

MINUTES OF MEETING OF BOARD OF DIRECTORS
OCTOBER 12, 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") met in regular session, open to the public, at Atascocita Waste Water Treatment Plant, 5003 Atascocita Road, Humble, TX 77346, at 10:00 a.m. on October 12, 2021, whereupon the roll was called of the members of the Board, to-wit:

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, except Director Robb, thus constituting a quorum. Also attending were 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.

Call to Order. The meeting was called to order and, in accordance with notice posted pursuant to law. The following business was transacted:

1. **Public Comments.** There were no comments.
2. **Minutes.** Proposed minutes of the regular meeting of September 17, 2021, previously distributed to the Board, were presented for approval. 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 minutes of the regular meeting of September 17, 2021, as presented.
3. **Public Hearing on Tax Rate.** President Spitzmiller opened the public hearing on the proposed tax rate. There were no public comments. President Spitzmiller closed the hearing.
4. **Adopt Order Setting Tax Rate and Levying Tax for 2021.** President Spitzmiller recognized Mr. Millas, who presented to and reviewed with the Board an Order Setting Tax Rate and Levying Tax for 2021 (the "Order"). He stated that the published tax rate was \$0.32 per \$100 assessed valuation (\$0.05 for debt service and \$0.27 for maintenance and operation). Upon motion by Director Czyz, seconded by Director Berry, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Order, thereby levying a tax rate of \$0.32 per \$100 assessed valuation for operation and maintenance purposes.
5. **Approve Amended District Information Form.** Mr. Millas stated that because the District's tax rate has changed, an amended District Information Form to reflect the new rate needs to be approved. The Board reviewed the Amended and Restated District Information Form

reflecting the 2021 tax rate.

Upon motion by Director Berry, seconded by Director Czyz, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Amended District Information Form and authorize its filing in the Harris County Real Property Records.

6. **Approve and authorize filing of Annual Report of Financial Information & Operating Data.** Mr. Millas presented to and reviewed with the Board the Annual Report of Financial Information and Operating Data. He stated that the report is filed with the District's audit electronically on the municipal market access website. Upon motion by Director Berry, seconded by Director Czyz, after full discussion and the question being put to the Board, the Board voted unanimously to approve filing of the Annual Report of Financial Information and Operating Data.

7. **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 September 30, 2021. She stated that the District had collected 99.68% of its 2020 taxes as of September 30, 2021. She noted that the District's total expenses were \$6,549.28 and that the cash balance as of September 30, 2021 was \$53,692.73. She presented five checks totaling \$9,563.91 for the Board's approval.

Upon motion by Director Berry, seconded by Director Czyz, 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 2622 through 2626 from the Tax Account in the amounts, to the persons and for the purposes listed in such Report.

8. **Engineer's Report.** President Spitzmiller recognized Ms. Wilkinson, who presented to and reviewed with the Board the Engineer's Report. Mr. Diaz joined the meeting at this time.

Ms. Wilkinson reported on the Ground Storage Tank No. 3 ("GST No. 3") replacement at the Water Plant. She stated that the contractor, CFG Industries, is approximately 90% complete with demolition of the existing bolted steel ground storage tank, with only the floor plates remaining. She noted that after the demolition of the tank is complete, the contractor will begin removing the concrete ring wall, which will allow for Tolunay Engineering Group to obtain the soil samples required for their geotechnical investigation.

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 is working to complete the Emergency Response Plan and certify completion to the Environmental Protection Agency ("EPA") by the deadline of December 31, 2021. She requested that an agenda item be included on the November agenda.

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.

9. **Bookkeeper's Report.** President Spitzmiller recognized Mr. Diaz, who presented to and reviewed with the Board the Bookkeeper's Report for the period from September 15, 2021 to October 12, 2021, certain statements for payment, and the investment report for the period ending September 30, 2021. He stated that the current balance in the general fund is \$5,079,194.17 and that the balance in the debt service fund is \$242,768.07.

Mr. Diaz presented check numbers 12038 through 12077 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 \$290,778.28 and that there were no debt service disbursements for the month.

Mr. Diaz reviewed the schedule of investments. He stated that the total investments of all the District's funds are \$4,943,537.61.

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 Ebeling, seconded by Director Berry, 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 12038 through 12077, from the General Fund in the amounts, to the persons, and for the purposes listed in such Report as requested herein.

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

Mr. Jenkins stated that 98.4% of the water pumped was billed for the period from August 21, 2021 to September 22, 2021.

Mr. Jenkins reviewed the Major Maintenance Summary for September 2021. He reported that Inframark repaired three water leaks in the District and that Inframark cleaned Lift Station Nos. 2 and 3, investigated the Hydro-Ranger at Lift Station No. 1 and monitored Lift Station No. 2 during the hurricane.

Mr. Jenkins reviewed a proposal to replace the air release valve at Lift Station No. 4 in the amount of \$1,993.60. 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 replacement of the air release valve at Lift Station No. 4 in the amount of \$1,993.60.

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

11. **Developer's Report.** President Spitzmiller recognized Mr. Stunja, who presented to and reviewed with the Board an Invoice for Reimbursement in accordance with the Agreement

to Reimbursement for Engineering Studies (the "Agreement") dated May 12, 2015. He noted that per the Agreement, the District agreed to reimburse the Developer for the cost of the study in the amount of \$66,280.23. He requested that the reimbursement be made January 2, 2022. Mr. Millas stated that on the next agenda the District will engage the District auditor to prepare a reimbursement audit and then approve the reimbursement following the completion of the audit.

12. **Status report on District website and such other matters as may properly come before it.** The Board discussed the November meeting. It was the consensus of the Board to meet at the Atascocita Water Treatment Plant.

There were no further reports.

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 November 9, 2021.

[Signature] V.P.
Vice President, Board of Directors

ATTEST:

[Signature]
Asst. Secretary, Board of Directors

(DISTRICT SEAL)

