

**MINUTES OF MEETING  
OF THE BOARD OF DIRECTORS**

**January 17, 2022**

**STATE OF TEXAS** §

**COUNTY OF HARRIS** §

**NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21** §

The Board of Directors (the “Board”) of **Northwest Harris County Municipal Utility District No. 21** (the “District”) met in regular session, open to the public, at 6330 West Loop South, Suite 150, Bellaire, Texas 77401, on Monday, January 17, 2022, whereupon roll was called of the members of the Board, to-wit:

Rand R. Wall	-	President
Bill Tallas	-	Vice President
Bruce Popper	-	Secretary
Andy Johnston	-	Assistant Secretary
Matthew Barton	-	Assistant Secretary

All members of the Board were present, except Director Barton, thus constituting a quorum.

Also present at the meeting were Jon Strange of JNS Consulting Engineers, Inc. (“JNS”); Howard Wilhite of H2O Innovation Operation and Maintenance, LLC (“H2O”), Operator for the District (“Operator”); Bradley Jenkins and Wesley Lay of Jones & Carter, Inc. (“J&C”), Engineer for the District (“Engineer”); Lina Loaiza of Bob Leared Interests (“BLI”), the District’s Tax Assessor/Collector (“TAC”); Christina Cole of Myrtle Cruz, Inc. (“MCI”), the District’s Bookkeeper (“Bookkeeper”); and John Cannon and Laken Jenkins Kilgore of Coats|Rose, P.C. (“Coats|Rose”), the District’s legal counsel.

Whereupon, the meeting was called to order in accordance with notice posted pursuant to Texas law, and the following action was conducted. A copy of the posted agenda notice is attached hereto as Exhibit “A.”

**HEAR FROM PUBLIC**

The Board noted that there were no members of the public wishing to address the Board.

## **TAX ASSESSOR/COLLECTOR'S REPORT**

The Board reviewed the TAC's Report and a list of delinquent tax accounts, copies of which are attached hereto as Exhibit "B." As of December 31, 2021, 21.586% of the 2021 tax levy has been collected.

Following a discussion of the report and the status of collection of delinquent taxes, upon a motion made by Director Popper, seconded by Director Johnston, the Board voted unanimously to approve the TAC's Report and the action items therein.

## **BOOKKEEPER'S REPORT**

The Board recognized Ms. Cole, who submitted to and reviewed with the Board the Bookkeeper's Report, including invoices for payment, a copy of which is attached hereto as Exhibit "C."

Following review and discussion and based on a motion by Director Popper, which was seconded by Director Tallas, the Board voted unanimously to approve the Bookkeeper's Report and invoices submitted for payment.

## **ATTORNEY'S REPORT**

### Minutes

The Board recognized Mr. Cannon, who presented minutes of the meeting held on December 20, 2021 previously distributed to the Board. Upon a motion made by Director Johnston and seconded by Director Tallas, the Board voted unanimously to approve the minutes of the meeting of December 20, 2021, as presented.

### Directors Election

The Board next considered adopting an Order Calling Directors Election and appointing Coats/Rose as agent for the election. Ms. Kilgore reviewed and discussed the process of calling an election and the circumstances by which the District may cancel such election if the candidates to be listed on the ballot are unopposed. She noted that if an election is held, the date of the election will be May 7, 2022, and pointed out that Directors Tallas, Johnston and Barton have terms expiring May, 2022.

Ms. Kilgore next explained that the Texas Election Code requires a political subdivision to have mandatory office hours during the period beginning not later than the 50th day before the date of the election and ending not earlier than the 40th day after Election Day. She continued that the Texas Election Code also provides that the political subdivision may appoint another officer or employee to serve as its agent to perform the duties required by the Texas Election Code.

Following review and discussion, and based on a motion by Director Johnston and seconded by Director Popper, the Board voted unanimously to adopt the Order Calling Directors Election and approve the appointment of Coats|Rose as agent for the election.

### **OPERATOR'S REPORT**

The Board recognized Mr. Wilhite, who presented the Operator's Report, a copy of which is attached hereto as Exhibit "D." Mr. Wilhite reported as follows:

- The District has a total of 86 connections;
- The combined billed consumption for the month was 13,947,545 gallons of water;
- There were no cut-offs; and
- Attached to the Operator's Report is a list of charges over \$500.

After discussion, upon a motion brought by Director Tallas, seconded by Director Johnston, the Board voted unanimously to approve the Operator's Report as presented.

### **ENGINEER'S REPORT**

The Board recognized Mr. Jenkins of Jones & Carter ("J&C"), who presented the Engineer's Report attached hereto as Exhibit "E."

- 10.78-Acre Torrey Chase Multifamily Development
  - J&C is coordinating with the developer's engineer to finalize the water meter easement and encroachment agreement.
- WWTP MCC & Blower Replacement
  - The plans were approved by the City of Houston in July 2021. The City of Houston approvals expire after one year. If the project is not bid and awarded before July 2022, the plans would have to be resubmitted to the City for approval.
  - J&C noted they are prepared to advertise and re-bid the project as soon as authorized by the Board. The cost to re-advertise and bid the project is approximately \$5,000.
  - The Board requested an engineer's estimate prior to authorizing re-advertisement for review at the next meeting.
- 2021 Sanitary Sewer Rehabilitation:
  - J&C completed the design of the sanitary sewer rehabilitation project and a copy of the final cost estimate is included in the Engineer's Report.
  - J&C requests authorization to proceed with public advertisement of the sanitary sewer rehabilitation project.
- Winter Plant Winterization
  - J&C updated the Board that water plant committee meeting was held on December 22, 2021 to discuss the water plant winterization items with Northwest Harris County MUD No. 22 ("MUD 22").


- The water plant committee also met January 4, 2022 at the water plant to further discuss the winterization project.
- A copy of the revised quote from Techstar for the weather enclosures for \$5,550 is included in the Engineer's Report and are scheduled to be installed this month.
- J&C is working with the H2O to develop a water plant winterization checklist and plan to discuss further at the next meeting.
- Electronic Submission of Bids
  - The Board considered approving a Resolution Adopting Rules for Submission of Electronic Bids in compliance with Section 49.2731 of the Texas Water Code (the "Resolution").
  - A copy of the Resolution is attached hereto as Exhibit "F."

After further discussion, upon a motion brought by Director Tallas, seconded by Director Johnston, the Board voted unanimously to approve the Engineer's Report and the action items therein, including the following: 1) authorization to proceed with public advertisement of the sanitary sewer rehabilitation project; 2) approval of the revised quote from Techstar for the weather enclosures for \$5,550; and 3) approval of the Resolution.

There being no further business to come before the Board, the meeting was adjourned.

*[execution page follows]*

PASSED, APPROVED and ADOPTED this 21<sup>st</sup> day of February, 2022.

  
Secretary, Board of Directors

(Seal)

