

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166
Minutes of Meeting of Board of Directors
November 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 November 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 Director Mendel, thus constituting a quorum.

Also attending the meeting were Mirna Bonilla-Odums of Inframark, LLC ("Inframark"); Odett Newman of Bob Leared Interests, Inc. ("BLI"); Eve Blakemore of IDS Engineering Group ("IDS"); Ravi Patel and Maxwell Lockhart of Municipal Accounts & Consulting, L.P. ("MA&C"); Barbara Nussa of Republic Services, Inc. ("Republic"); and Eric Lai and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

The 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 October 21, 2022. A revision was noted to page two (2) of said minutes. After discussion, Director Grzanka moved that the minutes of the October 21, 2022, Board meeting be approved, as revised. Director Cox 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 October 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 Cox 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 Grzanka seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS ATTORNEYS' REPORT

The Board deferred review of the delinquent tax collections attorneys' report after noting that said report is presented on a quarterly basis, and that no report had been prepared for this Board meeting.

BOOKKEEPER'S REPORT

Mr. Patel then presented to and reviewed with the Board the Bookkeeper's Report, dated November 18, 2022, including the disbursements presented for payment. A copy of the report is attached hereto as **Exhibit B**. Following discussion, it was moved by Director Knickerbocker that the Bookkeeper's Report be approved, and that the disbursements identified in the report be approved for payment, with the exception of check no. 7258, which was voided. Director Cox seconded the motion, which unanimously carried.

Mr. Patel additionally presented to and reviewed with the Board a Quarterly Investment Inventory Report (the "Quarterly Report") for the period ending September 30, 2022, a copy of which is included with **Exhibit B**. After further discussion of the Report and upon motion duly made by Director Knickerbocker, seconded by Director Cox and unanimously carried, the Quarterly Report was approved and the District's Investment Officer was authorized to execute same on behalf of the Board and the District.

ENGINEERING REPORT

Ms. Blakemore 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 C**. With regard to the construction of the new wastewater treatment plant, Ms. Blakemore advised that the District is in receipt of Pay Estimate No. 14 from R&B Group, Inc. in the amount of \$193,302, and that IDS recommends the Board approve the payment of same. Following discussion, Director Grzanka moved that the District approve the payment of said pay estimate, as recommended by IDS. Director Cox seconded the motion, which unanimously carried.

ISSUANCE OF UTILITY COMMITMENTS

The Board deferred the approval of utility commitment requests at this time.

MAINTENANCE OF DETENTION AND DRAINAGE FACILITIES

The Board deferred review of a proposal for maintenance of detention and drainage facilities until the next meeting.

OPERATIONS AND MAINTENANCE REPORT

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

A discussion ensued regarding termination of water service to those customers who may be delinquent prior to the Thanksgiving holiday. Following discussion, Director Grzanka moved that Inframark be authorized to delay termination of water service to November 28, 2022, for those customers who may become delinquent in November. Director Knickerbocker seconded the motion, which unanimously carried.

Ms. Bonilla-Odums requested that Inframark be authorized to transfer four (4) delinquent accounts listed on the Operations and Maintenance Report totaling \$459.94 to Collections Unlimited for collection purposes. After discussion on the matter, Director Grzanka moved that the Board authorize Inframark to transfer said accounts as listed on Inframark's report to Collections Unlimited for collection purposes. Director Knickerbocker seconded the motion, which unanimously carried.

APPROVAL OF ELECTRONIC LOCKBOX PAYMENT SERVICES

Ms. Bonilla-Odums next informed the Board that Inframark is moving its Electronic Lock Box (ELB) payment program from AVR (its internal billing software company) to Central Bank. She noted that: (i) Inframark will be retaining in place their existing agreements with T-Tech (for ACH payments) and Pace Payment Systems (for credit/debit card payments); (ii) the Central Bank ELB program will be adding an additional option for the customer to make a "checkless" payment using their own bank's online bill payment system; and (iii) there are no fees payable by the District under the Central Bank ELB program other than a \$7.50 returned payment/NSF fee which would be passed through by District to the customer under the District's Rate Order.

Ms. Bonilla-Odums then presented to and reviewed with the Board a Processing Agreement between Central Bank and the District, a Resolution Approving Central Bank's Electronic Lockbox Payment Services for District Customers, and an Addendum to Operator Service Agreement by and between the District and Inframark (collectively, the "Program Enrollment Documents") and asked the Board to consider approving the Program Enrollment Documents, and authorizing the President to execute same on behalf of the Board and the District. After discussion, Director Grzanka moved to (i) approve the Program Enrollment Documents as presented, (ii) authorize the President to execute same on behalf of the Board and the District, and (iii) authorize SPH to accept and acknowledge the Texas Ethics Commission Form 1295s from Central Bank and Inframark. Director Knickerbocker seconded the motion, which carried unanimously. Copies of the Program Enrollment Documents are attached hereto as **Exhibit E**.

SENATE BILL 3; AMENDMENT OF DISTRICT'S RATE ORDER

The Board deferred consideration of a Memorandum on implementation of Public Utility Commission of Texas rules related to Senate Bill 3, and amendment of the District's Rate Order relative to same, until the next meeting.

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. It was noted that no developers were present at the meeting.

EMINENT DOMAIN

Mr. Lai advised the Board that Chapter 2206 of the Texas Government Code requires each public and private entity in the State of Texas authorized to exercise the power of eminent domain to file a report with the Comptroller before February 1 of each year. Following discussion on the matter, Director Cox moved that SPH be authorized to prepare and file the required eminent domain report with the Comptroller prior to February 1, 2023. Director Grzanka seconded the motion, which passed unanimously.

ATTORNEY'S REPORT

The Board next considered the attorney's report. Mr. Lai 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.

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 Cox and unanimously carried, the meeting was adjourned.


Secretary

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LIST OF EXHIBITS TO MINUTES

- Exhibit A Tax Assessor Collector's Report
- Exhibit B Bookkeeping Report
- Exhibit C Engineering Report
- Exhibit D Operations and Maintenance Report
- Exhibit E Central Bank ELB Program Enrollment Documents