MINUTES HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71

September 26, 2012

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 71 (the "District") met in special session, open to the public, on the 26th day of September, 2012, at the District Administration Building, 21437 Clay Road, Katy, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Katrina Thornhill

President

Pam Kerr

Vice President

Mary DuBois

Secretary

Garth Freeze

Assistant Vice President

Phillip Smith, Jr.

Assistant Secretary

and all of the above were present.

Also present were Rodney Heisch of Brown & Gay Engineers, Inc. ("Brown & Gay"); Steve Woodring of Regional Water Corporation ("RWC"); John Chandler and Brad Seaback of Seaback Maintenance ("Seaback"); Chris Browne of Edminster, Hinshaw, Russ & Associates, Inc. ("EHRA); Marshall Schoth of Aquasurance, LLP; and Tim Austin and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

Director Thornhill called the meeting to order at 6:05 p.m.

REPORT FROM SEABACK MAINTENANCE ON PARK, LANDSCAPE AND LAKE MAINTENANCE

Mr. Seaback presented a proposal from Texas Tree Team for treatment and removal of trees in Directors Park and inside the fenced area at Bundy Lake Park, and discussed the recommendations made by Texas Tree Team, including a single application deep root fertilization in the spring and fall. Mr. Seaback said his mark up for this project would be 8.25% rather than 10%. Upon a motion by Director Kerr and a second by Director DuBois, the Board voted unanimously to approve the proposal submitted by Texas Tree Team and to add the proposal as an exhibit to the District's Master Services Agreement with Seaback Maintenance.

The Board next discussed stocking Bundy Lake Park pond with fish that help control mosquitoes. Mr. Seaback said that, per Harris County, the fish are not effective in the area.

Mr. Seaback next reviewed a maintenance reporting format and the Board agreed that Seaback would report activities planned for the month at regular meetings and activities completed at special meetings.

Director Kerr requested that Seaback check for a leak at the splash pad, follow the operating schedule for the splash pad, and take it out of service for the winter months.

Mr. Seaback also reported that duck removal will begin next month.

DEVELOPMENT AND MAINTENANCE OF DISTRICT, DETENTION PONDS, LAKES, PARKS, AND RECREATIONAL FACILITIES

Director DuBois reported that she discussed with Harris County the District's concerns regarding using water from the 6 acre park for properties outside the boundaries of the District. She said Harris County said they could install a lock on the valve and post a sign saying that water taken may only be used within the boundaries of the District. Following discussion, Director Thornhill moved to approve a tap with a lock on the valve at the 6 acre park, subject to posting of a sign saying that water taken can only be used within the boundaries of the District. Director DuBois seconded the motion, which failed by a vote of 2 to 2, with Directors Thornhill and DuBois voted for the motion, Directors Smith and Kerr voting against the motion and Director Freeze abstaining from voting.

The Board next discussed with Mr. Browne moving forward with additional improvements at the monument area at Bundy Lake. The Board requested Mr. Browne be prepared to discuss and prioritize phases of the planned improvements at the October special meeting.

Mr. Heisch said construction of the lift station at the wastewater treatment plant will be complete in 3 weeks, but the Board concurred to defer landscaping until the spring upon the recommendation of Mr. Browne.

The Board next discussed a Master Services Agreement for EHRA. Mr. Browne confirmed, upon the inquiry of Director Kerr, that there are no separate charges for attending meetings. After review and discussion, upon a motion by Director Kerr and a second by Director Smith, the Board voted unanimously to approve a Master Services Agreement for EHRA.

Mr. Browne requested direction on scope for irrigation at Directors Park. Upon inquiry by Director Smith, Mr. Browne said that the recycling system for the splash pad could irrigate the entire Directors Park, but would require a filter.

Director Freeze requested a separate capital improvement plan for parks.

ADMINISTRATION BUILDING, GAZEBO AND RESTROOM AT BUNDY LAKE

Following review of correspondence from Election Specialists, upon a motion by Director Smith and a second by Director Thornhill, the Board unanimously approved use of the Administration Building on November 5 and 6, 2012 as a polling location for the November 6, 2012 election, subject to confirmation that there are no other prior rental conflicts for those dates.

WATER SMART ACTIVITIES TO PROMOTE WATER CONSERVATION AND HOLIDAY IN THE PARK

The Board discussed the District's annual Holiday in the Park and projected expenses for same. Upon a motion by Director Kerr and a second by Director DuBois, the Board voted unanimously to approve an event budget of \$2,500.

OPERATION OF DISTRICT FACILITIES

Mr. Woodring reported regarding tap leak repairs at 3023 Mason Road and 22023 Westland Creek. Following discussion, Director Thornhill moved to authorize repair of tap leaks at 3023 Mason Road and 22023 Westland Creek. Director Smith seconded the motion which passed unanimously.

Mr. Woodring discussed recent area copper thefts, security at District facilities and presented proposals for security installation at remote well nos. 1 and 2 from Today's Integration. After review and discussion, upon a motion by Director Thornhill and a second by Director Smith, the Board voted unanimously to approve a proposal in the amount of \$2,354.13 to install security equipment at remote well no. 1 and a proposal in the amount of \$2,643.17 to install security equipment at remote well no. 2, both from Today's Integration. Director Smith seconded the motion which passed unanimously.

Mr. Woodring and Mr. Heisch also discussed the second portable generator for the lift station and they said the pricing from the contractor who can meet the specifications exceeds the amount budgeted in the capital improvement plan. Mr. Woodring said that he is looking for additional contractors who can meet the specifications.

ENGINEERING MATTERS

Mr. Heisch presented a storm water renewal permit application for Morton Ranch, Sections 1 through 4.

DISTRICT'S INSURANCE POLICIES

Mr. Schoth reviewed the proposal submitted by Aquasurance, LLC and answered questions regarding same.

The Board then reviewed and discussed proposals from Highpoint Insurance Group, LLC and SIG/McDonald & Wessendorff. Following review and discussion, Director Kerr moved to accept the proposal of Aquasurance, LLC. Director Dubois seconded the motion, which passed by a vote of 4 to 0, with Director Thornhill abstaining from the vote.

ACTION LIST

The Board reviewed and revised the Action List and discussed the status of the items listed.

AGENDA FOR OCTOBER REGULAR MEETING

The Board reviewed the draft agenda for the October regular meeting and discussed proposed agenda items. The Board also agreed to hold a special meeting on October 24, 2012 to discuss park and recreation items.

<u>DIRECTORS AND DISTRICT CONSULTANT'S REPORTS ABOUT DISTRICT OPERATIONS</u>

There was no additional discussion on this agenda item.

SECURITY REPORT, AND EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES

The Board determined no executive session was necessary.

There believes, further business to come before the Board, the meeting was adjourned in Section 1997.

(SEAL)

Secretary, Board of Directors