financial Advisor and Investment Officer
    - (1) Agenda Items No. 5.b., 5.c. and 5.d.
    - (2) Financing for acquisition of real property, vehicles, emergency power equipment, office equipment and other purchases
    - (3) Performance compared to budget for fiscal year beginning September 1, 2016
    - (4) Expenditures for capital projects
    - (5) Cash flow projections
    - (6) Banking matters
    - (7) Investment matters, as applicable
  - b. President
    - (1) Routine management and personnel matters
    - (2) Actions previously directed or authorized by the board of directors
    - (3) Discretionary actions
    - (4) Customer contacts
    - (5) Community contacts
    - (6) Conduct of board meetings
    - (7) District Activity Analytics
  - c. Other officers, board members and board committees
    - (1) North Harris County Regional Water Authority
    - (2) Lone Star Groundwater Conservation District
    - (3) San Jacinto River Authority
    - (4) Harris Galveston Subsidence District
    - (5) Other officer, director and committee reports
    - (6) Director comments

- d. General Manager and Controller (pursuant to Chapter 551, Subchapter D, Texas Government Code, some reports may be given in executive session)
- (1) Safety items
  - (2) Personnel matters
  - (3) Real property, fixture, vehicle and equipment acquisitions and equipment upgrades
  - (4) Equipment repairs and maintenance
  - (5) Water production and sales, by water system
  - (6) Customer issues and comments
  - (7) Other customer contacts
  - (8) Developer contacts
  - (9) Water system maintenance, repairs and construction
  - (10) Proposed customer billing adjustments
  - (11) Office equipment, computer and office system maintenance, repair and acquisitions
  - (12) Thefts or diversions of water or other utility service
  - (13) System emergencies
  - (14) Personnel and other policy revisions
  - (15) Property, liability and other insurance matters
  - (16) District electric power, telephone, internet and other utility services
  - (17) Leases and other contracts, including renewals, on matters under Agenda Item 4.d.
  - (18) Expenditures on matters under Agenda Item 4.d.
  - (19) Adoption, modification and use of District administrative procedures
  - (20) Disposal of district property
  - (21) Expense reimbursement requests
  - (22) Planned time off for Controller and General Manager
  - (23) Postings for and administration of the District's website
  - (24) Tank and other inspection items
  - (25) Other reports and updates

e. District Engineer

- (1) Storage/high pressure tank and other equipment orders
- (2) Development reviews  
Contacts with and responses to TCEQ and other agencies on regulatory compliance matters
- (3) Submission/approval and status of district construction projects
- (4) Compliance with GASB Standard No. 34
- (5) Developer/customer requests for water service
- (6) Implementation of Montgomery County groundwater reduction plan by San Jacinto River Authority, pursuant to regulatory plans of the HGSD and the Lone Star Groundwater Conservation District
- (7) Other reports and updates

- f. General Counsel (pursuant to Section 551.071, Texas Government Code, some reports may be given in executive session)
- (1) Questions or comments on minutes of prior meetings
  - (2) Actual and potential litigation matters
  - (3) Developer contacts and related matters, including requests to relinquish territory within the District's boundaries and certificates of convenience and necessity
  - (4) Contract matters, including performance of pending agreements, and Agenda Items No. 4, No. 5, No. 6, No. 10, No. 12, No. 14, No. 15, No. 16 and No. 17.
  - (5) Contacts with and responses to Texas Commission for Environmental Quality ("TCEQ"), Public Utility Commission, other agencies and interested parties, on regulatory compliance matters
  - (6) Customer contacts and related matters
  - (7) Contacts with and from public officials and others regarding District matters, including water well registrations, permit applications to and regulations of the Harris Galveston Subsidence District ("HGSD") and Lone Star Groundwater Conservation District ("LSGCD"), including water well permit renewal application by the Arbogate nursery to HGSD
  - (8) Information requests under the Texas Open Records Act.
  - (9) Issues pertaining to private water wells
  - (10) District Bylaws, Personnel and other District policy issues
  - (11) Real property acquisitions, including easements
  - (12) Interlocal and other agreements for water supplies and services with other political subdivisions
  - (13) Legislative matters
  - (14) Groundwater Reduction Plans to which the District is a party
  - (15) Reports on subjects requested by board of directors, including pending service contracts, SWIFT funding and opposition to LSGCD groundwater regulation policy, including lawsuit by City of Conroe, Quadvest, L.P. and other plaintiffs
5. Discussion and action on the following consent agenda items (subject to separate consideration at the request of one or more members).
- a. Approval of minutes of prior meetings
  - b. Approval of payroll and payments for professional services and other materials and services purchased in the ordinary course of business
  - c. Approval of monthly financial report
  - d. Approval of monthly investment reports
6. Discussion and action, as required, on authorization of construction and/or installation of improvements and/or repairs for facility projects, including prior authorizations of such projects and related expenditures by the President.
7. Discussion and action, as required, on water quality and water testing issues with the Texas Commission on Environmental Quality.

8. Discussion and action, as required, on application to Texas Public Utility Commission to modify the boundaries of the District's Certificate of Convenience and Necessity No. 10342.
9. Discussion and action, as required, on review of and/or revisions to the District's Rate Tariff and Order.
10. Discussion and action, as required, on options to provide water and sewer utility service and/or decertification request for area adjacent to FM 2920 and Decker Prairie-Rosehill Road, including joint development with private parties.
11. Discussion and action, as required, regarding District Director Election on May 6, 2017, including Certification of Unopposed Status of director candidates under Section 2.052, Texas Election Code, and Action on Certification under Section 2.053, Texas Election Code.
12. Discussion and action, as required, on identification and disposition of excess real properties.
13. Discussion and action, as required, on policy regarding electronic communications, including permissible use of cellular devices.
14. Discussion and action, as required, on possible appearance before Tomball City Council and possible agreement with City of Tomball to install interconnect and purchase and/or sell water regarding the Red Oak Terrace/McKinney Place utility site.
15. Discussion and action, as required, on Arbor Gate Nursery water well registration application to HGSD and possible participation by the District in any contested application.
16. Discussion and action, as required, on renewal of water supply agreement with Aqua Texas Utilities, Inc., for the Shady Acres Subdivision.
17. Discussion and action, as required, on possible Non-Standard Water Service Agreement for residential development adjacent to Sendera Lakes utility system.
18. Discussion of privileged legal matters and confidential real property, professional services, personnel and other matters as provided by Chapter 551, Subchapter D, Texas Government Code.
19. Discussion and action, as required, on matters discussed in executive session.
20. Action Item Review and follow up actions, as required.
21. Review of board actions taken.
22. Discussion and action, as required, on agenda, place, date and time for future meetings of the board of directors and its committees.
23. Adjournment.

*Patrick F. Timmons, Jr.*

Patrick F. Timmons, Jr., General Counsel  
HMW Special Utility District of Harris and Montgomery  
Counties

FILED

2017 MAR 13 PM 12:53

*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

**RECORDER'S MEMORANDUM:**

At the time of recordation, this Instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the Instrument was filed and recorded.