

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165

March 5, 2026

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 165 (the "District") met in regular session, open to the public, on the 5<sup>th</sup> day of March, 2026, 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:

Alan Bentson	President
David Molina	Vice President
Wayne Green	Secretary
Scott Nilsson	Assistant Secretary
Scott Barr	Assistant Vice President

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

Also attending the meeting were David Keel and Maurice Mullaly of DAC Services, Inc. ("DAC"); Patty Rodriguez of Bob Leared Interests, Inc. ("BLI"); Blake Dalton of Taylor Morrison of Texas, Inc. ("Taylor Morrison"); Chris Hoffman, Donnice Hoffman, and Wes Alvey of H2O Consulting, Inc. ("H2O"); Drew Anderson of Storm Water Solutions, LLC ("SWS"); Robert Oliver of SWA Group ("SWA"); Josh Wailes of Guideline Management Services ("Guideline"); Kelly Gard of KGA/DeForest Design, LLC ("KGA"); Kevin Berry of EEPB Company; Stephen Eustis of Robert W. Baird & Co. Incorporated ("Baird"); and Jessica Holoubek and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

Director Bentson offered any members of the public attending the meeting the opportunity to make a public comment.

There being no members of the public requesting to make public comments, the Board moved to the next agenda item.

MINUTES

The Board considered approving the minutes of February 5, 2026, regular meeting minutes. Following review and discussion, Director Molina moved to approve the minutes. Director Barr seconded the motion, which passed unanimously.

## 2026 DIRECTORS ELECTION

Ms. Holoubek presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received 3 candidate applications for the 3 director positions for the May 2, 2026, Directors Election.

Ms. Holoubek then presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 2, 2026, Directors Election is cancelled and that the unopposed candidates, David Molina, Scott Barr and Wayne Green, are declared elected to office from the May 2, 2026, election until the May 4, 2030, election. She reviewed the posting requirements for the Order Cancelling.

Following review and discussion, Director Molina moved to (1) 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; (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office, authorize the Secretary's agent to post the Order Cancelling, as required, direct that the Order Cancelling be filed appropriately and retained in the District's official records; and (3) authorize ABHR to post notice of the cancellation at the District's regular posting for agendas. Director Barr seconded the motion, which passed unanimously.

## GARBAGE/RECYCLING COLLECTION

There was no discussion for this agenda item.

## SECURITY REPORT

Director Bentson discussed security matters in the District.

## ARBITRAGE REBATE REPORT FOR SERIES 2020 REFUNDING BONDS

Ms. Holoubek next reviewed OmniCap Group LLC's arbitrage rebate and yield restriction calculation for the District's Series 2020 Refunding Bonds and said no rebate is due to the Internal Revenue Service.

## RENEW INSURANCE POLICY

The Board reviewed an insurance renewal proposal from McDonald & Wessendorff Insurance. Following review and discussion, upon a motion by Director Molina and a second by Director Barr, the Board voted unanimously to authorize renewal of the District's insurance policies through McDonald & Wessendorff

Insurance. The Board requested that a representative of McDonald & Wessendorff attend the next meeting.

#### FINANCIAL AND BOOKKEEPING MATTERS

Mr. Berry reviewed the bookkeeper's report and a budget to actual comparison of revenues and expenses and variances and the reconciliation of budget comparisons from previous bond anticipation notes and bond issues. Copies of the bookkeeper's report, investment report, and a list of bills presented for payment are attached.

Following review and discussion, Director Green moved to accept the bookkeeper's report and payment of the bills. Director Molina seconded the motion, which passed unanimously.

#### ANNUAL REPORT AND CONTINUING DISCLOSURE COMPLIANCE

Ms. Holoubek reviewed an Annual Report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the District's bond resolutions.

The Board reviewed the District's procedures for continuing disclosure compliance. Ms. Holoubek stated that no changes are required at this time.

Following review and discussion, Director Molina moved to approve the Annual Report, authorize the attorney to submit the District's updated financial and operating data in compliance with the continuing disclosure provisions contained in the bond resolutions, and direct that the Annual Report be filed appropriately and retained in the District's official records. Director Barr seconded the motion, which passed by unanimous vote.

#### REPORT ON REFUNDING BOND ISSUE

Mr. Eustis reviewed the results for the District's Series 2026 Refunding Bonds (the "Refunding Bonds").

