

MINUTES  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71

April 22, 2019

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 22nd day of April, 2019, 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:

Pam Kerr	President
Katrina Thornhill	Vice President
Mary DuBois	Secretary
Michael Williams	Assistant Vice President
Jennifer Elms	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present were Mike Thornhill, District resident; Scott Barr and Ginny Woodring of Regional Water Corporation ("RWC"); Chad Easter and Casey Collins of Halff Associates, Inc. ("Halff"), Nick Cooke and John Fletcher of Mike Stone Associates ("MSA"); Karen Sears of Storm Water Solutions, LP; Alene Efaw of BGE, Inc. ("BGE"); and Katie Carner, Ashley Arvie and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

Director Kerr called the meeting to order at 6:00 p.m.

COMMENTS AND WEBSITE INQUIRIES FROM THE PUBLIC

There were no public comments.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES; DISCUSS PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE; AND CONSULT WITH ATTORNEY PURSUANT TO SECTION 551.71, TEXAS GOVERNMENT CODE

At 6:03 p.m., the Board met in executive session to (1) deliberate the deployment, or specific occasions for implementation of security personnel or devices; (2) discuss purchase, exchange, lease or value of real property in the District; and (3) consult with the District's attorney. Mr. Cooke, Ms. Efaw, Ms. Carner, and Ms. Arvie were also present. Director DuBois was absent from the meeting.

## RE-CONVENE IN OPEN SESSION

At 6:23 p.m., the Board reconvened in Open Session.

## REPORT ON PARK, LANDSCAPE, AND LAKE MAINTENANCE AND REPAIR AND DEVELOPMENT OF DISTRICT LAKES, PARKS AND RECREATIONAL FACILITIES

Mr. Cooke presented a proposal from MSA to relocate the Bundy Lake fencing at the end of the cul de sacs on Haverbay Court and Banksfield Court to its original location, at no cost to the District.

After review and discussion, Director Kerr moved to approve the proposal from MSA to relocate the Bundy Lake fencing adjacent to Haverbay Court and Banksfield Court to its original location, at no cost to the District. Director Thornhill seconded the motion, which passed by a vote of 4-0, with Director DuBois absent from the meeting.

## MINUTES

The Board considered approving the minutes of the March 25, 2019, special meeting. Following review and discussion, Director Kerr moved to approve the meeting minutes for the March 25, 2019, special meeting, as amended. Director Elms seconded the motion, which passed by a vote of 3-0, with Director Thornhill abstaining from voting and Director DuBois absent from the meeting.

## ARBITRAGE REBATE

The Board reviewed Omnicap, LLC's arbitrage rebate and yield restriction calculation for the District's Series 2009 Bonds. Ms. Carner said the report concludes that no rebate is due to the Internal Revenue Service.

Director DuBois entered the meeting at 6:36 p.m.

## MASTER SERVICES AGREEMENT WITH STORM WATER SOLUTIONS, LP.

The Board reviewed a new Master Services Agreement for storm water management and maintenance services with Storm Water Solutions, LP, as a part of the District's updating of consultant contracts.

Following review and discussion, Director Elms moved to approve the Master Services Agreement for storm water management and maintenance services and direct that the Agreement be filed appropriately and retained in the District's official records. Director DuBois seconded the motion, which passed by unanimous vote.

## REPORT FROM STORM WATER SOLUTIONS

Ms. Sears reviewed a Drainage Facilities Report, a copy of which is attached, and updated the Board regarding general maintenance, previously approved repairs and permitting. She stated that SWS has observed rutting on the top bank of one of the District's detention facilities, which they believe is caused by dirt bikes. Ms. Sears stated SWS is in the process of fabricating "No Trespassing" signs for those detention facilities.

Following review and discussion, Director Thornhill moved to approve the Drainage Facilities Report. Director DuBois seconded the motion, which passed unanimously.

## REPORT ON PARK, LANDSCAPE AND LAKE MAINTENANCE AND REPAIR AND DEVELOPMENT OF DISTRICT LAKES, PARKS AND RECREATIONAL FACILITIES (CONTINUED)

Mr. Cooke reviewed a Parks Management Report, a copy of which is attached, and reported on maintenance and repair work previously approved and underway or completed, including landscape maintenance, irrigation inspection and emergency items repaired at Directors Park and Bundy Lake Park under \$500; District detention ponds; District common areas; and the District Administration Building.

Mr. Cooke stated the new Mountain Climber component for the playground has been installed.

Discussion ensued regarding summer splash pad hours. Following review and discussion, Director Elms moved to open the splash pad every weekend in May, Memorial Day, and then daily except for Mondays thereafter through the summer. Director Thornhill seconded the motion, which passed unanimously. The Board requested that the schedule be posted to the District's website.

Mr. Cooke requested the Board's approval to replace the light pole at one cul-de-sac entrance near Bundy Lake. Following review and discussion, the Board deferred action, pending receipt of a revised proposal for a different type of pole or coating.

Mr. Cooke stated that punch list items to be completed by Four Seasons Development Co. are mostly complete.

Discussion ensued regarding the height of the fencing at Bundy Lake Park, and the need for graduated leveling. Mr. Cooke stated he would research options for fence leveling.

Mr. Cooke then requested that the Board release payment to Halff Associates, Inc., for invoices previously approved by the Board, related to Bundy Lake fencing project design work. Following review and discussion, Director Elms moved to approve Invoice No. 10799, a) in the amount of \$9,122.54 and b) in the amount of \$6,400.00 totaling, \$15,222.54; and Invoice No. 10820, c) in the amount of \$3,565.00 and d) in the amount of \$995.68, totaling, \$4,560.68. Director Thornhill second the motion, which passed unanimously.

