

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**  
**Minutes of Meeting of Board of Directors**  
**January 23, 2024**

The Board of Directors of Harris County Municipal Utility District No. 61 met at 1825 N. Mason Road, Katy, Harris County, Texas 77449 on January 23, 2024, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of said Board of Directors, as follows:

Wheeler BeMent, President  
Billy Lowery, Vice-President  
W.R. Lusby, Secretary  
Floyd J. Ball, Assistant Secretary  
William Evans, Director

And all of said persons were present, thus constituting a quorum.

Also present were Jonathan Liu and Anna Hunter of A&S Engineers, Inc. ("A&S"); Lonnie Wright and Claudia Garza of Municipal Operations & Consulting, Inc. ("MOC"); Vanessa Hernandez of Myrtle Cruz, Inc.; Miranda Burks of Wheeler & Associates, Inc.; Evan Martinez of First Erosion Environment Controls ("FEEC"); and David Marks and Jacquelyn Goodwin of Marks Richardson PC ("MRPC").

The President called the meeting to order.

As the first order of business, the Board considered comments from members of the public. No one present signed up to address the Board.

The Board next considered approval of the minutes of the Board of Directors meeting held on December 19, 2023. After discussion, Director Ball made a motion to approve the minutes of the meeting held on December 19, 2023, as presented. Director Lowery seconded the motion, which unanimously carried.

The Board next considered approval and designation of a Board representative for One Creek West MUD Advisory Committee. No Director agreed to serve as the District's representative on the One Creek West MUD Advisory Committee.

The Board next considered a report relative to security patrol services provided by the Harris County Sheriff's Office. Director Lowery reported on activity in the District for the month of December. He stated that there was little activity over the past month.

The Board next deferred consideration of a report on mowing activity within the District until later in the meeting.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). Director Evans stated that there was nothing new to report.

The Board next considered the financial and investment reports and invoices presented for payment. Ms. Hernandez reviewed the attached bookkeeping reports, investment inventory reports and bills for payment with the Board. After review and discussion, Director BeMent made a motion to approve the reports and authorize the disbursements identified therein. Director Evans seconded the motion, which unanimously carried.

Mr. Marks next advised the Board that provisions of the Public Funds Investment Act require the Board to review, revise and adopt at least annually a list of qualified brokers authorized to engage in investment transactions with the District. He reviewed with the Board a Resolution Adopting List of Qualified Brokers Authorized to Engage in Investment Transactions with the District, and the attached list of financial institutions, brokers and dealers attached thereto as Exhibit "A." Mr. Marks recommended to the Board that if any of the directors have a relationship with any of the institutions shown on the list that could create a conflict of interest, then that institution(s) should be deleted from the list that the Board adopts. After discussion, Director Lowery made a motion to approve the Resolution Adopting List of Qualified Brokers Authorized to Engage in Investment Transactions with the District. Director BeMent seconded the motion, which unanimously carried.

The Board next considered the approval of an amended Order Establishing Policy for Investment of District funds and Appointing an Investment Officer. Mr. Marks reviewed the proposed changes to the Order and explained that such changes have been requested by Central Bank. After discussion, Director Evans made a motion to adopt the attached revised Order, and to authorize the President to sign and the Secretary to attest the Order on behalf of the Board and District. Director Lowery seconded the motion, which carried unanimously.

The Board next considered the status of collection of taxes. Ms. Burks reviewed the attached tax assessor's report and the delinquent tax roll for the month of December. She noted that 24.73% of the District's 2023 taxes had been collected through December 31, 2023. After review and discussion of the reports, Director BeMent made a motion to approve the reports and authorize the disbursements identified therein. Director Lowery seconded the motion, which unanimously carried.

There was next a discussion regarding the status of the District's delinquent tax accounts. The Board reviewed the attached Delinquent Collections Listing as of December 31, 2023. The Board next reviewed the attached report dated January 23, 2023, which had been prepared by the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

The Board next considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes. Mr. Marks advised that the Board is authorized, pursuant to Section 33.11 of the Texas Tax Code, as amended, to impose, under certain conditions, an additional penalty not to exceed twenty percent (20%) of the delinquent personal property taxes due to the District that became delinquent on or after February 1 of a year and that remain delinquent sixty (60) days after the date on which they become delinquent. After discussion, Director Evans made a motion to adopt the attached Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes and to authorize Perdue to proceed with the collection of the District's delinquent personal property accounts following proper notice as provided in the Resolution, including the filing of lawsuits, as necessary. Director Lowery seconded the motion, which unanimously carried.

