

MINUTES
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 167

March 20, 2024

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 167 of Harris County, Texas (the "District"), met in regular session on the 20th day of March, 2024, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Verneath Louise Hronas	President
Claudia Buentello	Vice President/Investment Officer
Juan Pablo Medrano	Secretary
Shirley Ann Dean	Assistant Vice President
Brad Yeaney	Assistant Secretary

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

Also present for all or part of the meeting in person were: Jonathan P. Morin of J.P. Morin Company, LLC ("J.P. Morin"); Robert Wempe of Pape-Dawson Engineers, Inc.; Jacob van Sant of van Sant Landscape Management; Chris Hoffman, Ryan Bennett, and Wes Alvey of H2O Consulting, Inc. ("H2O"); Brandon West of Touchstone District Services ("Touchstone"); Robert "Scott" Orr of Kingwood Pressuring Washing ("Kingwood"); Jennifer Abad of Municipal Accounts & Consulting, L.P. ("MAC"); Karen Sears of Storm Water Solutions, LLC ("SWS"); Sergeant Patrick Mikel of the Harris County Sheriff's Office ("HCSO"); Trevor Shuman of Today's Integration ("T.I."); and Sanjay Bapat and Whitney Lington of Allen Boone Humphries Robinson LLP ("ABHR").

STATEMENTS AND QUESTIONS FROM THE PUBLIC

There were no comments from the public.

SECURITY SERVICES MATTERS, INCLUDING REPORT FROM HCSO

Sergeant Mikel reported on security services in the District.

The Board discussed traffic concerns in the District and HCSO's visibility in the District.

SECURITY MONITORING MATTERS

Mr. Shuman reviewed a report on security monitoring prepared by T.I., a copy of which is attached.

Mr. Morin updated the Board on lighting at District facility sites.

The Board inquired about asset tagging of District property.

The Board discussed the dedication of the District's law enforcement building. The Board requested for J.P.Morin to prepare a proposal for a boulder and plaque to be placed at the District's law enforcement building.

GARBAGE COLLECTION AND RECYCLING MATTERS

There was no discussion on this agenda item.

REPORT ON GRAFFITI REMOVAL

Mr. Orr reviewed a report on graffiti removal in the District prepared by Kingwood, a copy of which is attached.

Mr. Orr presented four proposals from Kingwood: (i) pressure washing of the operator's building in the amount of \$475.00; (ii) pressure washing of the parking lot at the wastewater treatment plant in the amount of \$4,475.00; (iii) pressure washing of the basin located at the wastewater treatment plant in the amount of \$4,575.00; and (iv) pressure washing of the fence located at the wastewater treatment plant. Discussion ensued regarding additional repairs at the wastewater treatment plant.

The Board discussed the use of a tracking system to monitor graffiti locations in the District.

Following review and discussion, Director Hronas moved to approve four proposals from Kingwood: (i) pressure washing of the operator's building in the amount of \$475.00; (ii) pressure washing of the parking lot at the wastewater treatment plant in the amount of \$4,475.00; (iii) pressure washing of the basin located at the wastewater treatment plant in the amount of \$4,575.00; and (iv) pressure washing of the fence located at the wastewater treatment plant. Director Medrano seconded the motion, which passed unanimously.

DISTRICT WEBSITE MATTERS

Mr. West reviewed a communications and website analytics report, a copy of which is attached.

Mr. West updated the Board on posted website notices for the District's website. Discussion ensued regarding potential website notices for the District website.

FINANCIAL AND ACCOUNTING MATTERS

Ms. Abad reviewed the bookkeeper's report on the District's funds, the bills presented for payment, and the District's investments. A copy of the bookkeeper's report is attached.

Following review and discussion, Director Hronas moved to approve the bookkeeper's report, including the checks presented, and payment of the bills. Director Dean seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. James reviewed the monthly tax report, a copy of which is attached, reflecting that 96.01% of the District's 2023 taxes were collected as of February 29, 2024.

