

MINUTES  
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

May 13, 2020

The Board of Directors (the "Board") of the West Harris County Regional Water Authority (the "Authority") met in regular session by teleconference and videoconference, with access by video or telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's directive suspending certain open-meeting requirements due to the COVID-19 public health emergency, dated March 16, 2020, on the 13th day of May, 2020, and the roll was called of the members of the Board being present by video and/or telephone:

Eric Hansen	President
Larry Weppler	Vice President
Douglas (Cam) Postle	Secretary
Gary Struzick	Assistant Vice President
Michael Thornhill	Assistant Secretary
Mark Janneck	Director
Michael Owens	Director
Dennis Gorden	Director
John "Jay" Wheeler	Director

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

Also attending the teleconference were Bryan Thomas of Inframark Water Infrastructure Operations ("Inframark"); Wayne Ahrens and Melinda Silva of Dannenbaum Engineering Corp.; Erin Garcia of Myrtle Cruz, Inc.; Alia Vinson, Sanjay Bapat, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR"). Also attending the meeting were members of the public present via video and/or telephone.

Mr. Bapat reviewed certain recommended protocols for conducting the Authority's meeting via teleconference and videoconference. He announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at [www.districtdirectory.org/agendapackets/whcrwa](http://www.districtdirectory.org/agendapackets/whcrwa).

PUBLIC COMMENT

Director Hansen offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, Director Hansen moved to the next agenda item.

## MINUTES OF PREVIOUS MEETING

The Board reviewed the minutes of the April 8, 2020, meeting. Following discussion, Director Struzick moved to approve the minutes of April 8, 2020, meeting, as revised. The motion was seconded by Director Thornhill. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

## UPDATE ON COVID-19 EPIDEMIC EMERGENCY AND CONSIDER OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC

Director Hansen reported that the Authority Board meetings will be conducted via teleconference and videoconference until further notice.

## CUSTOMER APPEALS

No customer appeals were presented.

## TOWNHALL MEETINGS AND WORKSHOPS, WEBSITE, SOCIAL MEDIA, WATER CONSERVATION PROGRAM AND TRAILERS, ATTENDANCE AT CONFERENCES AND MEMBERSHIP IN ORGANIZATIONS, NEWSLETTERS AND MAILOUTS

Director Hansen reported that Ms. Payne stated the following: (1) she anticipates that the Waterworks newsletter will be mailed to residents in June; (2) she also anticipates that the Partners newsletter will be distributed to municipal utility districts and operators in June; and (3) the weather station for homeowner participation in the Texas A&M AgriLife Extension Water My Yard program (the "Program") has been installed at the Pump Station No. 1 site and both newsletters will include information on how to sign up to use the Program.

## ENGINEERING MATTERS

Ms. Silva reviewed an engineer's report, a copy of which is attached, with the Board.

Ms. Silva reviewed with the Board a monthly pumpage report. She pointed out that the pumpage for 2020 through April is approximately 108.2% of the previous year at this date. Ms. Silva reported that approximately 22.29 million gallons per day ("MGD") of surface water was purchased from the City of Houston during April, 2020.

## REQUESTS FOR SURFACE WATER CONVERSION

There was no discussion on this matter.

WATER TRUNKLINE FINANCING AGREEMENTS AND WATER SUPPLY COMMITMENT LETTER AGREEMENTS

There was no discussion on this matter.

REIMBURSEMENTS TO UTILITY DISTRICTS

There was no discussion on this matter.

JOINT WATER LINE PROJECTS

There was no discussion on this matter.

GROUNDWATER REDUCTION PLAN, SUBSIDENCE DISTRICT AND GROUNDWATER REDUCTION REGULATIONS, WELL PERMITS, PURCHASE AND SALE OF CONSERVATION/GROUNDWATER CREDITS, AUTHORITY REQUIREMENTS FOR CONVERSION TO SURFACE WATER AND CHLORAMINES DISINFECTION AND AGREEMENTS REGARDING CREDITS FOR ALTERNATIVE WATER SUPPLY USE

Ms. Silva then reported that Harris County Municipal Utility District No. 576 is a new district located in Precinct 9 of the Authority.

AUTHORITY CONSTRUCTION PROJECTS AND CONTRACTS, AWARD CONSTRUCTION CONTRACTS, AUTHORIZE NEGOTIATION OF CONSTRUCTION CONTRACTS, APPROVE CHANGE ORDERS AND PAY ESTIMATES, ACCEPT PROJECTS, AND AUTHORIZE ANY NECESSARY TERMINATION

Ms. Silva reported on the status of the automated meter reading system implementation, the Surface Water Supply Project ("SWSP") Segment A clearing contract, Contract 38, Contract 37, Contract 35, the Contract for Segment 3-A4, and the analyzer replacement package for Pump Station No. 1.

