

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 167

April 17, 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 17<sup>th</sup> day of April, 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 except Director Hronas, thus constituting a quorum.

Also present for all or part of the meeting in person were: Jordan Kirk of Davidson Homes; Jonathan P. Morin of J.P. Morin Company, LLC ("J.P. Morin"); Kyle van Sant of van Sant Landscape Management; Chris Hoffman, Donnice Hoffman, Ryan Bennett, and Wes Alvey of H2O Consulting, Inc. ("H2O"); Brandon West of Touchstone District Services ("Touchstone"); Brittany Keeswood of Assessments of the Southwest, Inc. ("ASW"); 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"); 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 inquired about the placement of the mobile camera unit.

SECURITY MONITORING MATTERS

The Board reviewed a report on security monitoring prepared by Today's Integration, a copy of which is attached.

## GARBAGE COLLECTION AND RECYCLING MATTERS

There was no discussion on this agenda item.

## REPORT ON GRAFFITI REMOVAL

There was no discussion on this agenda item.

## 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.

The Board discussed the dates and times of operation for the splash pad located at John Nimmo Park. Mr. Morin presented signage options for the splash pad and discussion ensued. Following review and discussion, Director Buentello moved to authorize J.P. Morin to prepare and post signage for the splash pad located at John Nimmo Park in an amount not to exceed \$1,000.00. Director Dean seconded the motion, which passed unanimously.

## 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.

Ms. Abad reviewed the quarterly investment report, a copy of which is included in the bookkeeper's report.

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

## BUDGET FOR FISCAL YEAR END MAY 31, 2025

Mr. Bapat reviewed the budget approval process with the Board.

Ms. Abad presented and reviewed a draft budget for the District's fiscal year ending May 31, 2025, a copy of which is attached to the bookkeeper's report.

The Board discussed projects funded by the District for Cypress-Fairbanks Independent School District. The Board then discussed the school project donations budget line-item.

Following review and discussion, Director Buentello 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. Keeswood reviewed the monthly tax report, a copy of which is attached, reflecting that 97.27% of the District's 2023 taxes were collected as of March 31, 2024.

Ms. Keeswood reviewed the delinquent tax report prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P ("Perdue"). A copy of the delinquent tax report is attached to the tax report. Ms. Keeswood stated Perdue recommends sending 56 accounts to the uncollectible tax roll.

Ms. Keeswood discussed a resident's request for a waiver of penalties and interest for a delinquent tax bill. Discussion ensued.

Following review of the invoices and corresponding checks, Director Buentello moved to: (1) approve the tax report and the checks drawn on the District's tax account; and (2) authorize Perdue to send 56 accounts to the uncollectible tax roll. Director Dean seconded the motion, which passed unanimously.

#### REPORT REGARDING DEVELOPMENT

Ms. Kirk updated the Board on the status of development in the Haven at Kieth Harrow.

#### 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.

Mr. van Sant updated the Board on the removal of dead plant material and replacement of plant material in the District.

The Board discussed the removal of 4 x 4 posts located in the Villages of Bear Creek and requested for vanSant to conduct a site visit to review locations of the 4 x4 posts.

#### PARK AND RECREATIONAL FACILITY MATTERS

Mr. Morin presented a proposal from J.P. Morin for a boulder and plaque to be placed at the District's law enforcement building in the amount of \$12,250.00. Discussion ensued regarding the proposed LED lighting for the boulder and wording to be used on the plaque. The Board requested for J.P. Morin to bring: (i) an updated proposal to exclude the LED lighting for the boulder and plaque to be placed at the District's law enforcement

building; and (ii) updated wording for the plaque to be placed at the District's law enforcement building to the next Board meeting.

Mr. Moring updated the Board on asset tagging of District property.

#### UPDATE ON PRECINCT 4 CALL FOR PROJECTS

There was no discussion on this agenda item.

#### 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.

Ms. Sears updated the Board on repairs to the detention pond located at Brenwood South Section 1.

Ms. Sears reviewed three proposals from SWS: (i) remove and replace damaged security bar located at the Ricewood Village Section 1 storm water quality feature in the amount of \$2,100.00; (ii) clean out the storm water quality feature located at Plantation Lakes Section 1 in the amount of \$3,450.00; and (iii) remove and replace damaged internal components of the storm water quality feature located at Westfield Ranch Section 1 in the amount of \$75,696.00, copies of which are included in the stormwater quality maintenance report. Discussion ensued regarding repairs for the storm water quality feature located at Westfield Ranch Section 1 and potential to file an insurance claim for the repairs.

