

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**  
**Minutes of Meeting of Board of Directors**  
**April 25, 2023**

The Board of Directors of Harris County Municipal Utility District No. 61 met at 1825 N. Mason Road, Katy, Harris County, Texas 77449 on April 25, 2023, 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"); Claudia Garza of Municipal Operations & Consulting, Inc. ("MOC"); Vanessa Hernandez of Myrtle Cruz, Inc.; Miranda Burks of Wheeler & Associates, Inc.; Richard Martin of First Environment Erosion Controls ("FEEC"); Deputy Moyer of Harris County Sheriff's Office ("HCSO"); and Blake Ellis 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 March 28, 2023. After discussion, Director Ball made a motion to approve the minutes of the meeting held on March 28, 2023, as presented. Director Evans seconded the motion, which unanimously carried.

The Board next considered a report relative to security patrol services provided by the Harris County Sheriff's Office. Director Lowery reported that Deputy Waits gave her notice of resignation four (4) days ago as she took a position as an investigator for Child Protective Services. He then stated that Deputy Moyer would be taking over the District's contract. Director Lowery then reported on activity in the District for the month of March.

The Board next considered a report on mowing activity within the District. Mr. Martin reviewed the attached report with the Board and reported on the status of mowing within the District. He stated that he subcontracts with another company to pump out the storm trooper in the District and noticed they had charged a 50% increase over their normal bill for the last service. Mr. Martin stated that he is coordinating with them to correct the error and will be looking into other companies to complete this work.

Mr. Martin next presented two (2) proposals in the amount of \$4,136.36 to remove and replace all dead trees and plants located in Dunmore Park and in the amount of \$7,155.00 to remove and replace all dead trees and plants located in Colonial Parkway. Director Ball stated

that he does not like River Birch trees and asked Mr. Martin to find alternatives. After discussion, Director Ball made a motion to: 1) approve the proposal from FEEC in the amount of \$4,136.36 to remove and replace all dead trees and plants located in Dunmore Park, and 2) approve the proposal in an amount not to exceed \$8,000 to remove and replace all dead trees and plants located in Colonial Parkway, with the exception of replacing River Birch trees with Crepe Myrtles, all as discussed above. Director BeMent seconded the motion, which unanimously carried.

Mr. Martin next presented the attached revised proposal for maintenance of the detention ponds and parks and reviewed same with the Board. After discussion, Director Ball made a motion to approve the revised proposal from FEEC for maintenance of the detention ponds and parks. Director Lusby seconded the motion, which unanimously carried.

Director Ball then asked about the proposal for pruning certain trees along Colonial Parkway, as previously approved at last month's meeting. Mr. Martin stated that FEEC would match the price listed in the contract with Texas Wall Landscape.

Deputy Moyer entered the meeting at this time and introduced himself to the Board.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). No one present had anything 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 Lusby made a motion to approve the reports and authorize the disbursements identified therein. Director BeMent seconded the motion, which unanimously carried.

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 March. She noted that 97.79% of the District's 2022 taxes had been collected through March 31, 2023. After review and discussion of the reports, Director Evans 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 March 28, 2023. The Board next reviewed the attached written report dated April 25, 2023, which had been prepared by the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P. No action was necessary with respect to the delinquent tax report.

Mr. Ellis next advised the Board that pursuant to Section 33.07 of the Tax Code, as amended, the Board is authorized to impose, under certain conditions, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due to the District on July 1 on taxes that remain delinquent as of July 1 of the year in which they become delinquent. After discussion, Director Evans made a motion to adopt the attached Resolution Authorizing Additional Penalty on Delinquent Taxes. Director BeMent seconded the motion, which unanimously carried.

The Board next considered the status of a sales and use tax report prepared by Sales Revenue Inc. (“SRI”). Mr. Ellis presented the attached Sales and Use Tax Administration Report received from SRI for the month of April. The Board requested that SRI attend the next meeting to answer various questions from the Board.

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 working with landscapers over the impact of raising the natural ground and the effect to the median and existing trees.

