

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
Minutes of Meeting of Board of Directors
October 27, 2020

The Board of Directors of Harris County Municipal Utility District No. 61 met by videoconference on October 27, 2020, 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 via videoconference were Jim Ainsworth and Faith Despard of A&S Engineers, Inc. (“A&S”); Lonnie Wright of Municipal Operations & Consulting, Inc. (“MO&C”); Chris Linn of Myrtle Cruz, Inc. (“MC”); Caryn Adams of Wheeler & Associates, Inc. (“W&A”); Richard Martin of First Environment Erosion Controls (“FEEC”); Kelly Gard of KGA DeForest Design, LLC (“KGA”); Sergeant Johnson and Deputy Hardwick of Harris County Sheriff’s Office (“HCSO”); Dave Ellis of Williamsburg Settlement Maintenance Association (“WSMA”); and David Marks 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. Mr. Ellis addressed the Board and stated that he is attending the meeting on behalf of the WSMA. He stated that the WSMA is requesting that the District allow the WSMA to help relay information regarding security patrol to residents. Mr. Ellis stated that he previously requested access to reports provided by the HCSO and that the WSMA is not getting the security information until after the District’s monthly meeting, which is usually a week after the WSMA monthly meeting. Director Lowery stated that he agreed to provide the information to the WSMA for the website but that the District should be provided the information prior to the general public so that the Board can be prepared to respond to any inquiries.

The Board next considered approval of the minutes of the Board of Directors meeting held on September 22, 2020. After discussion, Director Ball made a motion to approve the minutes of the meeting held on September 22, 2020, as presented. Director Lowery seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next conducted a public hearing relative to the District’s proposed 2020 debt service tax rate and maintenance tax rate. Mr. Marks reported that W&A had published the tax rate publication in accordance with state law requirements. The President announced the hearing open and invited members of the public to address the Board on the proposed 2020 debt service tax rate

and maintenance tax rate. Seeing no persons interested in addressing the Board, the President then announced the hearing closed.

The Board next considered the adoption and levy of the District's 2020 proposed debt service and maintenance tax rate. After discussion, Director Ball made a motion to levy a 2020 debt service tax rate of \$0.31 per \$100 of valuation and a 2020 maintenance tax rate of \$0.15 per \$100 of valuation for a total tax rate of \$0.46 per \$100 valuation, and to adopt the attached Order Levying Taxes. Director Lusby seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

Mr. Marks next reviewed with the Board a Third Amendment to the Fifth Amended and Restated District Information Form in connection with the levy of the 2020 tax rate. After discussion, Director BeMent made a motion to approve the Form and to authorize the Board members present to execute same. Director Lowery seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered amending the minutes of the Board of Directors meeting held on September 22, 2020 regarding the publication of the 2020 debt service and maintenance tax rates. After discussion, Director Ball made a motion to approve the minutes of the meeting held on September 22, 2020, as amended to authorize publication of the 2020 tax rate at \$0.46 per \$100 of valuation. Director Lowery seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered a report relative to security patrol services by the Harris County Sheriff's Office ("HCSO"). Deputy Hardwick reviewed the attached patrol report for September from the HCSO and discussed recent activity in the District.

Sergeant Johnson then reviewed the POV Contract Patrol Report for September and discussed the night shift activities in the District. He requested that the District and WSMA inform residents to lock vehicles and close garages.

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 will be preparing a proposal for the Board's review at next month's meeting to add application of ant pesticide to the contract with FEEC.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). Director Evans reported that tomorrow is the WHCRWA virtual town hall meeting.

The Board next considered the financial and investment reports and invoices presented for payment. The Board reviewed the attached bookkeeping reports, investment inventory reports and bills for payment received from Myrtle Cruz, Inc. After review and discussion, Director Ball made a motion to approve the reports and authorize the disbursements identified therein. Director Lowery seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered adoption of an operating budget for the fiscal year ending October 31, 2021. Ms. Linn reviewed the attached proposed budgets for the District and for the Williamsburg Water Plant for fiscal year ending October 31, 2021. After discussion, Director Ball made a motion to approve the District's operating budget, and the Williamsburg Water Plant budget, as written, for fiscal year ending October 31, 2021. Director Lowery seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered the status of collection of taxes. The Board reviewed the attached tax assessor's report and the delinquent tax roll for the month of September. It was noted that 99.70% of the District's 2019 taxes had been collected through September 30, 2020. After review and discussion of the reports, Director Ball made a motion to approve the reports and authorize the disbursements identified therein. Director BeMent seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion 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 September 30, 2020. The Board next reviewed the attached written report dated October 27, 2020, 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.

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. Mr. Ainsworth reviewed the attached report.

The Board next considered approval of the award of construction contract for expansion of water, sanitary sewer and drainage facilities to serve Skybox expansion. Mr. Ainsworth stated that he received email correspondence from Skybox today regarding deferral of the project until late 2021.

