

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 183
Minutes of Meeting of Board of Directors
February 22, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 183 (the "District") met in regular session, open to the public on February 22, 2022, in accordance with the duly posted notice of public meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Rudy Alvarado, President
Anthony (Jerry) Langley, Vice President
Chad Vowell, Secretary
Robert Pollard, Assistant Secretary

all of whom were present, except Director Alvarado, thus constituting a quorum.

Also present was Chad Walker and Hieu Nguyen of Jones & Carter, Inc. ("J&C"); Charlie LaConti of Municipal Accounts & Consulting, L.P. ("MA&C"); Michelle Guerrero of Bob Leared Interests, Inc. ("Leared"); Matt Brown and Kyle Donham of Si Environmental, LLC ("SE"); Debbie Shelton of Masterson Advisors, LLC ("Masterson"); Daniel Mushen, a resident of the District; and Gina Free and Sabrina Johnston of Schwartz, Page & Harding, L.L.P. ("SPH").

Following the roll call, the Vice President called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board deferred consideration of public comments after noting that no members of the public requested to make any comments.

APPROVAL OF MINUTES

The Board considered approval of the minutes of the special Board meeting held on January 24, 2022 and the regular Board meeting held on January 25, 2022. Following discussion, the Board concurred to defer action on said minutes.

ACCEPTANCE OF QUALIFICATION STATEMENT, BOND, OATH OF OFFICE, AND AFFIDAVIT OF CURRENT DIRECTOR FOR DIRECTOR GASKAMP

The Board next considered the appointment of a Director to fill the vacancy on the Board. The Board considered the acceptance of the Bond, Qualification Statement of Elected Officer, Oath of Office and Affidavit of Current Director for Mr. Mushen. In that regard, Mr. Mushen presented his Bond, Qualification Statement of Elected Officer, and Affidavit of Current Director, and took his Oath of Office. After discussion on the matter, it was moved by Director Vowell, seconded by Director Langley and unanimously carried, that the Board approve said Bond, accept said Qualification Statement, Oath of Office and Affidavit of Current Director, and declare Daniel Mushen to be a duly appointed and qualified Director of the District.

ELECTION NOT TO DISCLOSE CERTAIN INFORMATION OF DIRECTOR

The Board next considered acceptance of the Election Not to Disclose Certain Information for Director Mushen. In that regard, Director Mushen presented his Election Not to Disclose Certain Information. It was then moved by Director Vowell, seconded by Director Langley and unanimously carried, that the Board accept said Election Not to Disclose Certain Information.

REORGANIZATION OF THE BOARD OF DIRECTORS AND ELECTION OF OFFICERS

The Board next considered the reorganization of the Board of Directors and the election of an Assistant Secretary.

The Vice President called for nominations for Assistant Secretary. Director Mushen was nominated for such office, and there being no further nominations for Assistant Secretary, the nominations were closed. The Vice President called for a vote, and upon motion made by Director Vowell, seconded by Director Powell, and unanimously carried, Director Mushen was elected Assistant Secretary of the Board and the District.

The Board concurred that all remaining Directors remain in the current officer positions.

DISTRICT REGISTRATION FORM

The Board next considered approving an updated District Registration Form for filing with the Texas Commission on Environmental Quality (the "TCEQ"). Ms. Free explained that, in accordance with the Texas Water Code, municipal utility districts are required to file names, mailing addresses, officer positions and terms of new directors with the TCEQ within thirty days (30) after an election or appointment. She advised that with the Board's approval, SPH will complete an updated District Registration Form to include Director Mushen's information and file same with the TCEQ. After further discussion of the matter, Director Vowell moved that the Board authorize SPH to complete an updated District Registration Form as discussed and file same with the TCEQ. Director Mushen seconded said motion, which unanimously carried.

LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Free reminded the Board that, pursuant to Chapter 176 of the Texas Local Government Code, the District is required to and does maintain a list of Local Government Officers, which includes the members of the Board and the District's Investment Officers in connection with conflict of interest disclosure requirements. After discussion on the matter, Director Vowell moved that the District update the District's list of Local Government Officers as required by law. Director Mushen seconded said motion, which unanimously carried.

OPEN GOVERNMENT TRAINING REQUIREMENTS

Ms. Free next discussed with Director Mushen the training requirements for public officials. Ms. Free advised that public officials, including directors of a municipal utility district, must complete separate training courses regarding the Texas Open Meetings Act ("OMA") and the Texas Public Information Act ("PIA"), within ninety (90) days of assuming the responsibilities of

their office. Ms. Free presented and reviewed with Director Mushen a Memorandum prepared by SPH which summarizes the training requirements. Ms. Free advised that the deadline for public officials to complete their training is the 90th day after they either take their Oath of Office or otherwise assume their responsibilities as a public official.

DISCUSSION OF CONFLICTS DISCLOSURE REPORTING REQUIREMENTS

Ms. Free next presented and discussed with Director Mushen a Memorandum and Questionnaire regarding conflicts of interest reporting requirements. Director Mushen completed the conflicts disclosure Questionnaire and provided same to SPH for the District's files.

BOOKKEEPER'S REPORT

Mr. LaConti presented and reviewed with the Board the Bookkeeper's Report, dated February 22, 2022, a copy of which is attached hereto as **Exhibit A**, including the disbursements presented for payment from the District's various accounts. Following review, Director Vowell moved that the Bookkeeper's Report be approved, and the disbursements identified therein be approved for payment, including check nos. 10194 through 10199, which were not included in the Report. Director Langley seconded said motion, which carried unanimously.