The Board next considered the status of the construction contract with Aranda Industries, LLC (“Aranda”) for Water Line Replacement, Phase II. Mr. Liu stated that A&S is working with Aranda on installation of the last segment and finalizing the project. Director Ball mentioned that a homeowner brought up concerns about damage to her property from Aranda, but did not attend tonight’s meeting to discuss same with the Board.

The Board next considered the status of the construction contract with Texas Wall Landscape for the Colonial Park project. Mr. Liu reported that the contractor fixed the irrigation leaks and continues to await delivery of the canopy structures and bollards.

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 renewed and will expire in January 2024. He stated that all other permits for the District are current.

The Board next considered the status of the HEB development. Mr. Liu stated that A&S reviewed and approved Phase 1 of the Water Line Extension, provided comments on September 16, 2022, for Phase 2 and are awaiting revised plans.

The Board next considered the status of the C-Store development at 21826 Franz Road. Mr. Liu stated that A&S provided a No Objection letter to the plans received on April 18, 2023 and awaits executed easement documents for the proposed utility easement.

The Board next discussed the WHCRWA water line easement acquisition. Mr. Liu reported that A&S is working with WHCRWA over the thirty-foot (30’) water line easement requested for the Williamsburg Water Plant.

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

The Board next considered the status of the Bond Application Report (“BAR”) relative to the District’s proposed Series 2023 Bonds. Mr. Ellis advised the Board that the BAR was submitted to the Texas Commission on Environmental Quality today.

The Board next considered a report on the District’s water, sanitary sewer, and storm sewer systems for the month of March. Ms. Garza reported that 93% of the water pumped during the month of March had been accounted for, and that the District’s facilities had been operated in compliance with their respective permits.

Ms. Garza next presented the attached correspondence to the Board regarding the Red Flag Policy and noted that no significant red flag events were found.

The Board next considered the report on the regional sewage treatment plant, including compliance with the wastewater discharge permit. Ms. Garza stated that the facilities were operated in compliance with the permit and operated at 55% of capacity for the month of March.

The Board next considered approval of the Consumer Confidence Report and the authorization of distribution to consumers. After discussion, Director Evans made a motion to approve the District’s Consumer Confidence Report, contingent upon review and approval by MRPC, and to authorize the distribution of same to consumers via a notice in water bills. Director BeMent seconded the motion, which unanimously carried.

The Board next considered a discussion regarding the District’s parks. The Board noted that it had previously covered same earlier in the meeting and requested that the item be removed from the agenda hereafter.

The Board next considered a discussion regarding a park opening celebration. Director Ball requested to defer a discussion on the matter until the waterline replacement is complete. He stated that he would also like to consider requesting stoplights at Carters Grove or Christopher Wren and Colonial Parkway. Director Ball stated that the Williamsburg Settlement Maintenance Association will support the District in the request. Mr. Liu agreed to research who to contact regarding the matter.

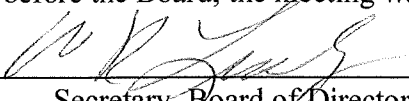
Mr. Ellis next discussed certain statutory requirements that set limitations on the amount by which certain municipal utility districts can increase property taxes without triggering mandatory elections to approve such increases. In connection therewith, Mr. Ellis presented the attached Resolution designating the District as a Developing District pursuant to Section 49.23602 of the Texas Water Code and noted that the District’s engineer had certified such designation. After discussion, Director BeMent made a motion to approve the Resolution and authorize the President and Secretary to execute same on behalf of the Board and the District. Director Lowery seconded the motion, which unanimously carried.

The Board next deferred recessing to Executive Session to discuss real property matters pursuant to §551.072, Texas Government Code.

The Board next considered a discussion regarding land acquisition. Mr. Ellis informed the Board that MRPC is getting closer to identifying a parcel of land to consider purchasing and that he had nothing more definitive to report at this time.

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  
April 25, 2023

1. FEEC
2. Bookkeeper's Report
3. Tax Assessor-Collector's Report
4. Delinquent Tax Report
5. Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes
6. Sales and Use Tax Administration Report from SRI
7. Engineer's Report with related correspondence
8. Operations Report and related correspondence
9. Resolution Declaring Development Status of District