

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
Minutes of Meeting of Board of Directors
August 27, 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 August 27, 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, except Director BeMent, thus constituting a quorum.

Also present were Jonathan Liu of A&S Engineers, Inc. (“A&S”); Claudia Garza of Municipal Operations & Consulting, Inc. (“MOC”); Vanessa Hernandez of Myrtle Cruz, Inc.; Stephanie Dorrough of Wheeler & Associates, Inc.; Richard Martin of First Erosion Environment Controls (“FEEC”); Derek Michael of SRI, Inc. (“SRI”); Barry Hards of Texas Groundworks Management, Inc. (“TGMI”); James Kelly and Sachi Etherington of Williamsburg Settlement Maintenance Association (“WSMA”); and Jacquelyn Goodwin of Marks Richardson PC (“MRPC”).

The Vice-President called the meeting to order.

As the first order of business, the Board considered comments from members of the public. Mr. Hards introduced himself to the Board and stated that he is an Administrative Director for the landscape company, TGMI. He stated that TGMI specializes in various landscape projects including mowing and light concrete work, design and building of irrigation systems, and tree removal. He stated that TGMI would like to be considered by the District for future projects.

The Board next considered approval of the minutes of the Board of Directors meeting held on July 23, 2024. After discussion, Director Ball made a motion to approve the minutes of the meeting held on July 23, 2024, 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 on activity in the District for the month of July. He stated that he had a conversation with HCSO regarding a new evening shift deputy for the District. Director Lowery stated that the new evening shift deputy was brought in a few weeks ago when Deputy Key received his promotion and provided positive feedback on the new deputy’s previous work in the District. He stated there had not been much activity or any felonious activity or crimes against property.

The Board next considered a report from FEEC relative to mowing and detention pond maintenance within the District. Mr. Martin presented the attached report and reviewed same with the Board. He also presented the attached proposal in the amount of \$1,875 for stump grinding of

the fallen tree at Colonial Park and replacing same with a Live Oak tree. Mr. Martin stated that he would like to wait to plant the Live Oak tree until the area experiences cooler weather, but the stump grinding can be done now. After discussion, Director Ball made a motion to approve the proposal from FEEC in the amount of \$1,875 for stump grinding of the fall tree at Colonial Park and planting a Live Oak tree once the area experiences cooler weather. Director Evans seconded the motion, which unanimously carried.

Director Lusby then discussed his conversations with Mr. Martin regarding placing the trash receptacle on the west end of Colonial Park adjacent to the existing trash receptacle.

Director Ball requested that FEEC inspect the Cypress tree located in Colonial Park as it looks like it is in bad condition.

The Board next considered a discussion of the District's parks. No one had anything new to report other than that which had already been discussed.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). Director Evans gave a brief update on the WHCRWA.

The Board next considered a request from Williamsburg Settlement Maintenance Association ("WSMA") for a donation for National Night Out. Mr. Kelly addressed the Board and stated that National Night Out will be held on October 1, 2024, and asked the Board whether it would be interested in sponsoring a bounce house for the event. He then presented the attached proposal in the amount of \$433.00 for the rental of two (2) bounce houses. Mr. Kelly also offered space for the District to have a booth at the event. The Board concurred to deny the request to make a donation to WSMA for National Night Out but agreed to host a booth for the District. After discussion, Director Ball made a motion to authorize the District to host a booth at the National Night Out event on October 1, 2024. Director Evans seconded the motion, which unanimously carried. The Board then discussed asking HCSO to patrol during the National Night Out event. Director Lowery agreed to discuss the matter with HCSO.

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 Ball made a motion to approve the reports and authorize the disbursements identified therein. Director Lowery seconded the motion, which unanimously carried.

The Board next considered the status of collection of taxes. Ms. Dorrough reviewed the attached tax assessor's report and the delinquent tax roll for the month of July. She noted that 99.42% of the District's 2023 taxes had been collected through July 31, 2024. After review and discussion of the reports, Director Ball made a motion to approve the reports and authorize the disbursements identified therein. Director Evans 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 July 31, 2024. The Board next reviewed the attached report dated August 27, 2024, which had been prepared by the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

The Board next considered the status of a sales and use tax report prepared by SRI. Mr. Michael stated that SRI identified one (1) new sales tax permit, two (2) new business entities providing a non-taxable service, and one (1) new vacancy. He noted that SRI reported the businesses without permits to the Comptroller.