Ms. Silva recommended acceptance of the project for the analyzer replacement package for Pump Station No. 1. Following discussion, Director Weppler made a motion to accept the project for the analyzer replacement package for Pump Station No. 1, as recommended. Director Janneck seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

Ms. Silva recommended approval of Pay Estimate No. 16 in the amount of \$77,730.60 to Accurate Utility Supply, LLC for the automated meter reading system, approval of Pay Estimate No. 6 in the amount of \$552,541.50 to Main Lane Industries, Ltd., for Contract 38, Pay Estimate No. 4 in the amount of \$716,062.95 to Main Lane Industries, Ltd., for Contract 35, Pay Estimate No. 3 in the amount of \$566,192.65 to Garney Companies for Contract S3-A4, and Pay Estimate No. 1 and Final in the amount

of \$99,835.00 to Harwell Environmental Corp., for the analyzer replacement package for Pump Station No. 1. Following review and discussion, Director Wheeler made a motion to approve the above-mentioned pay estimates, as recommended. Director Gorden seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

Ms. Vinson reviewed change orders to agreements with The Texas Network, including Change Order No. 8 to the Website Development and Management Agreement for the Authority's website and Change Order No. 2 to the Website Development and Management Agreement for the SWSP. Discussion ensued regarding revisions to Change Order No. 2 to the Website Development and Management Agreement for the SWSP. Following review and discussion, Director Struzick made a motion to (1) approve Change Order No. 8 to the Website Development and Management Agreement for the Authority's website, as submitted; and (2) approve Change Order No. 2 to the Website Development and Management Agreement for the SWSP, modified to state that SWSP Analytics reports will be provided only upon written request of the Authority. Director Owens seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

CITY OF HOUSTON WATER SUPPLY CONTRACT AND SUPPLEMENTS THERETO, INCLUDING AMENDMENTS THERETO, CHARGES FOR OPERATION AND MAINTENANCE EXPENSES, AND CASH CALLS, NORTHEAST WATER PLANT ("NEWPP") EXPANSION, LUCE BAYOU, AND NORTHEAST TRANSMISSION LINE

There was no discussion on this matter.

CONTRACTS FOR SERVICES FOR ENGINEERING, ENGINEERING DESIGN, GEOTECHNICAL, ABSTRACTING, SURVEYING, LEGAL, RIGHT-OF-WAY ACQUISITION, COMMUNICATIONS AND CRISIS MANAGEMENT, WEBSITE, OPERATING SERVICES, AND APPRAISAL SERVICES, INCLUDING APPROVAL OF CONTRACTS FOR SERVICES, WORK AUTHORIZATIONS, CHANGE ORDERS, AMENDMENTS TO AND ASSIGNMENTS OF CONTRACTS, TERMINATIONS, AND LEGAL CONFLICTS WAIVER

Ms. Silva reported that RPS Consultants, the engineer for Contract 36, is waiting on the contractor to submit payment and performance bonds and the certificate of insurance.

Ms. Silva then reported that IDS Engineering Group, Inc., the engineer for Contract 50, is working on City of Houston signatures.

Ms. Silva reported that EHRA, the engineer for Kinder Morgan 7, is working on submittal of 90% design plans.

Ms. Silva also reported that EHRA, the engineer for Contract 32, is working on submittal of 90% design plans.

Ms. Silva reported that AECOM Technical Services, Inc., the engineer for the Segment A project, is working on submittal of 90% design plans.

Ms. Silva also reported that Black & Veatch, the engineer of the SWSP, submitted plans to Harris County for Segments B1/B2 and B3 and is working on submittal of 100% design plans. She stated a variance for Segments B1/B2 and a Slope Stability Analysis Report has been submitted to Harris County Flood Control District. Ms. Silva also stated that Black & Veatch is addressing comments received from the Texas Department of Transportation on both design packages.

Ms. Silva then reported that Freese & Nichols, the engineer for the Segment C of the SWSP, obtained new signatures from CenterPoint Energy and plans have been re-submitted to the City.

Ms. Silva also reported that Freese & Nichols, the engineer on the RePump Station, is evaluating options to meet the new floodplain criteria.

Ms. Silva reported that AECOM Technical Services, Inc., the engineer on the Central Pump Station, returned comments on 100% design plans for agency review.

Ms. Silva then reported that Mbroh Engineering, Inc., the engineer for the wide area network, fiber optic, and incidental electrical design services, is working on Segment B valve stations. She also reported that Segment C and the Central Pump Station have been completed.

Ms. Silva also reported that Halff Associates, Inc., the engineer for Kinder Morgan 1, is working on submittal of 100% design plans.

Ms. Silva reported that IDS Engineering Group, Inc., the engineer for Kinder Morgan 2, is working on submittal of 100% design plans.

Ms. Silva then reported that Garver, the engineer for Kinder Morgan 3, is working on submittal of 100% design plans.

Ms. Silva also reported that Lockwood, Andrews & Newnam, Inc., the engineer for Kinder Morgan 4, submitted design plans to the agencies and is working on submittal of 100% design plans.

Ms. Silva reported that Jones & Carter, Inc., the engineer for Kinder Morgan 5, is working on submittal of 100% design plans.

Ms. Silva also reported that Black & Veatch Corporation, the engineer for Kinder Morgan 6, is working on submittal of 100% design plans.

Ms. Silva then reported that Binkley & Barfield, Inc., the engineer for Segment 3-A1, is working on submittal of 100% design plans.