The Board next considered review of bids and approval of award of contract for the weir elevation modification. Mr. Ainsworth stated that A&S received the Army Corps of Engineers Nationwide Permit No. 7 for the project. He stated that A&S bid the project on October 20, 2020 and received seven (7) bids for the project. Mr. Ainsworth stated that the low bid was from Environmental Allies ("EA") in the amount of \$121,129.77 and recommended award of same. After discussion, Director Ball made a motion to award the contract to EA, in the amount of \$121,129.77, as discussed above. Director Evans seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered approval of plans for the modifications of the Franz Road Sheet Flow Road Adjustments. Mr. Ainsworth stated that A&S is reviewing the drainage analysis and preparing exhibits for discussion with Harris County due to possible issues. He asked whether the Board would like to see profiles before discussing the issues with Harris County. The Board concurred that Mr. Ainsworth meet with Directors BeMent and Ball to discuss the possible issues on the project and scheduling a meeting with Harris County to discuss same.

The Board next considered the status of the construction contract with Aranda Industries, LLC (“Aranda”) for Waterline Replacement, Phase II. Mr. Ainsworth stated that construction activity continues, and the contractor has begun pipe bursting along Colonial Parkway.

The Board next considered the acceptance of site and/or easement conveyances for facilities constructed or to be constructed for the District. Mr. Ainsworth reported that he had nothing new to report.

The Board next considered the status of storm water quality permits. Mr. Ainsworth stated that the storm water quality permits for Mason/Franz Storm Trooper, Mason Ranch Detention Pond, Mason Seniors Detention Pond and Westside Office Park Detention Pond are all up to date.

Mr. Ainsworth reported on the status of the Mason & Franz development. He stated that a punch list item to complete the force main connection is outstanding. Mr. Ainsworth that A&S received information from Harris County regarding the sidewalk program and that A&S will be sending questions to Harris County. He noted that the program is scheduled to start in 2021.

The Board next considered the status of the elevated storage facility variance. Mr. Ainsworth reported that A&S is currently working on the elevated storage tank variance request to the Texas Commission on Environmental Quality (“TCEQ”) and is coordinating with MOC on same.

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

The Board next considered the review and approval of a Service Maintenance Agreement with Lake Management Services, L.P. (“LMS”) Mr. Ainsworth presented and reviewed the attached Agreement from LMS for the monthly lake management schedule and scope of work for the period January 1, 2021 through December 31, 2021, for an annual cost of \$9,500. After discussion, Director Lusby made a motion to approve the Agreement for an annual cost of \$9,500, and to authorize the President to execute same on behalf of the Board and the District. Director BeMent seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered a report on the District’s water, sanitary sewer and storm sewer systems for the month of September. Mr. Wright reported that 97% of the water pumped during the month of September had been accounted for, and that the District’s facilities had been operated in compliance with their respective permits.

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 46% of capacity for the month of September.

The Board next considered approval of a Resolution Adopting Seventh Amendment to Regional Sewage Treatment Plant Contract Providing for the Creation of the Williamsburg Regional Sewage Authority. Mr. Marks presented the attached Seventh Amendment and advised that the Contract expires October 31, 2020 and the Seventh Amendment extends the term of the

Contract for another forty-year term. After discussion, Director Ball made a motion to approve the Resolution Adopting Seventh Amendment to Regional Sewage Treatment Plant. Director Evans seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next considered the status of the contract with Johnson Fence, Ltd. (“JF”). Mr. Gard reported that the final turnover walkthrough was held on September 23, 2020 and a punchlist of items was completed. He next presented Pay Application No. 7 in the amount of \$12,775.50, and Pay Application No. 8 and Final, in the amount of \$33,842.53, and recommended that the Board approve payment of same. After discussion, Director Ball made a motion to approve payment of Pay Application No. 7 and Pay Application No. 8 and Final, as set out above. Director Lusby seconded the motion. A roll call vote was conducted and with all five directors present voting in the affirmative, the motion unanimously carried.

The Board next deferred a discussion regarding the detention pond park. Director Ball recommended that the matter be deferred until availability of funds for a park becomes more apparent.

The Board next considered matters for possible placement on future agendas. The Board requested that an item be added to the agenda for the next meeting to discuss providing the security patrol reports to the WSMA and timing of reports. The Board then discussed holding the next meeting via video conference.

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

DocuSigned by:

F225BF80463A43C...
Secretary, Board of Directors

ATTACHMENTS TO MINUTES OF BOARD OF DIRECTORS
October 27, 2020

1. Order Levying Taxes
2. Patrol Report from HCSO/Off-Duty Report
3. FEEC Report
4. Bookkeeper's Report
5. Tax Assessor Collector's Report
6. Delinquent Tax Report
7. Engineer's Report with related correspondence
8. Lake Management Services, LP proposal
9. Operations Report
10. Resolution Adopting Seventh Amendment to Regional Sewage Treatment Plant Contract Providing for the Creation of the Williamsburg Regional Sewage Authority
11. Landscape Architect Report from KGA