#### SERIES 2026 UNLIMITED TAX BONDS

Mr. Eustis presented and reviewed the bids received for the sale of the District's \$17,900,000, Series 2026 Unlimited Tax Bonds (the "Bonds"). A summary of the bids received for the Bonds is attached. He stated that the low bid submitted by Northland Securities, Inc. with a net effective interest rate of 4.270551% was reviewed and all numbers checked, and everything was found to be correct and consistent with the conditions in the Notice of Sale. Mr. Eustis recommended that the District accept the bid of Northland Securities, Inc. for the Bonds as submitted. Following review and discussion, Director Molina made a motion to award the sale of the Bonds to Northland

Securities, Inc. with a net effective interest rate of 4.270551%. Director Barr seconded the motion, which carried unanimously.

The Board next considered adopting the Resolution Authorizing the Issuance of the District's Bonds (the "Resolution"). Ms. Holoubek presented and reviewed the proposed Resolution with the Board which included explanation that the documents set forth the terms and provisions of issuance and delivery of the Bonds, the payment of principal and interest over the life of the Bonds, and certain District covenants regarding continuing disclosure and the tax-exempt status of the Bonds. Following review and discussion, Director Molina made a motion to adopt the Resolution. Director Barr seconded the motion, which carried unanimously.

The Board next considered execution of the Paying Agent/Registrar Agreement with Zions Bancorporation, National Association, Houston, Texas ("Zions"). Ms. Holoubek reviewed the agreement and the provisions by which the paying agent/registrar will handle registration, transfer, and payment of the District's Bonds. Following review and discussion, Director Molina made a motion to approve the Paying Agent/Registrar Agreement. Director Barr seconded the motion, which carried unanimously.

The Board next considered approving the Official Statement for the Bonds. (Attorney) explained that the Preliminary Official Statement would be revised to reflect the terms of this sale, including the purchaser, interest rates, and debt service requirements. Following review and discussion, Director Barr made a motion to approve the Official Statement. Director Molina seconded the motion, which carried unanimously.

Ms. Holoubek presented and reviewed the Certificate Regarding Provision of Financial Advice certifying that ABHR has not provided financial advice to the Board concerning the issuance of the Bonds and that the Board has relied on the municipal advisor, Baird, for financial advice. Following review and discussion, Director Molina made a motion to approve the Certificate Regarding Provision of Financial Advice. Director Barr seconded the motion, which carried unanimously.

Ms. Holoubek next explained that there will be various documents related to delivery of the Bonds requiring execution by the directors prior to closing. She requested that the Board authorize the Board of Directors to execute documents necessary in connection with the transaction and authorize the District's attorney and financial advisor to take all necessary action to deliver the Bonds to the purchaser. Following review and discussion, Director Molina made a motion to authorize execution of documents related to the sale and delivery of the Bonds and authorize the District's attorney and financial advisor to take all necessary action to deliver the Bonds. Director Barr seconded the motion, which carried unanimously.

Ms. Holoubek reviewed an Amendment to the District's Information Form, which she stated reflects the updated total amount of bonds sold by the District, and will be filed with the TCEQ and recorded in the official property records of the Harris County Clerk. Following review and discussion, Director Molina made a motion to approve the Amendment to the Information Form and direct that it be filed with the TCEQ and the official property records of the Harris County Clerk. Director Barr seconded the motion, which carried unanimously.

#### TAX ASSESSMENT AND COLLECTIONS MATTERS AND DELINQUENT TAX COLLECTION

Ms. Rodriguez discussed the tax assessor/collector's report and delinquent tax report, copies of which are attached, reviewed the checks presented for payment from the tax account, reported taxable values for the District and defined areas within the boundaries of the District, reported regarding taxes collected to date and delinquent taxes from previous tax years and reviewed a taxpayer appeal.

Following discussion and review of the information provided by the District tax assessor collector, Director Molina moved to (1) accept the tax assessor/collector's report and authorize payment of the bills; and (2) approve the payment plan requested in the taxpayer appeal presented. Director Barr seconded the motion, which passed unanimously.

