

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166
Minutes of Meeting of Board of Directors
October 20, 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 October 20, 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, 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"); Justin Jenkins of McCall Gibson Swedlund Barfoot PLLC ("McCall"); Barbara Nussa of Republic Services, Inc. ("Republic"); Kellene Appel of McCormack Commercial ("McCormack"); 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 comments offered by the 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 September 15, 2023. After discussion, Director Grzanka moved that the minutes of the September 15, 2023, Board meeting be approved, as written. Director Mendel 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 September 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 Knickerbocker seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS ATTORNEYS' REPORT

Mr. Lai next presented the District's delinquent tax report dated October 20, 2023, from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., a copy of which is attached as **Exhibit B**. Following discussion, Director Grzanka moved that Inframark be authorized to terminate water service to the eligible accounts listed on the report due to nonpayment of taxes. Director Cox seconded the motion, which unanimously carried.

PUBLIC HEARING REGARDING ADOPTION OF THE DISTRICT'S 2023 TAX RATE AND LEVY OF THE DISTRICT'S 2023 TAX RATE

The Board conducted a public hearing regarding the imposition of a proposed debt service tax rate and a maintenance tax rate for 2023. It was noted that no District taxpayer appeared at the hearing. Upon motion made by Director Cox, seconded by Director Grzanka and unanimously carried, the hearing was closed.

The Board then discussed the setting of the 2023 tax rate. Ms. Newman confirmed that the notice had been published in accordance with all legal requirements and as directed by the Board at its previous meeting. After discussion on the matter, Director Mendel moved that: (i) the Board adopt the tax rate as proposed at the District's September 15, 2023, meeting and as reflected in the notice; (ii) the Board levy a 2023 debt service tax rate of \$0.34 per \$100 of valuation and a 2023 maintenance tax rate of \$0.33 per \$100 of valuation, resulting in a 2023 tax rate of \$0.67 per \$100 of valuation; and (iii) the Order Levying Taxes attached hereto as **Exhibit C** be adopted in connection therewith and that the President be authorized to execute and the Secretary to attest same on behalf of the Board and the District. Director Cox seconded said motion, which carried unanimously.

AMENDMENT TO THE AMENDED AND RESTATED DISTRICT INFORMATION FORM

Mr. Lai presented to and discussed with the Board an Amendment to the Amended and Restated District Information Form ("DIF") relative to the District's 2023 tax rate. After discussion regarding said form, Director Mendel moved that the DIF be approved, that a majority of Board members be authorized to execute the amended DIF on behalf of the Board and the District, and that all Board members present join in the filing of the amended DIF, as evidenced by a majority of Board members executing same. Director Grzanka seconded the motion, which carried unanimously.

BOOKKEEPER'S REPORT

Mr. Lockhart then presented to and reviewed with the Board the Bookkeeper's Report, dated October 20, 2023, including the disbursements presented for payment. A copy of the report is attached hereto as **Exhibit D**. 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. Director Mendel seconded the motion, which unanimously carried.

COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER 2265 RELATIVE TO ENERGY REPORTING

The Board next considered the status of compliance by the District with applicable provisions of the Texas Government Code, relative to energy reporting requirements. Mr. Lai explained that the District is required to prepare an annual report reflecting the District's metered usage of electricity and the aggregate costs for same, and that such report must be made available to the public. Mr. Lockhart advised that the report will be presented to the Board at the next meeting.

INVESTMENT POLICY

The Board next considered the annual review of an Order Establishing Policy for Investment of District Funds and Appointing Investment Officer ("Order"). Mr. Lai presented for the Board's consideration an amended Order and a Resolution Regarding Review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer ("Resolution"). Copies of the amended Order and the Resolution are attached hereto as **Exhibit E**. Following discussion, Director Mendel moved that the amended Order be adopted to reflect the proposed changes, and that the Board adopt the Resolution. 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 F**.

With regard to the construction of the new wastewater treatment plant, Ms. Blakemore advised that the District is in receipt of Pay Estimate No. 24 and Change Order No. 3 from R&B Group, Inc. in the amounts of \$55,100 and \$166,467.15, respectively, 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 and change order, as recommended by IDS. Director Cox seconded the motion, which unanimously carried.

UTILITY COMMITMENT(S)

Mr. Lai next reported that the District has not received any new requests for utility commitments.

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 September 2023, a copy of which is attached hereto as **Exhibit G**. She requested that Inframark be authorized to write off one (1) delinquent account listed on the Operations and Maintenance Report as uncollectible totaling \$2.91. After discussion on the matter, Director Grzanka moved that the Board authorize Inframark to deem said account as uncollectible. Director Mendel seconded the motion, which unanimously carried.

REPORT BY REPUBLIC SERVICES, INC.

Ms. Nussa presented a verbal report to the Board in connection with services provided to the District by Republic. The Board next considered approval of a Customer Service Agreement (the "Agreement") between the District and Republic, a copy of which is attached hereto as **Exhibit H**, in connection with serving a dumpster located at the District's Wastewater Treatment Plant. Following discussion, Director Mendel moved that the Board approve the Agreement and authorize the President to execute same on behalf of the Board and the District. Director Cox seconded the motion, which unanimously carried.

DEVELOPERS' REPORT(S); REIMBURSEMENT OF BLUSKY INTERESTS, LTD.

The Board next considered developers' reports. Ms. Appel addressed the Board at this time regarding reimbursement of eligible funds to Blusky Interests, Ltd. Following discussion on the matter, Director Knickerbocker moved that the Board engage McCall to prepare a developer reimbursement audit report. Director Cox seconded the motion, which unanimously carried.

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.

A discussion ensued regarding the proposed establishment of a website and/or domain name for the District. Following discussion, Director Grzanka moved that Inframark be authorized to obtain a proposal to reserve a domain name for the District for consideration at the next meeting. Director Mendel seconded the motion, which unanimously carried.

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 Mendel, seconded by Director Grzanka 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 Order Levying Taxes
- Exhibit D Bookkeeper's Report
- Exhibit E Amended Order and a Resolution Regarding Review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer
- Exhibit F Engineer's Report
- Exhibit G Operations and Maintenance Report
- Exhibit H Customer Service Agreement between the District and Republic