

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
Minutes of Meeting of Board of Directors
September 28, 2021

The Board of Directors of Harris County Municipal Utility District No. 61 met at 1825 N. Mason Road, Katy, Harris County, Texas 77449 on September 28, 2021, 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 Ball, thus constituting a quorum.

Also present were Jim Ainsworth, Andrew Johnson and Anna Hunter of A&S Engineers, Inc. ("A&S"); Lonnie Wright and Claudia Garza of Municipal Operations & Consulting, Inc. ("MO&C"); Tina Kelsey of Myrtle Cruz, Inc. ("MC"); Miranda Burks of Wheeler & Associates, Inc. ("W&A"); Richard Martin of First Environment Erosion Controls ("FEEC"); Christine Crotwell of Masterson Advisors, LLC ("Masterson"); Deputy Lopez 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 August 24, 2021. After discussion, Director Evans made a motion to approve the minutes of the meeting held on August 24, 2021, as presented. Director Lowery seconded the motion, which unanimously carried.

The Board next conducted a public hearing relative to the District's proposed 2021 debt service tax rate and maintenance tax rate. Ms. Burks reported that W&A had published the tax rate publication in accordance with state law requirements and provided the publication affidavit to the Board. The President announced the hearing open and invited members of the public to address the Board on the proposed 2021 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 2021 proposed debt service and maintenance tax rate. After discussion, Director BeMent made a motion to levy a 2021 debt service tax rate of \$0.30 per \$100 of valuation and a 2021 maintenance tax rate of \$0.15 per \$100 of valuation for a total tax rate of \$0.45 per \$100 valuation, and to adopt the attached Order Levying Taxes. Director Lowery seconded the motion, which unanimously carried.

Mr. Ellis next reviewed with the Board a Fourth Amendment to the Fifth Amended and Restated District Information Form in connection with the levy of the 2021 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, which unanimously carried.

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.

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. Kelsey reviewed the attached bookkeeping reports, investment inventory reports and bills for payment with the Board. She stated that check no. 8197 issued for payment to FECC will be reflected on next month's report. After review and discussion, Director Evans 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 adoption of an operating budget for the fiscal year ending October 31, 2022. The Board deferred action on the matter until next month's meeting.

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 August. She noted that 99.60% of the District's 2020 taxes had been collected through August 31, 2021. 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 August 31, 2021. The Board next reviewed the attached written report dated September 28, 2021, 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. Johnson reviewed the attached report.

The Board next considered approval of plans for the modifications of the Franz Road Sheet Flow Road Adjustments. Mr. Johnson stated that A&S received additional topographic survey information of the entrances as well as south Franz Road right-of-way line and are currently evaluating same.

The Board next considered approval of plans and specifications to serve C-Store/Retail development. Mr. Johnson stated that the feasibility study was provided to the developer and reflected a grinder pump and force main extension to provide sanitary sewer service.

The Board next considered the status of the construction contract with Aranda Industries, LLC ("Aranda") for Waterline Replacement, Phase II. Mr. Johnson stated that construction activities are ongoing including line installation, site remediation and clean-up. He stated that the contractor addressed two (2) resident issues during the past month, including removing a crepe myrtle tree and replacing and working out a schedule with residents to repair impacted surfaces. Mr. Johnson stated that seven (7) irrigation meters have been installed. He then presented Pay Application No. 6, in the amount of \$165,939.51, and recommended that the Board approve payment of same. After discussion, Director BeMent made a motion to approve Pay Application No. 6, as discussed above. Director Lowery seconded the motion, which unanimously carried.

The Board next considered the status of the construction contract with Environmental Allies ("EA") for the weir elevation modification. Mr. Johnson stated that A&S is coordinating with the contractor on the installation of the sidewalks to tie to the future walking paths/sidewalks. He then presented Pay Application No. 3, in the amount of \$2,925.00, and recommended that the Board approve payment of same. After discussion, Director BeMent made a motion to approve Pay Application No. 3, as discussed above. Director Lowery seconded the motion, which unanimously carried.

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

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

Mr. Johnson reported on the status of the Mason & Franz development. He stated that the four-inch (4") force main to the existing lift station remains an outstanding punch list item. Mr. Johnson reported that A&S is handling execution of three (3) easements relative to the David Holle tract of land.