#### ENGAGE DELINQUENT TAX ATTORNEY (DEFINED AREA NO. 3)

The Board considered selecting an attorney to represent the District. Ms. Holoubek presented a proposed contract with ABHR to provide general counsel and bond counsel legal services to the District. She discussed the general counsel legal services that ABHR would perform for the District and stated ABHR would bill hourly for these services. Ms. Holoubek stated that ABHR also would act as bond counsel for the District and the firm would be paid a lump sum fee based on a percentage of the District's bonds, if and when issued. She discussed requirements related to contracts for legal services entered into by governmental entities, including contingent fee contracts for bond counsel legal services by the District. The Board reviewed the public notice that was provided regarding consideration of ABHR's contract for today's meeting, pursuant to Section 2254.1036, Texas Government Code. Ms. Holoubek presented a written Resolution Regarding Approval of Legal Services Contract (the "Resolution"). After review and consideration of matters related thereto, including the matters listed in Section 2254.1036(a)(1), Texas Government Code, Director Molina moved to (1) adopt the Resolution reflecting: (i) approval of the public notice provided pursuant to Section 2254.1036, Texas Government Code; (ii) adoption of the findings and determinations provided in the public notice as the findings and determinations of the Board; (iii) the Board's findings that the contents of the public notice and the timing and manner of the provision of the notice are in full compliance with Subchapter C,

Chapter 2254, Texas Government Code; (iv) the Board's finding that ABHR is a well-qualified law firm on the basis of demonstrated competence, qualifications, and experience; and (v) approval of the contract with ABHR for general counsel and bond counsel legal services; and (2) direct that the Resolution and the contract be filed appropriately and retained in the District's official records. Director Barr seconded the motion, which passed by unanimous vote.

### OPERATION OF DISTRICT FACILITIES

Mr. Alvey reported that 24 new residential taps were installed during the month of February 2026.

Ms. Alvey reported an increase in sludge hauling services with the District's current carrier. The Board concurred to continue with the current hauler but requested additional quotes from other carriers.

Mr. Alvey next discussed maintenance and operation of District facilities and recommended and requested authorization to make the following repair and replacements:

1. Replacement of the onsite lift station junction box at wastewater treatment plant no. 1 for an estimated cost of \$4,675;
2. Replacement of blower motor no. 4 at wastewater treatment plant no. 1 for an estimated cost of \$19,826;
3. Replacement of the voltage regular on generator no. 1 at wastewater treatment plant no. 1 for an estimated cost of \$2,889.96;
4. Repair of blower motor no. 2 on the digester at the wastewater treatment plant no. 1 for an estimated cost of \$6,970;
5. Replacement of pole lights at water plant no. 4 for an estimated cost of \$3,450;
6. Replacement of wall pack lights at water plant no. 5 for an estimated cost of \$2,600; and
7. Replacement of life pump no. 1 check valve at lift station no. 1 for an estimated cost of \$5,860.

Mr. Alvey next reviewed customer appeals.

Ms. Hoffman next presented a list of delinquent customers and reported the residents on the termination list were delinquent in payment of their water and sewer bills or taxes and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment.

Following review and discussion, Director Barr moved to (1) approve the District operator's report; (2) approve the repairs, as recommended and presented; and (3) approve the customer appeals, as presented, for accounts nos. 80088 and 78782 in accordance with the District's Rate Order and policies. Director Green seconded the motion, which passed unanimously.

The Board took no action on the customer appeal submitted for account no. 54965.

#### CRITICAL LOAD SPREADSHEET AND AUTHORIZE ANNUAL FILING AND WATER LOSS AUDIT

The Board reviewed the District's critical load spreadsheet, which had been previously provided to the District's operator, engineer, and bookkeeper for review. A copy of the critical load spreadsheet is attached. Ms. Holoubek noted that the critical load information on the District's facilities is required to be reviewed at least annually and provided to certain entities, which include the District's electricity provider, the Public Utility Commission, and other governmental entities.

Ms. Holoubek stated that all retail public water suppliers are required to submit to the Texas Water Development Board a water loss audit once every five years. She said the next scheduled audit is for the year 2025 and is due by May 1, 2026.

Following review and discussion, Director Green moved to (1) approve the critical load spreadsheet, authorize providing it to the appropriate entities, and direct that a copy be retained in the District's official records; and (2) approve the Water Loss Audit, direct that the audit be filed appropriately and retained in the District's official records, and authorize the District's Operator to submit the audit to the Texas Water Development Board. Director Barr seconded the motion, which passed by unanimous vote.

