

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166  
Minutes of Meeting of Board of Directors  
March 18, 2022

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 166 (the "District") met in regular session, open to the public on March 18, 2022, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Richard Love, President  
Nano Cox, Vice President  
Bill Grzanka, Secretary  
Lisa Mendel, Assistant Secretary  
Thomas C. Knickerbocker, Assistant Secretary

all of whom were present at the meeting, with the exception of Directors Love and Mendel, thus constituting a quorum.

Also attending the meeting were Mirna Bonilla-Odums, Mark Nelson, and Sylvia Pizano of Inframark, LLC ("Inframark"); Odett Newman of Bob Leared Interests, Inc. ("Bob Leared"); Jason Hajduk and Eve Blakemoore of IDS Engineering Group ("IDS"); Ravi Patel of Municipal Accounts & Consulting, L.P. ("MA&C"); Travis Benes of Storm Water Solutions, L.P. ("SWS"); Brian Williams of Pulte Homes of Texas, L.P. ("Pulte"); Barbara Nussa of Republic Services, Inc. ("Republic"); and Matthew Reed, Eric Lai, and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

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 began by opening the meeting for public comments. There being no members of the public present, the Board continued to the next item of business.

### **MINUTES**

The Board considered the minutes of its meeting held on February 18, 2022. After discussion, Director Cox moved that the minutes of the February 18, 2022, Board meeting be approved, as written. Director Grzanka seconded the motion, which unanimously carried.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Newman presented to and reviewed with the Board the tax assessor-collector report for the month of February 2022, including the disbursements presented therein for payment from the District's tax account. A copy of the report is attached hereto as **Exhibit A**. After discussion,

Director Grzanka moved that the tax assessor-collector report be approved and that the disbursements identified in the report be authorized for payment from the District's tax account. Director Cox seconded said motion, which unanimously carried.

### **DELINQUENT TAX COLLECTIONS ATTORNEYS' REPORT**

Mr. Reed next presented the District's delinquent tax report dated March 18, 2022, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., a copy of which is attached as **Exhibit B**, and noted that no action was required on the matter at this time.

### **BOOKKEEPER'S REPORT**

Mr. Patel then presented to and reviewed with the Board the bookkeeper's report, dated March 18, 2022, including the disbursements presented for payment. A copy of the report is attached hereto as **Exhibit C**. Following discussion, it was moved by Director Grzanka that the bookkeeper's report be approved, and that the disbursements identified in the report be approved for payment, with the exception of check nos. 7104 and 7106, which were voided. Director Knickerbocker seconded the motion, which unanimously carried.

### **UNCLAIMED PROPERTY REPORT**

As the next order of business, the Board considered authorizing the District's consultants to research unclaimed property and to authorize MA&C to prepare an Unclaimed Property Report as of March 1, 2022. After discussion, Director Grzanka moved that the District's Operator, Tax Assessor-Collector and Bookkeeper be authorized to research their records to determine whether or not there is any unclaimed property for the appropriate period and that the District's bookkeeper be authorized to prepare an unclaimed property report, if necessary, for the Board's consideration, approval and filing with the State Comptroller prior to July 1, 2022. Director Knickerbocker seconded said motion, which unanimously carried.

### **CONTINUING DISCLOSURE REPORT**

The Board deferred review of the continuing disclosure report, until the next meeting.

### **ENGINEERING REPORT**

Mr. Hajduk next presented to and reviewed with the Board the Engineering Report prepared by IDS relative to the status of various projects within the District, a copy of which report is attached hereto as **Exhibit D**. With regard to the construction of the new wastewater treatment plant, Mr. Hajduk advised that the District is in receipt of Pay Estimate No. 8 from R&B Group, Inc. in the amount of \$275,310.00, and that IDS recommends the Board approve the payment of same. Following discussion, Director Cox moved that the District approve the payment of said pay estimate, as recommended by IDS, subject to receipt by the District of releases of liens from the subcontractors. Director Grzanka seconded the motion, which unanimously carried.

## SURPLUS FUNDS APPLICATION

The Board deferred adoption of a Resolution Authorizing Application to the Texas Commission on Environmental Quality Requesting Approval for Use of Surplus Funds and Interest Earned on Construction Funds until a future meeting.

## ISSUANCE OF UTILITY COMMITMENTS

The Board deferred the approval of utility commitment requests until a future meeting as no requests had been received.

