

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
Minutes of Meeting of Board of Directors
May 27, 2025

The Board of Directors of Harris County Municipal Utility District No. 61 met at 1825 N. Mason Road, Katy, Harris County, Texas 77449 on May 27, 2025, 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 Directors BeMent and Evans, thus constituting a quorum.

Also present were Jonathan Liu of A&S Engineers, Inc. ("A&S"); Lonnie Wright and Claudia Garza of Municipal Operations & Consulting, Inc. ("MOC"); Vanessa Hernandez of Myrtle Cruz, Inc.; Ashlie Whittemore of Wheeler & Associates, Inc.; Richard Martin of First Environment Erosion Controls ("FEEC"); Joel Castro of Burger Bodega; and Kara Richardson of Marks Richardson PC ("MRPC").

In the absence of the President, the Vice 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 April 22, 2025. After discussion, Director Ball made a motion to approve the minutes of the meeting held on April 22, 2025, as presented. Director Lusby seconded the motion, which carried unanimously.

The Board next considered a report relative to security patrol services provided by the Harris County Sheriff's Office ("HCSO"). Director Lowery reported on activity in the District for the month of April. He stated that he spoke with HCSO to address three (3) issues including: 1) lack of radar guns in patrol vehicles, 2) issues with patrol vehicles breaking down causing deputies to miss patrol shifts, and 3) deputies consistently being called out of the District to respond to other calls. Director Lowery stated that the HCSO Captain advised that he would try to get radar units reassigned to the District's contract or work on getting money to purchase the additional units. He stated that HCSO also advised that an HCSO analyst is reviewing information to determine the amount of time deputies have been out of the District due to vehicle issues and out of district calls.

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. Director Lowery stated that someone encountered a snake near the detention basin and asked whether FEEC has seen any snakes. Mr. Martin stated that FEEC has seen snakes on occasion.

The Board next discussed the District's parks. No one present had anything new to report.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). Director Lowery gave an update on the status of projects for the WHCRWA.

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 Ball seconded the motion, which unanimously carried.

The Board next considered the status of collection of taxes. Ms. Whittemore reviewed the attached tax assessor's report and the delinquent tax roll for the month of April. She noted that 98.10% of the District's 2024 taxes had been collected through April 30, 2025. After review and discussion of the reports, Director Lowery made a motion to approve the reports and authorize the disbursements identified therein. Director Lusby 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 April 30, 2025. The Board next reviewed the attached report dated May 27, 2025, which had been prepared by the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

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 working with structural, electrical and well engineers on 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 all of the storm water quality permits are up to date.

The Board next discussed the WHCRWA water line easement acquisition. Mr. Liu reported that A&S is coordinating with the WHCRWA on the surface water line.

The Board next considered the status of the Colonial Park pond fountains. Mr. Liu stated that Lake Management Services ("LMS") completed scheduled maintenance on May 12, 2025,

and inspected fountains, lights and timers. Mr. Liu stated that the timer battery was replaced and all equipment is functioning properly.

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

The Board next considered the status of new development in the District, including a proposal from Harris County Municipal Utility District No. 62 ("MUD 62") to provide service to five lots located wholly or partially within the District. She noted that Meritage Homes ("Meritage") is in the process of developing a 28-acre tract deed restricted for single family use, which is almost entirely in MUD 62. She further noted that a small portion of the tract is located within the boundaries the District with the exception of five of the proposed lots, and Meritage has requested that MUD 62 serve the entire 28-acre tract with water, sanitary sewer, and stormwater detention facilities. She stated that MUD 62 has proposed extending utilities and providing water and sewer services to the lots in exchange for the District apportioning all District tax revenue received from such lots to MUD 62 on an annual basis. and to include the assessed value of the portion located in MUD 61 for reimbursement purposes. Ms. Richardson suggested that, rather than the District agreeing to an annual payment to MUD 62 in perpetuity, that the District consider making a one-time payment to MUD 62 equal to the pro-rata share of the construction costs necessary to extend the facilities to the subject lots. The Board then requested that A&S gather the information necessary to determine the cost of same to present to the Board next month.

The Board next considered the status of the proposed annexation of 0.6170 acres into the District by Global New Millenium Partners, Ltd. ("Global"). In that regard, the Board considered the adoption of an Order Adding Land into the District. Ms. Richardson advised that the District has received the City of Houston's consent ordinance relative to the annexation of the property into the District. After discussion, the Board determined that the Petition met all legal requirements as to form and was presented properly; that all facts and statutory requirements of substance existed for the addition to the District of the land described in the Petition; that the allegations of the Petition are true; that there are no persons residing or living on the tract and that the Petition should be granted and the land described therein be added to the District. Ms. Richardson then presented an order granting said Petition, adding to the District the land described therein, and redefining the boundaries of the District after such addition. Director Lowery made a motion to adopt the Order, have same be recorded in the Official Records of Real Property of Harris County, Texas and, when so recorded and returned by the County Clerk, to attach same to these minutes. Director Lusby seconded the motion, which passed unanimously.