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 authorizing the preparation of plans for construction of Water Plant No. 2. Mr. Liu stated that A&S is waiting on land acquisition to proceed with design plans.

The Board next deferred the status of construction contracts as the District does not have any current construction projects.

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 A&S is working on the storm water quality permit renewal application to Harris County for the Mason Ranch Detention Pond. He stated that the other storm water quality permits are all up to date.

The Board next considered the status of the HEB development. Mr. Liu stated that the item can be removed from the agenda hereafter.

The Board next discussed the WHCRWA water line easement acquisition. Mr. Liu reported that A&S is waiting on the determination of the final location for Water Plant No. 2.

The Board next considered the review and approval of a feasibility study relative to a request from Dhanani/Burger Bodega for annexation into the District. Mr. Liu presented the attached feasibility study and reviewed same with the Board. He stated that the evaluation indicated that the tract is feasible to serve but is located outside the District's boundaries and recommended approval of same and authorization to move forward with annexation of the tract in the District. After discussion, Director Evans made a motion to approve the feasibility study for Dhanani/Burger Bodega tract and authorize proceeding with annexation of the tract into the District. Director Ball seconded the motion, which unanimously carried.

The Board next considered the issuance of utility commitments, including the request for utilities to serve the Golbow tract. Mr. Liu reported that A&S requested additional information concerning the proposed battery plant at 2014 N. Mason Road but have not received a response.

The Board next considered the status of the Colonial Park pond fountains. Mr. Liu stated that Lake Management Services ("LMS") completed scheduled maintenance on August 12, 2024 and inspected fountains, lights and timers which are all functioning properly.

The Board next considered the status of Gatwick Lane Improvements. Mr. Liu stated that A&S resubmitted plans and awaits a response from Harris County.

The Board next considered a report on the District's water, sanitary sewer, and storm sewer systems for the month of July. Ms. Garza reported that the District accounted for 101% of the water pumped during the month of July and that MOC operated the District's facilities in compliance with their respective permits.

Ms. Garza stated that there were three (3) leak repairs and two (2) service line leaks within the District the past month.

The Board next considered the report on the regional sewage treatment plant, including compliance with the wastewater discharge permit. Ms. Garza stated that MOC operated the facilities in compliance with the plant permit, and the plant operated at 54% of capacity for the month of July.

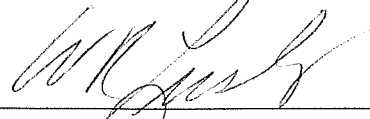
The Board next entered into Executive Session at 6:37 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code. The Board returned from executive session at 6:43 p.m.

The Board next considered taking action regarding matters related to real property matters pursuant to §551.072, Texas Government Code or pending or contemplated litigation or a settlement offer pursuant to §551.071, Texas Government Code. After discussion, Director Evans made a motion to appoint the President and Vice President to execute the Purchase and Sale Agreement between McCormack Commercial and the District, subject to review by MRPC, and to authorize MRPC and A&S to move forward with finalizing and closing the purchase of the Water Plant site. Director Ball seconded the motion, which unanimously carried.

The Board next considered the adoption of an Order Declaring Candidates Elected. Ms. Goodwin advised that in accordance with Subchapter C, Chapter 2 of the Election Code and Section 2.052 of the Election Code, after 5:00 p.m. on August 23, 2024, the District may cancel the election if each candidate whose name appears on the ballot and/or has registered as a write-in candidate is unopposed in such election and the Board of Directors of the District can declare such unopposed candidates to be re-elected for an additional term. Ms. Goodwin presented a certificate declaring all candidates unopposed and presented and reviewed various portions of the Order Declaring Candidates Elected. After discussion, Director Evans made a motion to adopt the Order declaring Directors Lusby, Ball and Evans re-elected for an additional term expiring in November of 2028, and to authorize the Vice President to execute and the Secretary to attest same on behalf of the Board and the District. Director Ball seconded the motion, which unanimously carried.

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.



Secretary, Board of Directors

ATTACHMENTS TO MINUTES OF BOARD OF DIRECTORS
August 27, 2024

1. FEEC
2. Bookkeeper's Report
3. Tax Assessor-Collector's Report
4. Delinquent Tax Report
5. Sales and Use Tax Report from SRI
6. Engineer's Report with related correspondence
7. Operations Report and related correspondence