Ms. Silva reported that Kimley-Horn & Associates, Inc., the engineer for Segment 3-A2, is working on submittal of 100% design plans.

Ms. Silva also reported that Freese & Nichols, Inc., the engineer for Segment 3-A3, is working on submittal of 100% design plans.

Ms. Silva reported that Huitt-Zollars, Inc., the engineer for Segment 3-A5, is working on submittal of 100% design plans.

Ms. Silva also reported that BGE, Inc., the engineer for Segment 3-B1, is working on submittal of 100% design plans. She stated that DEC is preparing the variance package for right-of-way alignment along the Harris County Flood Control District channel.

The Board then considered the following work authorizations: (1) Supplement No. 1 to Work Authorization No. 104 to Abstract Services of Houston to amend the amount to \$2,200 and amend the termination date to December 31, 2020; (2) Work Authorization No. 151 to Rapid Research, Inc., in the amount of \$1,100.00; (3) Work Authorization No. 150 to Rapid Research, Inc., in the amount of \$400.00; (4) Work Authorization No. 120 to Luper, LLC in the amount of \$5,200.00; (5) Work Authorization No. 121 to Luper, LLC in the amount of \$6,200.00; and (6) Work Authorization No. 122 to Luper, LLC in the amount of \$2,400.00. Following review and discussion, Director Wheeler moved to approve the above-described work authorizations and the supplement to work authorization. Director Weppler seconded the motion. A roll call of the Board was taken and the motion carried by a vote of eight for the motion with Director Postle abstaining.

#### ENVIRONMENTAL PERMITTING, COMPLIANCE, MITIGATION AND RELATED AGREEMENTS

There was no discussion on this matter.

REALTY INTEREST ACQUISITION AND CONVEYANCE, INCLUDING ACCEPT, CONVEY, AMEND, APPROVE OR RELEASE EASEMENTS, EASEMENT AGREEMENTS, ASSIGNMENTS OF EASEMENTS, DEEDS, PLATS, RIGHT OF ENTRY AGREEMENTS, APPROVE PURCHASE AND SALE AGREEMENTS, AND APPROVE INTERLOCAL AGREEMENTS WITH HARRIS COUNTY AND HARRIS COUNTY FLOOD CONTROL DISTRICT

Ms. Silva noted that the Chief Administrative Official, Director Postle, has been designated to approve easements and the list of approved easements is reflected on the engineer's report.

ENCROACHMENTS OF EASEMENTS OR OTHER REALTY INTERESTS, INCLUDING ACCEPT, CONVEY, AMEND, OR RELEASE ENCROACHMENT AGREEMENTS

There was no discussion on this matter.

TEXAS WATER DEVELOPMENT BOARD ("TWDB") FINANCING MATTERS

There was no discussion on this matter.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF BILLS, REVIEW OF INVESTMENTS, AND AUTHORITY FEES AND CHARGES

Ms. Garcia reviewed the bookkeeper's report, a copy of which is attached, a budget comparison, and the disbursements in the bookkeeper's report submitted for the Authority's review. Following review and discussion, Director Gorden moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report. Director Struzick seconded the motion. A roll call of the Board was taken and the motion carried by a vote of seven for the motion with Directors Postle and Weppler abstaining.

JOINT WATER LINE PROJECTS (continued)

Director Hansen reported that issuance of the quarterly cash call for the SWSP, which is pro-rated between the Authority and the North Fort Bend Water Authority in accordance with the Joint Facilities Agreement, will not be considered at tonight's meeting.

DELINQUENT AMOUNTS DUE THE AUTHORITY AND VIOLATIONS OF AUTHORITY RULES OR ORDERS; IMPOSE CIVIL PENALTIES AND APPROVE PAYMENT PLAN OR SETTLEMENT AGREEMENTS; CONDUCT HEARING REGARDING SAME

There was no discussion on this matter.

OPERATION OF AUTHORITY FACILITIES, BILLINGS, REPAIRS, INSPECTIONS, MAINTENANCE, CATHODIC PROTECTION, AUTOMATIC METER READING, RIGHT OF WAY MAINTENANCE, AND WATER SUPPLY ISSUES, INCLUDING APPROVAL OF CONTRACTS FOR SUCH WORK, CHANGE ORDERS, WORK AUTHORIZATIONS, AMENDMENTS TO AND ASSIGNMENTS OF CONTRACTS, AND TERMINATIONS

Mr. Thomas reviewed the operator's report, a copy of which is attached.

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES

The Board considered the critical load spreadsheet for the Authority's facilities. Following review and discussion, Director Owens made a motion to authorize filing of the critical load spreadsheet. Director Thornhill seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

CONVENE EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY AND CONSULTATION WITH ATTORNEY REGARDING ANY PENDING OR CONTEMPLATED LITIGATION OR SETTLEMENT OFFERS

The Board did not convene in executive session.

There being no further matters to come before the Authority, the meeting was adjourned.

\_\_\_\_\_  
/s/ Douglas (Cam) Postle  
Secretary, Board of Directors





LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
engineer's report .....	2
bookkeeper's report .....	7
operator's report.....	8