Mr. Johnson reported on the status of Harris County Precinct 3 sidewalk project. He stated that MOC relocated six (6) fire hydrants with one (1) remaining to be adjusted. He also stated that MOC awaits Harris County to relocate a traffic control box in order to relocate the remaining fire hydrant.

The Board next considered the status of Skybox development. Mr. Johnson stated that based on most recent discussions with Skybox, the expansion of the existing facility has begun with the addition of a 50,000 square foot addition for two (2) data halls. He noted that no new water or sewer needs are required. Mr. Johnson stated that A&S has requested architectural floor plans and plumbing plans from Skybox.

The Board next considered the status of HEB development. Mr. Johnson stated that A&S sent correspondence to HCMUD 71's engineer requesting purchase considerations for approximately 1,480 linear feet of waterline and appurtenances north of the existing interconnect to support the proposed HEB development. He stated that a response has not yet been received from HCMUD 71.

The Board next considered the issuance of utility commitments. Mr. Johnson stated that A&S received a utility letter request for proposed commercial/retail development of a 2.20-acre tract in the District along Mason Road just north of the C-Store site. Mr. Johnson presented and reviewed the attached feasibility study for the proposed development and a Will Serve Letter. He stated that the development includes a two-story structure with approximately 12,000 square feet quick service restaurant and 12,000 square feet retail space. After discussion, Director BeMent made a motion to approve the feasibility study, and to authorize A&S to send the Will Serve Letter to the developer. Director Evans seconded the motion, which unanimously carried.

Mr. Ainsworth next discussed the District's need for a Water Plant expansion or the purchase of more water from Harris County Municipal Utility District No. 62 ("HCMUD 62"). He stated that he will discuss the matter with HCMUD 62's engineer this month and report back to the Board at next month's meeting. The Board requested that an item be added to the agenda to consider same.

The Board next considered the status of the proposed annexation of HEB, LP (7.972 acres). Mr. Ellis reported that the annexation package was submitted to the City of Houston on July 29, 2021. Mr. Johnson reported that A&S continues work on the elevated storage tank variance request to the Texas Commission on Environmental Quality.

The Board next considered a report relative to security patrol services provided by the Harris County Sheriff's Office ("HCSO"). Director Lowery reviewed the attached patrol report for August from the HCSO and discussed recent activity in the District. Deputy Lopez then reviewed the POV Contract Patrol Report for August and discussed the night shift activities in the District. She stated that she has seen a reduction of speeding in the neighborhoods although it is still an issue on Franz and Mason Road. Director Lowery then discussed his zoom call with Sergeant Johnson and Captain Bing regarding HCSO owing the District for fifty-four (54) shifts.

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

Mr. Wright presented the attached proposal from MOC in the amount of \$7,316.10 to purchase, deliver and install soccer goals at Dunmore Park. After discussion, Director Lusby made a motion to approve the proposal from MOC in the amount of \$7,316.10 to purchase, deliver and install soccer goals at Dunmore Park. Director Evans seconded the motion, which unanimously carried.

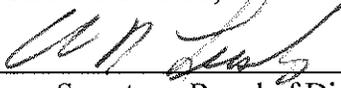
The Board next considered the report on the regional sewage treatment plant, including compliance with the wastewater discharge permit. Mr. Wright stated that the facilities were operated in compliance with the permit and operated at 48% of capacity for the month of August.

The Board next considered a discussion regarding the District's parks. The Board reviewed the attached landscape architect report received from KGA Deforest Design, LLC and noted that the site topographic survey is in progress. Director Lusby then recommended that the Board authorize KGA to begin preparation of the design plans for construction of Colonial Park. After

discussion, Director Evans made a motion to authorize KGA to begin preparation of design plans for construction of Colonial Park. Director Lowery 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
September 28, 2021

1. Order Levying Taxes
2. FEEC Report
3. Bookkeeper's Report
4. Tax Assessor Collector's Report
5. Delinquent Tax Report
6. Engineer's Report with related correspondence
7. Patrol Report from HCSO/Off-Duty Report
8. Operations Report and related correspondence
9. Landscape Architect Report