

MINUTES OF MEETING OF BOARD OF DIRECTORS
JULY 13, 2021

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 151

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The Board of Directors (the “*Board*”) of Harris County Municipal Utility District No. 151 (the “*District*”) convened in regular session on July 13, 2021, at 10:00 a.m. via teleconference pursuant to Section 551.125, Texas Gov’t Code as modified by the temporary suspension of certain provisions thereof pursuant to guidelines issued by the Texas Attorney General and approved by the Governor for use during the COVID-19 statewide disaster. A roll call was taken of the persons present:

Kent F. Spitzmiller, President
Jerry Berry, Vice President
Steve Robb, Secretary
Dan Czyz, Assistant Secretary
Ken Ebeling, Assistant Secretary

Persons Attending. All members of the Board were present. Also attending were Mr. Brandon Guillory of Kimley-Horn; Mr. Dare Lovett of Trammel Crow Company; Ms. Kelly Wilkinson of IDS Engineering Group (“IDS”), engineer for the District; Mr. Allen Jenkins of Inframark, operators for the District (“Inframark”); Mr. Jorge Diaz of McLennan and Associates (“McLennan”), bookkeeper for the District; Ms. Yvonne Luevano of Wheeler & Associates (“Wheeler”), tax assessor and collector for the District; Mr. Dimitri Millas and Ms. Jane Maher, of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District; and Mr. Joe Stunja of Pinehurst Trail Holdings, LLC, developer for the District.

Pursuant to Section 551.054, Texas Gov’t Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on the District’s website within the time limits prescribed by law. The agenda packet was posted on the website as items became available.

Call to Order. President Spitzmiller called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. President Spitzmiller then set out guidelines for the conduct of the meeting. He asked each speaker to identify themselves before speaking. He then proceeded with the meeting business:

1. **Public Comments.** There were no comments.
2. **Minutes.** Proposed minutes of the regular meeting of June 8, 2021, previously distributed to the Board, were presented for approval. Upon motion by Director Robb, seconded by Director Berry, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of June 8, 2021, as presented.
3. **Tax Collector’s Report.** President Spitzmiller recognized Ms. Luevano, who presented to and reviewed with the Board the Tax Collector’s Report and the Delinquent

Collections Listing as of June 30, 2021. She stated that the District had collected 99.37% of its 2020 taxes as of June 30, 2021. She noted that the District's total expenses were \$21,814.14 and that the cash balance as of June 30, 2021 was \$77,503.65. She presented four checks totaling \$20,651.17 for the Board's approval.

Upon motion by Director Ebeling, seconded by Director Robb, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Tax Collector's Report, and to authorize payment of check numbers 2605 through 2608 from the Tax Account in the amounts, to the persons and for the purposes listed in such Report.

4. **Bookkeeper's Report.** President Spitzmiller recognized Mr. Diaz, who presented to and reviewed with the Board the Bookkeeper's Report for the period from June 9, 2021 to July 13, 2021, certain statements for payment, and the investment report for the period ending June 30, 2021. He stated that the current balance in the general fund is \$5,152,567.03 and that the balance in the debt service fund is \$1,396,224.45.

Mr. Diaz presented check numbers 11913 through 11960 for utilities and other costs for the District for approval and payment upon receipt of invoices expected prior to the District's next meeting. He noted that the general fund disbursements for the month were \$169,137.51 and the debt service disbursements for the month were \$0.08.

Mr. Diaz reviewed the schedule of investments. He stated that the total investments of all the District's funds are \$6,354,998.86.

Mr. Diaz reviewed the District's annual energy billings.

Mr. Diaz reviewed the Profit & Loss Budget Performance for the general fund. He also reviewed the operating budget.

Upon motion by Director Berry, seconded by Director Robb, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Bookkeeper's Report, to approve the Investment Report, and to authorize payment of check numbers 11913 through 11960, from the General Fund in the amounts, to the persons, and for the purposes listed in such Report as requested herein.

5. **Discuss and consider authorization to moving District accounts currently with BBVA, and approval of all required documentation and actions related thereto, and take any necessary actions.** President Spitzmiller recognized Mr. Diaz, who stated that BBVA Bank was acquired by PNC Bank, and that PNC Bank is not interested in securing public funds. He recommended that the Board move the accounts currently with BBVA Bank to Central Bank.

Mr. Millas reviewed with the Board the Depository Pledge Agreement ("DPA") with Central Bank. Upon motion by Director Berry, seconded by Director Robb, after full discussion and the question being put to the Board, the Board voted unanimously to move the accounts with BBVA Bank to Central Bank and to approve the DPA.

6. **Engineer's Report.** President Spitzmiller recognized Ms. Wilkinson, who presented to and reviewed with the Board the Engineer's Report.

Ms. Wilkinson reported on the Ground Storage Tank No. 3 ("GST No. 3") replacement at the Water Plant. She stated that IDS received three bids on July 9, 2021, from CFG Industries, W.W. Payton Corporation, and Schier Construction Company, Inc. She recommended that the Board authorize and award the contract to the low bidder, CFG Industries, in the amount of

\$1,101,250.00. Discussion ensued.

Upon motion by Director Berry, seconded by Director Ebeling, after full discussion and the question being put to the Board, the Board voted unanimously to award the contract for the replacement of GST No. 3 at the Water Plant to CFG Industries in the amount of \$1,101,250.00, subject to the review of CFG Industries bonding and insurance.

Ms. Wilkinson stated that for the Sanitary Sewer Manhole Rehabilitation, the one-year inspection of the three rehabilitated manholes will be performed in November 2021.

Ms. Wilkinson stated that IDS has submitted the Risk and Resilience Assessment Report ("RRA") certification to the Environmental Protection Agency ("EPA"). She noted that IDS will be working with Inframark to complete the Emergency Preparedness Plan ("EPP") by the December 31, 2021 deadline.

Ms. Wilkinson reported on the Texas Department of Transportation ("TxDOT") FM 1960 Road Widening project. She stated Harris County Municipal Utility District No. 132's ("No. 132") will be seeking reimbursement later this year for the jointly owned sanitary sewer force main relocation that is necessary to facilitate the widening of FM 1960. She noted that the District's pro rata share is \$28,855.00.

Upon motion by Director Berry, seconded by Director Ebeling, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report.

7. **Operations Report.** President Spitzmiller recognized Mr. Jenkins, who presented to and reviewed with the Board the Operations Report for June 2021.

Mr. Jenkins stated that 99.3% of the water pumped was billed for the period from May 21, 2021 to June 22, 2021.

Mr. Jenkins reviewed the Major Maintenance Summary for June 2021. He reported that Inframark repaired two water leaks in the District and that Inframark performed well testing on both wells and performed the six-month preventative maintenance at the Water Plant. He stated that Inframark repaired the generator at Lift Station No. 1 and purchased degreaser for the sewer lines.

Mr. Jenkins reviewed the billing summary, water production and quality report, water accountability report and customer call log.

Mr. Jenkins stated that he is coordinating with President Spitzmiller regarding the termination process.

Upon motion by Director Robb, seconded by Director Berry, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report.

8. **Developer's Report.** President Spitzmiller recognized Mr. Stunja, who stated that there was no report.

9. **Status report on District website and such other matters as may properly come before it.** There was no report.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The foregoing minutes were passed and approved by the Board of Directors on
August 10, 2021.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