Following review of the invoices and corresponding checks, Director Hronas moved to approve the tax report and the checks drawn on the District's tax account. Director Dean seconded the motion, which passed unanimously.

REPORT REGARDING DEVELOPMENT

There was no discussion on this agenda item.

LANDSCAPING, PARK, AND RECREATIONAL FACILITIES MAINTENANCE MATTER

Mr. van Sant reviewed a report on maintenance of the landscaping and park facilities in the District, a copy of which is attached. Discussion ensued regarding the maintenance of District trees.

Mr. van Sant presented a proposal from vanSant in the amount of \$17,124.00 for the removal of dead plant material and replacement of plant material in the District. Discussion ensued regarding plant materials to be used for the replacement of dead planter material.

Mr. van Sant then presented a proposal from vanSant in the amount of \$220.00/month for 42 visits for maintenance of the Haven at Kieth Harrow detention pond.

Following review and discussion, Director Buentello made a motion to: (1) approve proposal from vanSant in the amount of \$17,124.00 for the removal of dead plant material and replacement of plant material in the District; and (2) approve proposal from vanSant in the amount of \$220.00/month for 42 visits for maintenance of the Haven at Kieth Harrow detention pond. Director Medrano seconded the motion, which passed unanimously.

PARK AND RECREATIONAL FACILITY MATTERS

The Board reviewed the landscape architect's report prepared by KGA/DeForest Design, LLC , a copy of which is attached.

UPDATE ON PRECINCT 4 CALL FOR PROJECTS

Mr. Bapat updated the Board on the Precinct 4 Call for Projects and stated the construction of sidewalks in the District are scheduled to begin in July. Discussion ensued regarding District projects for future Precinct 4 Call for Projects applications.

MAINTENANCE AND PERMITTING OF STORMWATER QUALITY FACILITIES, INCLUDING PROPOSALS FOR ADDITIONAL WORK

Ms. Sears reviewed the stormwater quality maintenance report prepared by SWS, a copy of which is attached.

The Board discussed the detention pond located at Brenwood South Section 1.

Ms. Sears reviewed two proposals to clean the stormwater quality features located at: (i) Plantation Lakes Section 5, Units 1 & 2 in the amount of \$7,800.00; and (ii) Plantation Lakes Section 14 in the amount of \$4,950.00, copies of which are included in the stormwater quality maintenance report.

Following review and discussion, Director Hronas moved to: (1) approve the stormwater quality maintenance report; and (2) approve the two proposals from SWS to clean the stormwater quality features located at: (i) Plantation Lakes Section 5, Units 1 & 2 in the amount of \$7,800.00; and (ii) Plantation Lakes Section 14 in the amount of \$4,950.00. Director Dean seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Wempe updated the Board on the status of engineering matters in the District.

Mr. Wempe updated the Board on the status of development in the Haven at Kieth Harrow. Mr. Wempe reviewed and recommended approval of Pay Estimate No. 7 and Final in the amount of \$35,071.60, submitted by Principal Services, LTD ("Principal"), for construction of water, sanitary sewer, and drainage facilities to serve the Haven at Kieth Harrow. Mr. Wempe then reviewed and recommended approval of Change Order No. 5 to decrease the contract in the amount of \$39,290.00 submitted by Principal, for construction of water, sanitary sewer, and drainage facilities to serve the Haven at Kieth Harrow. He stated that Change Order No. 5 is for unused materials. The Board determined that Change Order No. 5 is beneficial to the District.

The Board considered authorizing acceptance of a Special Warranty Deed from BC Haven at Keith Harrow, LLC ("BC Haven") to the District for the conveyance of Reserve D of Haven at Kieth Harrow.

Mr. Wempe discussed the next steps for transferring ownership of the detention pond located in the Haven at Kieth Harrow from BC Haven to the District. Mr. Bapat

presented a proposal from Berg Oliver Associates (“Berg Oliver”) in the amount of \$2,900.00 for a Phase I Environmental Site Assessment of the detention pond located in the Haven at Kieth Harrow.

