

MINUTES OF MEETING OF BOARD OF DIRECTORS
JUNE 8, 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 June 8, 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 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 May 11, 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 May 11, 2021, as presented.
3. **Review Auditor Continuance Letter.** Mr. Millas reviewed the Auditor Continuance Engagement Letter. He stated that the District has an evergreen audit engagement letter with McCall Gibson Swedlund Barfoot PLLC (“McCall”). 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 approve the continuance letter, thereby authorizing McCall to prepare the District's audit for the fiscal year ending May 31, 2021.

4. **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 May 31, 2021. She stated that the District had collected 98.50% of its 2020 taxes as of May 31, 2021. She noted that the District's total expenses were \$39,483.63 and that the cash balance as of May 31, 2021 was \$81,830.75. She presented eight checks and one wire transfer totaling \$21,702.69 for the Board's approval.

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 Tax Collector's Report, and to authorize payment of check numbers 2597 through 2604 from the Tax Account in the amounts, to the persons and for the purposes listed in such Report.

5. **Bookkeeper's Report.** President Spitzmiller recognized Mr. Diaz, who presented to and reviewed with the Board the Bookkeeper's Report for the period from May 12, 2021 to June 8, 2021, certain statements for payment, and the investment report for the period ending May 31, 2021. He stated that the current balance in the general fund is \$5,165,131.71 and that the balance in the debt service fund is \$1,396,202.83.

Mr. Diaz presented check numbers 11885 through 11912 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 \$163,301.13 and the debt service disbursements for the month were \$1.31.

Mr. Diaz reviewed the schedule of investments. He stated that the total investments of all the District's funds are \$6,342,362.27.

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 Robb, 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 11885 through 11912, from the General Fund in the amounts, to the persons, and for the purposes listed in such Report as requested herein.

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

Ms. Wilkinson stated that IDS received minor comments from the City of Houston for the plans for the Ground Storage Tank No. 3 replacement at the Water Plant. She noted that IDS will be resubmitting the plans for final approval by June 11, 2021, and that IDS plans to advertise for bids on June 18, 2021, and June 25, 2021. She requested authorization from the Board to authorize IDS to advertise for bids for the Ground Storage Tank No. 3 replacement. 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 authorize IDS to advertise for bids for the Ground Storage Tank No. 3 replacement.

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 presented the Draft of the Risk and Resilience Assessment Report (“RRA”). She stated that IDS is required to submit certification to the Environmental Protection Agency (“EPA”) of completion of the RRA. She noted that the RRA was prepared with the assistance of Inframark. She requested the Board’s authorization for IDS to submit the certification of the RRA to the EPA prior to June 30, 2021.

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 authorize IDS to submit the certification of the RRA to the EPA prior to June 30, 2021.

Ms. Wilkinson reported on the Texas Department of Transportation (“TxDOT”) FM 1960 Road Widening project. She stated that IDS was contacted by Harris County Municipal Utility District No. 132’s (“No. 132”) engineer regarding the utility relocations that are required by TxDOT as a result of the pavement widening of FM 1960. She noted that the sanitary sewer force main, which serves the jointly owned Lift Station No. 1, is one of the required relocations, which the District is a 10.18% owner. She reported that No. 132 will continue to front the associated costs and that No. 132 will seek reimbursement from the District later this year. She stated that the District’s pro rata share is expected to be \$28,855.

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 May 2021.

Mr. Jenkins stated that 106.4% of the water pumped was billed for the period from April 22, 2021, to May 20, 2021.

Mr. Jenkins reviewed the Major Maintenance Summary for May 2021. He reported that Inframark repaired two water leaks in the District. He reported that Inframark repaired the generator at Lift Station No. 2 and cleaned Lift Station No. 1 wet well.

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.

10. **Executive Session pursuant to Section 551.076 of the Open Meetings Act to discuss security devices or security audits.** It was the consensus of the Board to not enter into executive session since sensitive information was not discussed under the Engineer's Report regarding the draft Risk Assessment Summary Report.

11. **Return to open session.** No report.

12. **Authorize certification to EPA of completion of Risk and Resiliency Report; and such other matters as may properly come before it.** This item was addressed under the Engineer's 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
July 13, 2021.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