#### REPORT FROM STORM WATER SOLUTIONS

Mr. Anderson reviewed a Storm Water Management Program report, a copy of which is attached, provided an update regarding the District's asset management plan and permitting of District facilities and reviewed the following proposals:

1. Proposal for cleanout of Storm Unit CDS4045 and CDS 4040 for an estimated amount of \$7,810.

Following review and discussion, Director Molina moved to (1) approve the Storm Water Management Program report; and (2) approve the proposal as discussed and presented. Director Barr seconded the motion, which passed unanimously.

## PARK MAINTENANCE

Mr. Wailes reviewed a park and landscape management report, a copy of which is attached, and recommended the following improvements:

1. Replacement of a broken light fixture in Amhurst Park for an estimated amount of \$3,151;
2. Treat and repaint rust on swings at Amhurst Park for an estimated cost of \$368;
3. Repair of lighting at Tealbrook Park for an estimated cost of \$750.95;
4. Treat and repaint rust on swings at Remington Grove Park for an estimated cost of \$368;
5. Repair of lighting at Lancaster Park for an estimated cost of \$558;
6. Conduit repair at Windhaven Park for an estimated cost of \$288; and
7. Repair of erosion at Windhaven Park for an estimated cost of \$781.58.

The Board next discussed correspondence from the Yaupon Ranch Homeowner's Association requesting that the Board consider modernizing park equipment in the Yaupon Ranch Park. Following discussion, the Board concurred to authorize Guidelines to bring proposals to the April meeting.

Following review and discussion, Director Barr moved to approve the park and landscape management report and approve the proposals with the exception of replacement of a broken light fixture in Amhurst Park for an estimated amount of \$3,151. Director Green seconded the motion, which passed unanimously.

## KGA/DEFOREST DESIGN, LLC REPORT

Mr. Gard reviewed a report from KGA, a copy of which is attached to these minutes.

Mr. Gard discussed the status of Mason Woods Phase 4 Landscape Improvements and recommended that the Board approve Pay Application No. 4 in the amount of \$233,220.04, payable to Strickscapes.

Mr. Gard reported the status of construction of Bridge Creek Section 10 Landscape Improvements and recommended that the Board approve Pay Application No. 6 in the amount of \$0.0 and Pay Estimates No. 7 and Final in the amount of \$18,903.49, both payable to Triple E and Change Order No. 3 deducting \$1,900 from the contract total as a credit for overseeding. The Board determined that the change order is beneficial to the District.

Mr. Gard reported the status of construction of Bridge Creek Section 11 Landscape Improvements and recommended that the Board approve Pay Application

No. 7 in the amount of \$9,846.95 and Pay Application No. 8 and Final in the amount of \$49,842.47, both payable to Strickscapes.

After review and discussion, Director Barr moved to (1) accept the landscape architect report from KGA; (2) upon the recommendation of KGA, approve the pay estimates above; and (3) upon finding that the proposed change orders are beneficial to the District, approve the change orders above. Director Green seconded the motion, which was passed by unanimous vote.

#### SWA GROUP REPORT

Mr. Oliver reviewed a landscape architect report, a copy of which is attached.

Mr. Oliver reported the status of construction of the Avalon at Cypress West - Recreation Center and recommended that the Board approve Pay Estimate No. 4 in the amount of \$102,025.98, payable to D.L. Meacham.

Mr. Oliver reported the status of construction of landscaping improvements to serve Avalon at Cypress, Sections 10 and 12 and recommended that the Board approve Pay Estimate No. 4 in the amount of \$81,632.10, payable to Houston Landscapes Unlimited.

Following review and discussion, Director Barr moved to (1) approve SWA's report; and (2) approve the pay estimate presented, based upon the recommendation of SWA. Director Green seconded the motion, which passed unanimously.

#### EMERGENCY PREPAREDNESS PLAN

Ms. Holoubek said retail and wholesale water suppliers with residential customers must prepare and submit to the Texas Commission on Environmental Quality ("TCEQ") an emergency preparedness plan demonstrating the ability to operate their water system at a certain water pressure during an extended power outage, along with a timeline for implementing the plan. Ms. Milbauer noted that the District's operator and engineer are reviewing the Emergency Preparedness Plan and may have changes. Following review and discussion, Director Barr moved to authorize the District's consultants to make the changes necessary and file an updated plan with the TCEQ. Director Green seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Mr. Mullaly reviewed an engineering report, a copy of which is attached.

