

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
Minutes of Meeting of Board of Directors
March 26, 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 March 26, 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, thus constituting a quorum.

Also present were Jonathan Liu and Anna Hunter 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.; Evan Martinez of First Erosion Environment Controls ("FEEC"); Abbas Dhanani of Burger Bodega; Brandon Simpson of Anchor; and David Marks and Jacquelyn Goodwin 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. Dhanani introduced himself to the Board and stated that he is the owner of property located at the corner of Mason Road and Franz Road. He stated that he is requesting consideration of annexation in the District. Mr. Dhanani explained to the Board that he currently owns and operates a restaurant named Burger Bodega, and has plans to develop the property into the restaurant's second location. Mr. Dhanani next presented a video presentation and photos of the potential development.

The Board next considered approval of the minutes of the Board of Directors meeting held on February 27, 2024. After discussion, Director Ball made a motion to approve the minutes of the meeting held on February 27, 2024, as presented. Director Lowery 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 February. He stated that the patrol deputies and night shift deputies performed an increased number of traffic stops. He stated that two (2) of the patrol deputies investigated the noise at The Dugout Place and informed the business of the noise levels permitted by the Texas Penal Code. Director Lowery stated that he requested that patrol deputies revisit The Dugout Place to inform them of the noise levels this past weekend. Director Evans stated that there have been reports of street racers in the late evening.

The Board next considered a report from FEEC relative to mowing and detention pond maintenance within the District. Mr. Martinez presented the attached report and reviewed same with the Board. He then presented a proposal in the amount of \$14,991 for the replacement of plants at Dunmore Park and Colonial Park. After discussion, Director Ball made a motion to approve the proposal. Director BeMent seconded the motion, which unanimously carried.

The Board next discussed the District's parks. Director Lusby reported that Ms. Ainsworth asked him to thank the Board on her behalf for recognizing Mr. Jim Ainsworth at the park. He stated that he has received good comments about the park. Director Lusby noted that the water fountain was not producing water. Mr. Martinez advised the Board that a technician is coming out tomorrow to inspect same.

The Board next considered the status of surface water issues and the West Harris County Regional Water Authority ("WHCRWA"). Director Evans stated that there was nothing 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 BeMent 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 an amendment to the operating budget. Ms. Hernandez presented the amended operating budget and reviewed the changes with the Board. After discussion, Director BeMent made a motion to approve the amended operating budget, as presented. Director Lowery 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 February. She noted that 97.80% of the District's 2023 taxes had been collected through February 29, 2024. After review and discussion of the reports, Director Evans made a motion to approve the reports and authorize the disbursements identified therein. Director BeMent 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 February 29, 2024. The Board next reviewed the attached report dated March 26, 2024, 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 District's bookkeeper and tax assessor-collector to prepare and file an Unclaimed Property Report prior to the July 1, 2024, deadline. After discussion, Director BeMent made a motion to authorize the District's bookkeeper and tax assessor-collector to research the District's accounts to determine the necessity of preparing an Unclaimed Property Report, and, if such reports are necessary, authorize the District's bookkeeper and tax assessor-collector to file same with the State Comptroller prior to the July 1, 2024, deadline. Director Evans seconded the motion, which carried unanimously.

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 submitted plans back to Harris County and awaits approval. He asked whether the Board would like to authorize A&S to proceed with advertising and bidding out the project. Mr. Liu stated that the project will raise the curbs and the south and north bound lanes on Gatwick Lane to help alleviate the flooding on Gatwick Lane. He stated that A&S estimates that the project costs will be fifteen percent (15%) higher than the estimated costs last year. Mr. Liu stated that the project will help with the flooding on Gatwick Lane but not entirely mitigate the flooding. The Board then deferred taking action on authorizing A&S to advertise for bids for construction of the project but agreed to authorize A&S to finalize design plans. After discussion, Director Lusby made a motion to authorize A&S to finalize design plans for the project. 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. 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 the Mason/Franz Storm Trooper was approved by Harris County for renewal. He stated that the storm water quality permit for the Mason Seniors Detention Pond was submitted to Harris County for renewal.

The Board next considered the status of the HEB development. Mr. Liu stated that A&S is awaiting execution of the water line easements before providing the no objection letter.

The Board next considered the status of the C-Store development at 21826 Franz Road, including the acceptance of a Water Line Easement and Utility Easement. Mr. Liu stated that A&S is coordinating execution of the two (2) easement documents with the owner.

The Board next discussed the WHCRWA water line easement acquisition. Mr. Liu reported that there was nothing new to report.

The Board next considered the status of the Colonial Park pond fountains. Mr. Liu stated that Lake Management Services (“LMS”) completed scheduled maintenance on March 12, 2024. He also stated that the east fountain motor was repaired and installed under warranty.

Mr. Liu reported that LMS cleaned the lake of approximately one hundred fifty (150) dead fish on March 22, 2024 and performed water level testing. He stated that based upon symptoms of the fish and water quality testing that was conducted, it was determined that there was a depletion of oxygen in the water caused by the recent heavy rains.

The Board next considered the issuance of utility commitments. Mr. Liu reported that there was nothing to report.

The Board next considered the annual review of the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects and consideration of authorizing a survey of wages. Mr. Marks presented the attached spreadsheet reflecting the attached Prevailing Wage Rates for Construction Projects of the United States Department of Labor and reviewed the Resolution with the Board. After discussion, Director BeMent made a motion to adopt the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects based on the Department of Labor rates. Director Evans seconded the motion, which unanimously carried.

The Board next considered a report on the District's water, sanitary sewer, and storm sewer systems for the month of February. Mr. Wright reported that the District accounted for 93% of the water pumped during the month of February and that MOC operated the District's facilities in compliance with their respective permits. Mr. Wright stated that main line he believed was attributing to the recent lower accountability has been repaired, and that he has seen no change in accountability since the main line repair. He stated that MOC tested the well meters which were found to be functioning properly but would like to test them for a certain time period to see if there are any anomalies. Ms. Garza stated that MOC researched the commercial meter calibration and inspected the storm sewers for leaks. Mr. Wright stated that MOC continues to work diligently to determine the cause of the lower accountability. He stated that he would like to obtain a proposal for replacing the commercial meters with electronic meters.

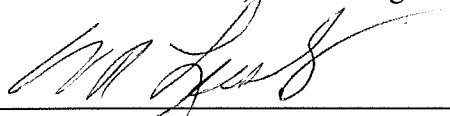
The Board next considered the report on the regional sewage treatment plant, including compliance with the wastewater discharge permit. Mr. Wright stated that MOC operated the facilities in compliance with the plant permit, and the plant operated at 60% of capacity for the month of February.

The Board next entered into Executive Session at 6:56 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code. The Board returned from executive session at 7:10 p.m.

The Board next deferred a discussion regarding the status of acquisition of a site for Water Plant No. 2.

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: 1) consider authorizing A&S to begin design plans for the Water Plant No. 2 project, and 2) review and approval of a feasibility study for the Burger Bodega tract.

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
March 26, 2024

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