Following review and discussion, Director Hronas moved to: (1) approve Pay Estimate No. 7 and Final in the amount of \$35,071.60, submitted by Principal for construction of water, sanitary sewer, and drainage facilities to serve the Haven at Kieth Harrow; (2) approve Change Order No. 5 to decrease the contract in the amount of \$39,290.00 submitted by Principal, for construction of water, sanitary sewer, and drainage facilities to serve the Haven at Kieth Harrow; (3) authorize execution of the Special Warranty Deed for the conveyance of Reserve D at Haven at Kieth Harrow; and (4) approve the proposal from Berg Oliver in the amount of \$2,900.00 for a Phase I Environmental Site Assessment of the detention pond located in the Haven at Kieth Harrow. Director Dean seconded the motion, which passed unanimously.

REVIEW EMERGENCY PREPAREDNESS PLAN (“EPP”) AND AUTHORIZE FILING OF UPDATES, IF NECESSARY

Mr. Bapat stated that the District’s consultants have reviewed the District’s EPP and no changes are recommended at this time.

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT FACILITIES AND AUTHORIZE ANNUAL FILING

Mr. Bapat reviewed the Critical Load Spreadsheet for the District’s facilities and stated that the District’s engineer, bookkeeper, and operator have reviewed the Critical Load Spreadsheet. Following review and discussion, Director Hronas moved to authorize the annual filing of the updated Critical Load Spreadsheet and direct that the Spreadsheet be filed appropriately and retained in the District’s official records. Director Dean seconded the motion, which passed by unanimous vote.

OPERATIONS REPORT

Mr. Hoffman presented the monthly operations report, a copy of which is attached. He reviewed routine maintenance and repair items on District facilities for the month, including the status of repairs previously approved by the Board.

Mr. Hoffman discussed the commercial meter testing report included in the operator’s report. Discussion ensued regarding the replacement of the irrigation and commercial meters in the District. Mr. Hoffman stated the cost to replace the irrigation and commercial meters in the District would be \$43,275.00.

Mr. Morin updated the Board on the replacement of blower no. 1 at the wastewater treatment plant.

Mr. Hoffman discussed required Texas Commission on Environmental Quality ("TCEQ") inspections of District facilities.

Mr. Hoffman discussed a water non-compliance notification received for February and actions H2O has taken in response to the water non-compliance notification.

Mr. Hoffman discussed ceiling repairs needed at the District's wastewater treatment plant. Mr. Hoffman presented a proposal from BC Inspection & Construction Services, LLC ("BC") in the amount of \$2,400.00 for ceiling repairs at the District's wastewater treatment plant.

Mr. Hoffman discussed the generator at the wastewater treatment plant. Mr. Hoffman stated the generator needs recoating. The Board requested for Mr. Hoffman to bring a proposal to the April meeting for the recoating of the generator.

Mr. Hoffman discussed the dry well pipe penetrations located at the District's wastewater treatment plant. Mr. Hoffman presented a proposal from Texas Hot Taps ("Hot Taps") in the amount of \$1,531.58 to seal the dry well pipe penetrations located at the District's wastewater treatment plant.

The Board discussed well production at water well no. 2.

Mr. Hoffman updated the Board on the status of the installation of the generator for water well no. 2 and water plant no. 2 and stated the generators have arrived and are scheduled for installation March 28. Discussion ensued regarding the insurance claim associated with the generator at water plant no. 2.

Mr. Hoffman discussed the potential installation of a sidewalk at water plant no. 2. Mr. Hoffman presented a proposal from Hot Taps in the amount of \$961.25 for the installation of a sidewalk at water plant no. 2. Discussion ensued. The Board requested for H2O to bring additional proposals for the installation of a sidewalk at water plant no. 2 to the next meeting.

Mr. Hoffman reported that water accountability for the month is 87.95% and discussed the two defined water service areas in the District.

