

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166
Minutes of Meeting of Board of Directors
March 17, 2023

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 17, 2023, 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"); Kennedy Vo of KBN, LLC ("KBN"), who entered later in the meeting as noted herein; 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 February 17, 2023. After discussion, Director Grzanka moved that the minutes of the February 17, 2023, Board meeting be approved, as written. Director Cox seconded the motion, which unanimously carried.

CONTINUING DISCLOSURE REPORT

Mr. Lai advised that McCall, Parkhurst & Horton, LLP, the District's disclosure counsel, prepared and filed the District's continuing disclosure report prior to the March 31, 2023, deadline.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Newman presented to and reviewed with the Board the tax assessor-collector report for the month of February 2023, 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.

Ms. Newman next presented for the Board's consideration a request for an installment payment plan with the District for payment of 2022 delinquent taxes in the total amount of \$1,904.97, plus penalty and interest charges. She advised that the taxpayer is currently on a payment plan for delinquent 2021 taxes. The Board concurred that BLI be authorized to request that the taxpayer pay the balance of the 2021 taxes by the end of the month, and to negotiate a payment plan for the delinquent 2022 taxes.

DELINQUENT TAX COLLECTIONS ATTORNEYS' REPORT

Mr. Lai next presented the District's delinquent tax report dated March 17, 2023, 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 17, 2023, 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 no. 7326, which was voided. Director Cox 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, 2023. After discussion, Director Cox 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, 2023. Director Grzanka seconded said motion, which unanimously carried.

ANNUAL REVIEW OF WAGE RATE SCALE

Mr. Lai next presented to the Board for review and approval a Resolution Adopting Prevailing Wage Rate Scale for Construction Projects, attached hereto as **Exhibit D**. He reviewed

various provisions of the Resolution with the Board. Mr. Lai informed the Board that the District previously adopted the U.S. Department of Labor's wage rates, which have recently been updated. After discussion and consideration of the proposed Resolution, Director Grzanka moved that the Board adopt the Resolution with Exhibit "A" to same reflecting the updated wage rates for the U.S. Department of Labor and that the President and Secretary be authorized to execute same on behalf of the Board and the District. Director Cox seconded said motion, which unanimously carried.

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 E**. She reminded the Board that the District previously issued a utility commitment to KBN for the one (1) acre tract located at 16939 West Little York Road. Ms. Blakemore advised that IDS has issued the developer a Cost Letter from Inframark outlining the required fees to the Pinehills Plaza project. She further advised that a Conceptual Cost Estimate for the water and sanitary sewer facilities to serve the project is attached to the Engineering Report.

Mr. Vo entered the meeting at this time and addressed the Board on behalf of KBN.

Following discussion, Director Cox moved that (i) SPH be authorized to prepare a Utility Development Agreement between the District and KBN, and (ii) IDS be authorized to coordinate with KBN's engineer with regard to extension of the eight-inch water line located across the frontage of West Little York Road to serve the tract. Director Grzanka seconded the motion, which unanimously carried.

With regard to the construction of the new wastewater treatment plant, Ms. Blakemore advised that the District is in receipt of Pay Estimate No. 18 from R&B Group, Inc. in the amount of \$243,000, 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. Director Grzanka seconded the motion, which unanimously carried.

DETENTION AND DRAINAGE FACILITIES REPORT

The Board deferred review of a detention and drainage facilities report.

OPERATIONS AND MAINTENANCE REPORT

Ms. Bonilla-Odums presented to and reviewed with the Board the Operations and Maintenance Report for the month of February 2023, a copy of which is attached hereto as **Exhibit F**.

Ms. Bonilla-Odums requested that Inframark be authorized to transfer one (1) delinquent account listed on the Operations and Maintenance Report totaling \$184.60 to Collections Unlimited for collection purposes. After discussion on the matter, Director Grzanka moved that the Board authorize Inframark to transfer said account as listed on Inframark's report to Collections

Unlimited for collection purposes. Director Knickerbocker seconded the motion, which unanimously carried.

Ms. Bonilla-Odums next presented and reviewed a proposal in the amount of \$11,050 provided by Water Utility Services, Inc., a copy of which is attached to the Operations and Maintenance Report, to treat the wastewater treatment plant with magnesium hydroxide due to low pH of treated wastewater. Following discussion, Director Grzanka moved that the Board approve the proposal, as recommended by Inframark. Director Knickerbocker seconded the motion, which unanimously carried.

CRITICAL LOAD STATUS

Mr. Lai 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 Cox 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 deferred consideration of the developers' reports.

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 Delinquent Tax Report
- Exhibit C Bookkeeper's Report
- Exhibit D Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- Exhibit E Engineer's Report
- Exhibit F Operations and Maintenance Report