Following review and discussion, Director Buentello moved to: (1) approve the stormwater quality maintenance report; and (2) approve the three proposals from SWS: (i) remove and replace damaged security bar located at the Ricewood Village Section 1 storm water quality feature in the amount of \$2,100.00; (ii) clean out the storm water quality feature located at Plantation Lakes Section 1 in the amount of \$3,450.00; and (iii) remove and replace damaged internal components of the storm water quality feature located at Westfield Ranch Section 1 in the amount of \$75,696.00, subject to the District's engineer's review and approval. Director Dean seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

There was no discussion on this agenda item.

#### ANNUAL REVIEW AND REPORT ON IDENTIFY THEFT PREVENTION PROGRAM

Mr. Bapat discussed the identity theft prevention program.

Mr. Hoffman presented the annual report on the identity theft prevention program, a copy of which is attached to the operator's report. He stated that there were no identity theft problems during the reporting period and there are no recommendations for revision of the program.

#### APPROVE CONSUMER CONFIDENCE REPORT ("CCR")

Mr. Hoffman discussed the District's upcoming 2023 CCR and requested Board approval to prepare the 2023 CCR. Following review and discussion, Director Buentello moved to authorize H2O to prepare the District's 2023 CCR. Director Dean seconded the motion, which passed unanimously.

#### 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 generator at the wastewater treatment plant. Mr. Hoffman presented a proposal from Preventive Services LP ("Preventive Services") for the coating of the generator located at the wastewater treatment plant in the amount of \$4,950.00. Discussion ensued.

Mr. Hoffman updated the Board on well production at water well no. 2 and stated Alsay Incorporated ("Alsay") has completed the televising of water well no. 2. Mr. Hoffman stated the estimated cost for repairs to water well no. 2 is \$353,762.00. Mr. Hoffman requested Board authorization for H2O to complete repairs for water well no. 2. The Board then considered adopting a Resolution Expressing Intent to Reimburse for the costs associated with repair work for 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. Discussion ensued regarding the insurance claim associated with the generator at water plant no. 2.

Mr. Morin discussed the 25HP Vaughan Chopper Pumps located at the District's lift stations. Mr. Morin presented a proposal from J.P. Morin for the purchase of two spare 25HP Vaughan Chopper Pumps in the amount of \$72,868.00. Discussion ensued regarding the 25HP Vaughan Chopper Pumps located at the District's lift stations. The Board requested for H2O to provide an additional proposal for the 25HP Vaughan Chopper Pumps and bring to the next Board meeting.

Mr. Hoffman reported that water accountability for the month is 89.38% and discussed the two defined water service areas in the District.

Mr. Hoffman stated there was a manhole overflow on Golden Wave. Mr. Hoffman stated H2O cleared the blockage and submitted the appropriate documentation to the Texas Commission on Environmental Quality (“TCEQ”).

Mr. Hoffman reviewed administrative annual reports for the District.

Mr. Bapat stated that the TCEQ rules require that the District review and adopt an Amended and Restated Water Conservation Plan (“WCP”) 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. Hoffman discussed a Rate Order analysis, a copy of which is included in the operator’s report. Discussion ensued regarding current water and sewer rates and potential adjustments to the District’s water and sewer rates. The Board concurred to discuss the matter further at the next Board meeting.

Following review and discussion, Director Buentello moved to: (1) approve the operator’s report; (2) approve proposal from Preventive Services for the coating of the generator located at the wastewater treatment plant in the amount of \$4,950.00; (3) authorize H2O to complete repairs for water well no. 2; (4) adopt the Resolution Expressing Intent to Reimburse and direct that the Resolution be filed appropriately and retained in the District’s official records; (5) authorize H2O to make the appropriate filings in connection with the five-year review of the implementation of the District’s WCP with the required agencies; and (6) adopt the Order Adopting Amended and Restated Water Conservation Plan. Director Dean seconded the motion, which passed unanimously.

#### HEARING REGARDING TERMINATION OF WATER SERVICE

Ms. Hoffman reviewed the delinquent list. The Board conducted a hearing on the termination of utility service. Ms. 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 Buentello 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

There was no discussion on this agenda item.

MINUTES

The Board considered approving the minutes of the March 12, 2024, special meeting and March 20, 2024, regular meeting. Following review and discussion, Director Buentello moved to approve the minutes of the March 12, 2024, special meeting and March 20, 2024, regular meeting. Director Dean 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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