Mr. Cooke then stated the reinstallation of “No Trespassing” and “Do Not Feed the Ducks” signage at Bundy Lake Park is in process and will be completed in the coming weeks.

Mr. Easter and Mr. Collins presented and reviewed revised plans for the Bundy Lake Park Improvements, Phase 2. Discussion ensued regarding potential modifications to cul de sac entrances. The Board requested that two proposed sidewalk extensions adjacent to previous gate locations be removed from the design. Mr. Collins stated Halff was proposing to relocate the Bundy Lake boulder to the circle area in front of the gazebo bridge.

Mr. Cooke presented replica samples of the Redi-Rock wall options as part of the proposed Bundy Lake Park Improvements, Phase 2. He stated MSA and Halff recommend the cobblestone pattern in the natural gray color. Following review and discussion, Director Kerr moved to approve the cobblestone pattern in the natural gray color. Director DuBois seconded the motion, which passed unanimously.

Discussion ensued regarding boulder and landscape design options at Bundy Lake Park.

#### OPERATION OF DISTRICT FACILITIES

Ms. Woodring requested the Board’s approval to repair the voltage regulator on the generator at water plant no. 2 for an estimated cost of \$6,500. Discussion ensued regarding potential inclusion of the generator on the District’s Capital Improvement Plan (“CIP”).

Following review and discussion, Director Thornhill moved to authorize the District operator to replace the voltage regulator for an estimate cost of \$6,500. Director Kerr seconded the motion, which passed unanimously.

Ms. Woodring discussed a blow off valve located in a sidewalk of Haverbay Court, which needs to be relocated. After discussion, the Board directed the operator to coordinate with BGE and MSA to relocate the valve to a suitable location.

## ANNUAL WATER LOSS AUDIT

Ms. Woodring discussed the deadline to file the annual water loss audit with the Texas Water Development Board. She reviewed the annual water loss audit with the Board. Following review and discussion, Director Elms moved to authorize the District operator to submit the annual water loss audit to Texas Water Development Board, as required. Director Williams seconded the motion, which passed unanimously.

## REVIEW WATER CONSERVATION PLAN; APPROVE ANNUAL REPORT AND WATER CONSERVATION IMPLEMENTATION REPORT; ADOPT ORDER ADOPTING AMENDED AND RESTATED WATER CONSERVATION PLAN

Ms. Woodring reviewed the Water Conservation Plan Annual Report and Five-Year Implementation Report on the Water Conservation Plan with the Board. Ms. Carner stated that the Texas Commission on Environmental Quality rules require that the District review and adopt an Amended and Restated Water Conservation Plan prior to May 1, 2019. Ms. Carner reviewed an Amended and Restated Water Conservation Plan with the Board.

Discussion ensued regarding Harris County Municipal Utility District No. 287's ("No. 287") water loss audit and water accountability reporting. Following review and discussion, the Board requested ABHR to contact No. 287 regarding their water accountability reporting.

Following review and discussion, Director Thornhill moved to: (1) approve the Water Conservation Annual Report and Five-Year Implementation Report, direct that the reports be filed appropriately and retained in the District's official records, and authorize the District's Operator to submit the reports to the appropriate government agencies; and (2) adopt an Order Adopting Amended and Restated Water Conservation Plan, direct that the Order be filed appropriately and retained in the District's official records, and authorize the District Operator to submit the Amended and Restated Water Conservation Plan to the appropriate government agencies. Director Williams seconded the motion, which passed by unanimous vote.

## ENGINEERING MATTERS

Ms. Efaw discussed the status of construction at water plant no. 1, including the status of inspections and the final pay estimate. Ms. Efaw discussed the timing of Long & Son's completion of the project. She stated the completion date she provided was the date the plant was put back online.

Following review and discussion, Director Kerr moved to authorize BGE to generate the final pay estimate for construction at water plant no. 1, deducting the

amount of \$50,000.00 for disincentive fees, pursuant to the construction contract. The motion was seconded by Director DuBois and passed unanimously.

#### DISTRICT WEBSITE AND ELECTRONIC COMMUNICATION MATTERS

Director Elms discussed the District's website and recommended that the Board post updates regarding billing and payment options. The Board concurred to add updated billing and payment information to the District's website. Discussion ensued regarding the District's payment options.

#### FIRST AMENDMENT TO SERVICE AGREEMENT WITH OFF CINCO.

The Board reviewed a First Amendment to Service Agreement for web design services with Off Cinco, as part of the District's updating of consultant contracts. Following review and discussion, Director Elms moved to approve the First Amendment to Service Agreement for web design services, and direct that the Agreement be filed appropriately and retained in the District's official records. Director DuBois seconded the motion, which passed by unanimous vote.

#### ACTION LIST AND AGENDA

The Board reviewed and revised the Action List and discussed and amended the status of the items listed. The Board discussed agenda items for the May, 2019 regular meeting.

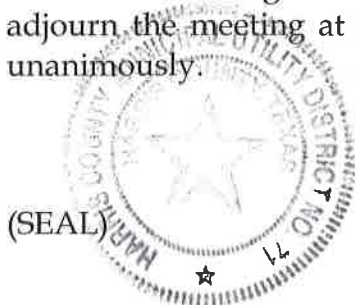
#### SUMMER EVENT


The Board concurred to hold the District's summer event on August 3<sup>rd</sup>.

#### DIRECTORS AND DISTRICT CONSULTANT'S REPORTS

Director Elms reported on her attendance at the Association of Water Board Directors' spring seminar.

There being no additional business to consider, Director Thornhill moved to adjourn the meeting at 8:25 p.m. Director Elms seconded the motion, which passed unanimously.



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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