Mr. LaConti presented to and reviewed with the Board the Quarterly Investment Report for the reporting period ended December 31, 2021, a copy of which is included with **Exhibit A**. Upon review Director Vowell moved that the Quarterly Investment Report be approved and the District's Investment Officers be authorized to execute same on behalf of the Board and the District. Director Langley seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Guerrero reviewed the Tax Assessor-Collector's Report for the month of January 2022, a copy of which is attached hereto as **Exhibit B**, including the disbursements presented for payment from the District's Tax Account. After discussion, Director Vowell moved that the Tax Assessor-Collector's Report be approved and the disbursements identified in the Report be approved for payment from the District's Tax Account. Director Mushen seconded said motion, which carried unanimously.

DELINQUENT TAX COLLECTIONS ATTORNEY'S REPORT

The Board deferred consideration of a Delinquent Tax Collections Attorney's Report after noting that no report was received from Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

ENGINEER'S REPORT

Mr. Walker presented to and reviewed with the Board the Engineer's Report dated February 18, 2022, a copy of which is attached hereto as **Exhibit C**, relative to the status of various projects within the District.

Mr. Walker advised the Board of a variance request received from Texas Shaved Ice Express regarding the type of grease trap to be installed at said location.

Mr. Walker next reminded the Board of the utility commitment request received by the District from the Plaza at Barker to be located at 5240 Barker Cypress Road (the "Tract"). He further reminded the Board of the \$112,000 deposit requested by the District for the design and construction of a public sanitary sewer line extension necessary to serve the Tract. In connection therewith, he advised the Board of a request received from the owner of the Plaza at Barker to allow the developer to pay a reduced amount of \$37,000, which reduced amount would be paid in installments over a period of two years.

Following discussion, Director Vowell moved to (i) deny the variance request for a different grease trap at Texas Shaved Ice Express, and (ii) deny the request received for a reduced deposit for the public sanitary sewer line extension required to serve the Plaza at Barker. Director Mushen seconded said motion, which was unanimously carried.

RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE FOR CONSTRUCTION PROJECTS

The Board next considered the review of an annual survey of prevailing wage rates for construction projects and the adoption of a Resolution in connection therewith. In that regard, Ms. Free reported that SPH is recommending that the District adopt the updated United States Department of Labor ("DOL") wage rate scales for Harris County, Texas, as permitted under Section 2258.022 of the Government Code. After discussion on the matter, Director Vowell moved that the DOL wage rate scales for Harris County, Texas be adopted as the District's prevailing wage rate scales for construction projects, and that the Resolution Adopting Prevailing Wage Rate Scales for Construction Projects attached hereto as **Exhibit D**, be adopted by the Board. Director Powell seconded said motion, which unanimously carried.

CONSIDER ADOPTION OF RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2022 TAX YEAR

The Board next considered the Resolution Concerning Development District Status for 2022 Tax Year. Ms. Free reminded the Board that the taxing procedures applicable to a particular district will depend, in part, upon whether it is determined to be a "Developed District" pursuant to Texas Water Code Section 49.23602. Following discussion, the Board concurred to defer action on said matter at this time.

UTILITY COMMITMENT LETTERS

The Board next considered requests for utility commitment letters. It was determined that this matter was previously discussed during the Engineer's Report.

OPERATIONS AND MAINTENANCE REPORT

Mr. Brown presented to and reviewed with the Board the Operations and Maintenance Report for the month of January 2022, a copy of which is attached hereto as **Exhibit E**. Following

discussion, Director Vowell moved to authorize the termination of accounts in accordance with the District's Rate Order. Director Mushen seconded said motion, which carried unanimously.

SECURITY REPORT

Ms. Free presented the security report to the Board, a copy of which is attached hereto as **Exhibit F**.

DISCUSSION REGARDING THE PROPOSED ADMINISTRATIVE BUILDING

The Board next considered the proposed administrative building. In connection therewith, Ms. Free presented to and reviewed with the Board a summary of the revised Architect Agreement between the District and Martinez Architects, LP ("Martinez"), a copy of which is attached hereto as **Exhibit G**. Following discussion, the Board concurred to defer action concerning said Agreement at this time.

RENEWAL OF DISTRICT INSURANCE COVERAGES

The Board next considered the renewal of the District's insurance coverages which expire March 31, 2022. In that regard, the Board discussed the proposal received from the District's current insurance provider, Arthur J. Gallagher & Co. ("Gallagher"), a copy of which is attached hereto as **Exhibit H**. After discussion, Director Vowell moved that the proposal from Gallagher be accepted, and that the Vice President be authorized to execute the accepted proposal on behalf of the Board and the District. Director Langley seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Ms. Free advised that she had nothing further of a legal nature to discuss with the Board at this time.

COMMUNICATION WITH DISTRICT RESIDENTS

The Board next considered communication with the District's residents. Following discussion, the Board concurred to defer action on the matter at this time.

FUTURE AGENDA ITEMS

The Board next considered items to be placed on future agendas. In connection therewith, Ms. Free advised the Board that the District's EVO Report was received from Municipal Financial Services ("MFS") and that a representative of MFS would be at the Board's next meeting.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Vowell, seconded by Director Mushen, and unanimously carried, the meeting was adjourned.

(SEAL)

Secretary, Board of Directors

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Harris County Municipal Utility District No. 183
EXHIBITS
February 22, 2022

- Exhibit A Bookkeeper's Report
- Exhibit B Tax Assessor-Collector Report
- Exhibit C Engineer's Report
- Exhibit D Resolution Adopting Prevailing Wage Rate Scales for Construction Projects
- Exhibit E Operations and Maintenance Report
- Exhibit F Security Report
- Exhibit G Summary of Architect Agreement between the District and Martinez Architects, LP
- Exhibit H 2022-2023 Insurance Proposal

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