

HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61

Resolution Affirming Identity Theft Prevention Program

The Board of Directors (“Board”) of Harris County Fresh Water Supply District No. 61 (“District”) met on February 24, 2021, with a quorum of directors present, as follows:

Darrell A. Barroso, President
Lary J. Cangelose, Vice President
Mike Kelley, Secretary
Jon Morgan, Assistant Secretary
Ben Solis, Treasurer

and the following were absent:

None

when the following business was transacted:

Whereas, pursuant to federal law, the Federal Trade Commission adopted Identity Theft Rules requiring the creation of certain policies relating to the use of consumer reports, address discrepancies and the detection, prevention, and mitigation of identity theft; and

Whereas, the Federal Trade Commission regulations, adopted as 16 CFR § 681.1, require creditors, as defined by 15 U.S.C. § 1681(m)(e)(4), to adopt red flag policies to prevent and mitigate identity theft with respect to covered accounts; and

Whereas, 15 U.S.C. § 1691a, defines a creditor as a person that extends, renews, or continues credit, and defines “credit” in part as the right to purchase property or services and defer payment therefor; and

Whereas, the District is a creditor with respect to 16 CFR § 681.1 by virtue of providing water supply and wastewater treatment services and accepting payment in arrears; and

Whereas, the Federal Trade Commission regulations define “covered account,” in part, as an account that a creditor provides for personal, family or household purposes that is

designed to allow multiple payments or transactions and specify that a utility account is a covered account; and

Whereas, the Federal Trade Commission regulations require each creditor to adopt an Identity Theft Prevention Program which will use red flags to detect, prevent and mitigate identity theft-related information used in covered accounts; and

Whereas, the District adopted an Identity Theft Prevention Program (the “Program”) in 2009 which requires an annual review by the Board of Directors to reaffirm or modify the Program and an annual acknowledgement by an authorized representative of the District’s Operator of said reaffirmation or modification; and

Whereas, the Board has reviewed its Identity Theft Prevention Program and has determined that the policy should remain in effect with no changes; and

Whereas, an authorized representative of the District’s Operator publicly acknowledged said review and reaffirmation which acknowledgment is noted in the official minutes of the District.

NOW, THEREFORE, be it resolved by the Board of Directors of the District as follows:

1. In accordance with 16 CFR § 681.1 and the District’s Identity Theft Prevention Program, the Board has reviewed the Identity Theft Prevention Program.
2. The Board has determined that the Identity Theft Prevention Program of the District is appropriate for the District’s purposes and should not be changed but should be reaffirmed.
3. An authorized representative of the District’s Operator has acknowledged said review and reaffirmation.

The President or Vice President is authorized to execute and the Secretary or Assistant Secretary to attest this Resolution on behalf of the District.

DARRELL A. BARROSO

President

ATTEST:

MIKE KELLEY

Secretary

I, the undersigned Secretary of the Board of Directors of Harris County Fresh Water Supply District No. 61, hereby certify that the foregoing is a true and correct copy of the Resolution Affirming Identity Theft Prevention Program adopted by said Board at its meeting on February 24, 2021, and a minute entry of that date showing the adoption thereof, the original of which resolution appears in the minute book of said Board, on file in the District's office.

I further certify that said meeting was open to the public, and that notice was given in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq. as adopted, and as suspended in part by the Governor of Texas on March 16, 2020.

Witness my hand and seal of said District, this _____.

Secretary