The Board next considered approval and execution of the Seventh Amended and Restated District Information Form with Map Attached relative to the 0.6170-acre annexation ("DIF"). Ms. Richardson advised that certain changes to the DIF are required in order to reflect the change in the District's boundaries which were altered by the annexation of 0.6170 acres. After discussion, Director Lowery moved to approve the DIF, to authorize the Board members present to execute same, and to authorize MRPC to record same in the Official Records of Real Property of Harris County, Texas. Director Lusby seconded the motion, which passed unanimously.

The Board next considered the approval and execution of a Declaration of Covenants, Conditions and Restrictions (the "Declaration") by and between the District and Global relative to the 0.6170-acre tract. After discussion, Director Lowery moved to approve the Declarations and

to authorize the President to execute and the Secretary to attest same on behalf of the Board and District, and to authorize MRPC to record the Declarations in the Real Property Records of Harris County, Texas. Director Lusby seconded the motion, which passed unanimously.

The Board next considered the approval of a Waiver Agreement by and between the District and Global. Ms. Richardson presented the proposed Waiver Agreement and advised that the terms and conditions of the Waiver Agreement provide for Global's consent and agreement to waive its right to claim any agricultural, open-space, wildlife, timberland or inventory valuation for the land which Global may own in the District with respect to taxation by the District, or attempt to reduce its ad valorem tax liability with respect to real or personal property. After discussion, Director Lowery moved to approve the Waiver Agreement and to authorize the President to execute and the Secretary to attest same on behalf of the Board and District, and to authorize MRPC to record the Waiver Agreement in the Real Property Records of Harris County, Texas. Director Lusby seconded the motion, which passed unanimously.

The Board next considered a report on the District's water, sanitary sewer, and storm sewer systems for the month of April. Mr. Wright reported that the District accounted for 93% of the water pumped during the month of April and that MOC operated the District's facilities in compliance with their respective permits.

Mr. Wright next presented operation jobs completed over the past month and reviewed same with the Board.

Mr. Wright next requested that the Board consider authorizing MOC to turn over three (3) delinquent accounts to Collections Unlimited of Texas ("CUT") for collection in the total amount of \$482.23, as outlined in the attached Collections Lists and Charged Off Lists. After discussion, Director Ball made a motion to authorize MOC to turn over the three (3) subject accounts to CUT for collection, as set out above. Director Lusby 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 MOC operated the facilities in compliance with the plant permit, and the plant operated at 59% of capacity for the month of April.

The Board next considered approval of the Consumer Confidence Report and the authorization of distribution to consumers. Mr. Wright discussed a change in disinfection that will be needed when the District converts to surface water. After discussion, Director Lowery 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 URL printed on the water bills. Director Lusby seconded the motion, which unanimously carried.

Mr. Wright next advised that MOC previously contracted with North Water District Laboratory Services, Inc. ("NWDLS") to conduct sampling and testing of its clients' wastewater treatment facilities and, in early 2024, MOC terminated that contractual relationship following the commencement of a federal investigation into NWDLS. Mr. Wright stated that federal and state authorities discovered that NWDLS had tampered with samples collected at various wastewater treatment facilities resulting in erroneous test results. He advised that, after being informed of the

circumstances surrounding the investigation, both MOC and NWDLS terminated employees that were linked to the matter.

The Board next considered the adoption of a District policy regarding fees of office. Director Lusby stated that he has concerns with Directors submitting requests for per diems after attending events or non-District Board meetings without giving the Board any explanation of the information learned from attending same. He stated that he would like for the Board to consider adopting a policy requiring Board members to give the Board a brief written explanation or summary of information learned from meetings or events for which a per diem is requested (other than District Board meetings). Director Lusby requested that MRPC prepare a draft resolution for the Board's review. He stated that he would like the report to include a written statement regarding the purpose of the meeting/event and any information learned from the meeting/event.

The Board next considered the review and collection of documentation requiring signature by the Board of Directors.


The Board next deferred convening in Executive Session to discuss matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code, and the deployment or specific occasions for implementation of critical infrastructure, pursuant to §551.089, Texas Government Code.

The Board next deferred taking appropriate action regarding matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code, and the deployment or specific occasions for implementation of critical infrastructure, pursuant to §551.089, Texas Government Code.

The Board next considered the approval of an updated Emergency Preparedness Plan. Mr. Liu stated that he is researching the status of the District's current EPP and will report on same next month.

The Board next considered matters for possible placement on future agendas. The Board next discussed the Board's potential quorum issues with the continued absences of Director Evans over the past few months and the upcoming absences of Director BeMent for the next several months. The Board noted that Director Evans has told people that he is no longer on the Board since he moved out of the District. Ms. Richardson noted that it would be best to get written confirmation of resignation from Director Evans rather than relying on Director Evans' oral conversations. Mr. Wright stated he will discuss same with Director Evans the next time that he sees him, and Director Lowery stated that he will also try and contact Director Evans regarding same.

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
May 27, 2025

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