The Board next considered authorizing the design, advertisement for bids and/or award of construction contracts, status of construction contracts previously awarded and acceptance of sites and easements.

The Board next considered approval of plans for the modifications of the Franz Road Sheet Flow Road Adjustments. Mr. Liu stated that A&S is currently addressing comments from Harris County.

The Board next considered the status of the construction contract with Texas Wall for the Colonial Park project. Mr. Liu reported that the construction is complete, and the item can be removed from the agenda hereafter.

The Board next considered the acceptance of site and/or easement conveyances for facilities constructed or to be constructed for the District. No one present had anything new to report.

The Board next considered the status of storm water quality permits. Mr. Liu stated that the storm water quality permit for Mason/Franz Storm Trooper was submitted to Harris County for renewal. He stated that all remaining permits for the District are current.

The Board next considered the status of the HEB development. Mr. Liu stated that A&S is awaiting execution of the water line easements before providing the no objection letter.

The Board next considered the status of the C-Store development at 21826 Franz Road, including the acceptance of a Water Line Easement and Utility Easement. Mr. Liu stated that A&S recommends holding off until the water line is inspected, and the location is confirmed to be within the easement. He stated that the water line inspection will be held on January 29, 2024.

The Board next discussed the WHCRWA water line easement acquisition. Mr. Liu reported that WHCRWA provided a letter stating that the preliminary design work for the surface water conversion line to the District has begun and is expected to be completed by mid to late 2026. He stated that the surface water line will tie-in to both the Williamsburg Water Plant and future Water Plant No. 2. Mr. Liu stated that A&S is awaiting clarification on various matters.

The Board next considered the status of the Colonial Park pond fountains. Mr. Liu stated that Lake Management Services started repairs on the fountains last week and noted that the fountains will be operational for the next maintenance visit.

The Board next considered the issuance of utility commitments. No one present had anything new to report.

The Board next considered a report on the District's water, sanitary sewer, and storm sewer systems for the month of December. Mr. Wright reported that 86% of the water pumped during the month of December had been accounted for, and that the District's facilities had been operated in compliance with their respective permits. He stated that the accountability for the month is lower due to some commercial meters in need of repairs and some water leaks in the District.

Mr. Wright next requested that the Board authorize MOC to turn over one (1) delinquent account in the total amount of \$447.22 to Collections Unlimited ("CU"). After discussion, Director Lowery moved to authorize MOC to turn over the one (1) subject account to CU, as set out above. Director Evans seconded the motion, which unanimously carried.

The Board next considered the report on the regional sewage treatment plant, including compliance with the wastewater discharge permit. Mr. Wright stated that the facilities were operated in compliance with the permit and operated at 57% of capacity for the month of December.

The Board next considered a discussion regarding the District's parks. The Board noted that there was nothing new to report.

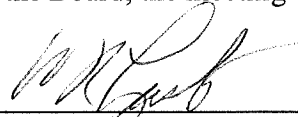
The Board next deferred recessing into Executive Session at 6:30 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code.

The Board next deferred a discussion regarding the status of acquisition of a site for Water Plant No. 2.

The Board next considered a report on mowing activity within the District. Mr. Martinez reviewed the attached report with the Board and reported on the status of mowing within the District.

The Board next considered matters for possible placement on future agendas.

There being no further business to come before the Board, the meeting was adjourned.



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Secretary, Board of Directors

ATTACHMENTS TO MINUTES OF BOARD OF DIRECTORS  
January 23, 2023

1. Bookkeeper's Report
2. Qualified Brokers Resolution
3. Tax Assessor-Collector's Report
4. Delinquent Tax Report
5. Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes
6. Engineer's Report with related correspondence
7. Operations Report and related correspondence
8. FEEC Report