## MAINTENANCE OF DETENTION AND DRAINAGE FACILITIES

Mr. Benes next addressed the Board on behalf of SWS and presented a Drainage Facilities Report (the "Report"), a copy of which is attached hereto as **Exhibit E**, regarding maintenance of the District's detention and drainage facilities. He then proposed an increase in fees and costs for work done in 2022 due to rises in costs related to fertilizer, seeding, diesel, and labor, as outlined on the Report. Following discussion, Director Knickerbocker moved that the Board approve the increases in costs, as discussed. Director Cox seconded the motion, which unanimously carried.

## OPERATIONS AND MAINTENANCE REPORT

Ms. Bonilla-Odums presented to and reviewed with the Board the Operations and Maintenance Report for the month of February 2022, a copy of which report is attached hereto as **Exhibit F**.

Ms. Bonilla-Odums requested that Inframark be authorized to transfer four (4) delinquent accounts listed on the Operations and Maintenance Report totaling \$735.29 to Collections Unlimited for collection purposes. After discussion on the matter, Director Knickerbocker moved that the Board authorize Inframark to transfer said accounts as listed on Inframark's report to Collections Unlimited for collection purposes. Director Grzanka seconded the motion, which unanimously carried.

Ms. Bonilla-Odums next requested that Inframark be authorized to write off a delinquent account listed on the Operations and Maintenance Report as uncollectible totaling \$5.60. After discussion on the matter, Director Knickerbocker moved that the Board authorize Inframark to deem said account as uncollectible. Director Grzanka seconded the motion, which unanimously carried.

A discussion ensued regarding builder damage claims listed on page three (3) of the Operations and Maintenance Report. The Board requested that Inframark send the accounts of Shaw Drilling, LLC and Southmoore Cable, Inc. to collections.

A discussion ensued regarding preparation and filing of an Annual Implementation Report regarding the District's Water Conservation Plan with the Texas Water Development Board ("TWDB"). Following discussion, Director Knickerbocker moved that Inframark be authorized

to prepare and file the report with the TWDB prior to the applicable deadline. Director Grzanka seconded the motion, which unanimously carried.

Mr. Reed next reported that Section 13.1396, Texas Water Code, requires that a district must annually submit to each electric distribution utility and each retail electric utility provider, on forms reasonably required by each entity, its facilities which qualify for critical load status and various emergency contact information, in lieu of providing such information to the county judge of each county in which the district has critical load facilities. After discussion on the matter, Director Knickerbocker moved that the District's operator and/or engineer be authorized to make such filing on behalf of the District. Director Grzanka seconded the motion, which carried unanimously.

### **REPORT BY REPUBLIC SERVICES, INC.**

Ms. Nussa presented a verbal report to the Board in connection with services provided to the District by Republic. No action was taken by the Board at this time.

### **DEVELOPERS' REPORTS**

The Board next considered the developers' reports. In that regard, Mr. Williams provided the Board with an update regarding development within the District by Pulte.

### **ATTORNEY'S REPORT**

The Board next considered the attorney's report. Mr. Reed advised that he had nothing to report regarding legal matters other than those items which were previously addressed in the meeting.

### **EXECUTIVE SESSION**

The Board determined it would not be necessary to enter into Closed Session pursuant to Texas Government Code, Section 551.071.

### **SUPPLEMENTAL AGENDA**

The Board considered cancellation of the Directors Election called for May 7, 2022. Mr. Reed advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 22, 2022. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed. Mr. Reed then presented and reviewed the Order Declaring Candidates Elected, attached hereto as **Exhibit G**. After discussion, Director Knickerbocker moved that the Order be adopted by the Board declaring Tom Knickerbocker, Bill Grzanka, and Nano Cox elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the Vice President be authorized to execute and the Secretary to attest same on behalf of the Board and the

District, and that the Directors Election called for May 7, 2022, be cancelled. Director Grzanka seconded said motion, which unanimously carried.

**FUTURE AGENDA ITEMS**

The Board next considered items for placement on future agendas. No specific agenda items, other than routine and ongoing matters, were requested.

**ADJOURNMENT**

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

  
Secretary

LIST OF EXHIBITS TO MINUTES

- Exhibit A Tax Assessor Collector's Report
- Exhibit B Delinquent Tax Report
- Exhibit C Bookkeeper's Report
- Exhibit D Engineering Report
- Exhibit E Drainage Facilities Report
- Exhibit F Operation and Maintenance Report
- Exhibit G Order Declaring Candidates Elected