Mr. Hoffman reviewed administrative annual reports for the District. Discussion ensued regarding budgeted capitol outlay expenditures.

Mr. Hoffman reviewed the punch list from the District tour on March 12.

Mr. Hoffman discussed needed fence repairs at the District's wastewater treatment plant. Mr. Hoffman presented a proposal from PEREA MASONARY, Inc. ("PEREA") in the amount of \$10,440.00 for fence repairs at the District's wastewater treatment plant. Discussion ensued.

Mr. Hoffman discussed a curb repair needed at water plant no. 1 and stated the estimated repair cost would be \$600.00.

Mr. Bapat stated that the TCEQ rules require that the District review and adopt an Amended and Restated Drought Contingency Plan in 2024, prior to May 1st. Mr. Hoffman reviewed an Amended and Restated Drought Contingency Plan with the Board.

Mr. Bapat stated that the TCEQ rules require that the District review and adopt an Amended and Restated Water Conservation Plan prior to May 1, 2024. Mr. Hoffman reported that H2O is finalizing the WCP annual report and will submit the report to the Texas Water Development Board ("TWDB") by the deadline of May 1, 2024.

Mr. Bapat reviewed the District's requirement for the operator to prepare the water loss audit and stated that all retail public water suppliers with more than 3,300 connections are required to submit a water loss audit to the TWBD every year.

Following review and discussion, Director Hronas moved to: (1) approve the operator's report; (2) authorize H2O to replace the irrigation and commercial meters in the District in the amount of \$43,275.00; (3) approve proposal from BC in the amount of \$2,400.00 for ceiling repairs at the District's wastewater treatment plant; (4) approve proposal from Hot Taps in the amount of \$1,531.58 to seal the dry well pipe penetrations located at the District's wastewater treatment plant; (5) authorize H2O to repair the curb located at water plant no. 1 for an estimated cost of \$600.00; (6) adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the District's official records; and (7) authorize H2O to prepare the District's water loss audit. Director Dean seconded the motion, which passed unanimously.

HEARING REGARDING TERMINATION OF WATER SERVICE

Mr. Hoffman reviewed the delinquent list. The Board conducted a hearing on the termination of utility service. Mr. Hoffman reported that the customers appearing on the termination list were given proper notice and an opportunity to explain, contest, or correct the utility service bills and show reason why utility service should not be terminated for reason of nonpayment. Following review and discussion, Director Hronas moved that because the customers on the termination list did not attend the meeting or present any written statement on the matter, water and sewer service for delinquent accounts should be terminated in accordance with the District's Rate Order, except for those customers who have entered into payment plans in accordance with the approved delinquent procedures. Director Dean seconded the motion, which passed unanimously.

WHCRWA MATTERS

Mr. Bapat updated the Board on the WHCRWA's chloramine conversion project.

The Board discussed land located along Medrano Trail and Rice Village.

2024 DIRECTORS ELECTION MATTERS

Mr. Bapat discussed procedures related to the 2024 Directors Election. He reviewed a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the agent of the Board Secretary stating that the District received three candidate applications for the three director positions for the May 4, 2024, Directors Election. Following review and discussion, Director Medrano moved to accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records. Director Dean seconded the motion, which passed unanimously.

Mr. Bapat presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office stating that the May 4, 2024, Directors Election is cancelled and that the unopposed candidates, Verneath Louise Hronas, Shirley Ann Dean and Brad Yeane, are declared elected to office to serve from the May 4, 2024, election until the May 6, 2028, Directors Election. Following review and discussion, Director Medrano moved to adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office and direct that the Order be filed appropriately and retained in the District's official records. Director Dean seconded the motion, which passed unanimously.

MINUTES

The Board considered approving the minutes of the February 21, 2024, regular meeting. Following review and discussion, Director Buentello moved to approve the minutes of the February 21, 2024, regular meeting. Director Medrano seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071

The Board did not convene in Executive Session.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

(SEAL)




Secretary, Board of Directors

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