Mr. Mullaly reviewed bids for construction of the Grand Mason Public Storm Sewer and recommended that the Board award the contract to the lowest and most

qualified bidder, Unitas Construction (“Unitas”), in the amount of \$577,397.10. The Board concurred that, in its judgment, Unitas is a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the projects discussed above.

Mr. Mullaly next reported the status of construction projects in the District and presented the following pay applications and change orders:

1. Bridge Creek Village Section 1, water, sewer, drainage, and paving; Pay Estimate No. 4 in the amount of \$160,395.84, payable to Texas KB Utilities;
2. Grand Mason Detention Phase 4; Pay Estimate No. 8 in the amount of \$1,454,971.59, payable to Lonnie Lischka Company;
3. Grand Mason Section 9, water, sewer, drainage and paving; Pay Estimate No. 3 in the amount of \$1,069.907, payable to Allgood Construction Company;
4. Grand Mason Section 10, water, sewer, drainage, and paving; Pay Estimate No. 4 in the amount of \$774,569.99, payable to Allgood Construction Company;
5. Grand Mason, Mason Road Street Dedication Section 5 water, sewer, drainage and paving; Pay Estimate No. 1 in the amount of \$1,792,910.97, payable to Unitas;
6. Grand Mason, Mason Woods Road Street Dedication Storm Sewer and Paving; Pay Estimate No. 1 in the amount of \$114,048.54, payable to Harris Construction;
7. Lift Station No. 18; Pay Estimate No. 1 in the amount of \$92,165.40, payable to M7 Land Development;
8. Wastewater Treatment Plant 2, Phase II: Pay Estimate No. 2 in the amount of \$56,880.94, payable to RP Constructors; and Change Order No. 1 removing \$15,778 from the contract total (removal of a valve in the chlorination basin);
9. Stream and Wetlands Restoration Langham Creek Channel - Plantings; Change Order No. 1 reducing the District’s contract total with RES by \$34,608.26 (quantity offset);
10. Emergency Generator at Lift Station No. 13; Pay Estimate No. 3 in the amount of \$125,410.50, payable to McDonald Municipal; and
11. Lift Station No. 19: Change Order No. 1 adding \$22,564.20 to the District’s contract with Gael, Inc. for spoil removal from the project site.

Following review and discussion, Director Barr moved to (1) approve the engineering report; (2) authorize advertisement for construction of the public storm sewer in Grand Mason and water, sewer and drainage to serve Bridge Creek Village Section 2; (3) award contracts as recommended above, based upon the recommendation of Quiddity, BGE and DAC; (4) based upon the recommendation of Quiddity, BGE and DAC, approve pay estimates listed above; and (5) authorize an overall traffic study for

the corner of West Road and Mason Road. Director Green seconded the motion, which passed unanimously.

UPDATE ON BOND APPLICATION AND USE OF SURPLUS FUNDS

There was no discussion for this agenda item.

CAPITAL IMPROVEMENT PLAN

There was no discussion for this agenda item.

DEEDS, EASEMENTS, ENCROACHMENTS AND OTHER RIGHT OF WAY CROSSINGS

The Board considered accepting a Storm Sewer Easement (0.6656 acre, 0.9088 acre) conveyed by Landmark Industries, LLC. Following review and discussion, Director Barr moved to accept the easement. Director Green seconded the motion, which passed unanimously.

DEVELOPER'S REPORT

Mr. Dalton regarding development in the District.

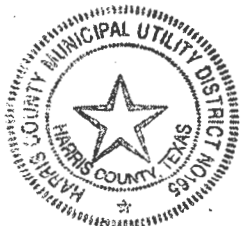
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

There was no discussion for this agenda item.

NEXT MEETING DATE AND AGENDA ITEMS

The Board concurred to meet next on Thursday, April 2, 2026.

There being no additional business to consider, the meeting was adjourned.



A handwritten signature in black ink, appearing to be "J. Barr", written over a horizontal line.

Secretary, Board of Directors

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