

MINUTES
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

March 8, 2023

The Board of Directors (the “Board”) of the West Harris County Regional Water Authority (the “Authority”) met in regular session, open to the public, on the 8th day of March, 2023, at the Fry Road Municipal Utility District Administration Building, 20111 Saums Road, Katy, Texas 77449, inside the boundaries of the Authority, and the roll was called of the members of the Board:

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

and all of the above were present except Directors Hansen and Cannon, thus constituting a quorum.

Also attending the meeting were Bryan Thomas of Inframark Water Infrastructure Operations; Wayne Ahrens, Melinda Silva, and Chase Juhl of DEC; Troy Anthony of Project Surveillance, Inc.; Kevin Berry of EEPB; and Alia Vinson, Sanjay Bapat, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP. Also present at the meeting were those persons included on the attached list.

PUBLIC COMMENT

Director Weppler offered any members of the public attending the meeting the opportunity to make public comment.

Mr. Bob Blumrick stated he is a director of Harris County Municipal Utility District No. 163 and discussed erroneous and conflicting information provided by various local news outlets related to the freeze event in December 2022. He stated some news outlets stated to drip pipes and others did not, which caused confusion for the general public.

There being no additional members of the public requesting to make public comment, Director Weppler moved to the next agenda item.

MINUTES OF PREVIOUS MEETINGS

The Board reviewed the minutes of the February 8, 2023, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the minutes of the February 8, 2023, regular Authority Board meeting, as submitted. The motion was seconded by Director Janneck, which passed unanimously.

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 Thornhill discussed Authority social media initiatives, including irrigation messaging that features the Water My Yard program mascot, Irry Gator. He noted that brochures related to irrigation and water conservation can be ordered online through the Authority's website.

Director Thornhill also provided an update on preparation of the 2023 edition of the "Partners in Progress" newsletter and stated that suggestions for content to be included in the newsletter should be directed to Barbara Payne.

ENGINEERING MATTERS

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

Ms. Silva reviewed the monthly pumpage report. She pointed out that pumpage for 2023 through February is approximately 100.593% of the previous year at this date and that the average usage for 2023 is projected to be 50.54 MGD.

Ms. Silva reported that for February, the Authority was 36.72% converted to surface water and for the 2023 calendar year, the Authority was 36.12% converted to surface water.

Ms. Silva provided an update on design and schedule matters concerning the remaining 2025 CIP projects.

Ms. Silva reported that the population and water demand projections are being updated based on new data from the U.S. Census Bureau.

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.

JOINT WATER LINE PROJECTS

Ms. Silva reported that the Authority authorized purchase of a Railroad Protective Liability insurance policy pursuant to the Pipeline Crossing Agreement with Union Pacific Railroad Company for Segment B1.

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 reported that the Authority received 2023 well permits, which have been posted to the Authority's website. She noted that the Authority's 2022 well permit reconciliation is due March 15, 2023.

Ms. Silva then reported that Harris County Municipal Utility District No. 570C has a new well.

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

Ms. Silva reported on the status of construction for Contract 50, Contract 32, Surface Water Supply Project ("SWSP") Segments B1 and B2, SWSP Segment B3, SWSP Segments C1 and C2, SWSP Segments 3-A1, 3-A2, and 3-A3, and the SWSP Central Pump Station.

Regarding Contract 50 and Contract 32, Ms. Silva reported that DEC is coordinating with the municipal utility districts regarding startup.

Ms. Silva recommended approval of: (1) Pay Estimate No. 1 in the amount of \$170,468.10 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 15 in the amount of \$489,849.20 to Persons Services Corp. for Contract 50; (3) Pay Estimate No. 8 in the amount of \$2,714,272.08 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (4) Pay Estimate No. 9 in the amount of \$3,848,255.37 to Jay Dee Contractors, Inc. for SWSP Segment B3; (5) Pay Estimate No. 26

in the amount of \$124,653.04 to S.J. Louis Construction of Texas Ltd. for SWSP Segment C1; (6) Pay Estimate No. 26 in the amount of \$793,816.77 to Harper Brothers Construction, LLC for SWSP Segment C2; (7) Pay Estimate No. 15 in the amount of \$114,590.56 to R Construction Company for SWSP Segment 3-A1; (8) Pay Estimate No. 17 in the amount of \$500,467.39 to E.P. Brady, Ltd. for SWSP Segment 3-A2; and (9) Pay Estimate No. 16 in the amount of \$43,180.73 to Main Lane Industries, Ltd. for SWSP Segment 3-A3. Following review and discussion, Director Wheeler made a motion to approve the above-described pay estimates, as recommended. Director Struzick seconded the motion, which passed unanimously.

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, WEBSITE, ACCOUNTING/BOOKKEEPING AND SOFTWARE, RATE ANALYSIS, 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 the Notice to Proceed for construction of SWSP Segments A1 and A2 was issued for March 6, 2023.

Ms. Silva then reported that various issues related to Harris County civil review of the 100% design plans for the RePump Station are being worked through and noted that City of Houston approval of the plans is pending.

Ms. Silva also reported that the surveys and geotechnical investigations for the Bellaire Meter Station and the I-10 Meter Station are complete.

Ms. Silva reported she anticipates that 60% design plans for the Northeast Meter Station will be submitted to agencies by the end of March 2023.

Ms. Silva then reported that 100% design plans for the SWSP Kinder Morgan Segment 1 are under review.

Ms. Silva also reported that DEC is working with the design engineers for SWSP Kinder Morgan Segments 2-6 on updates to their proposals for design of these projects.

Ms. Silva reported that EHRA, the design engineer for the Kinder Morgan 7 sub-segment, is coordinating with municipal utility districts on meter stations.

Ms. Silva then reported that a design proposal is being negotiated with Sanders for Contract 51.

Ms. Silva also reported that a design proposal is being negotiated with Arcadis for Contract 52.

Ms. Silva reported that Carollo, the design engineer for Contract 63, submitted 60% design plans on March 1, 2023, and the plans are under review.

Ms. Silva then reported that LAN, the design engineer for Contract 64, submitted 30% design plans on March 1, 2023, and the plans are under review.

Ms. Silva also reported that 30% design plans are expected to be submitted by Kimley Horn, the design engineer for Contract 65, on April 11, 2023.

Ms. Silva reported that 30% design plans submitted on January 27, 2023, by Sander Engineering, the design engineer for Contract 25, are under review.

Ms. Silva then reported that 30% design plans submitted on February 24, 2023, by Huitt-Zollars, the design engineer for Contract 26, are under review.

Ms. Silva also reported that 60% design plan submitted on February 17, 2023, by Vogler & Spencer, the design engineer for Contract 27, are under review.

Ms. Silva then reviewed and recommended approval of the following: (1) Addendum No. 7 to the Master Services Agreement with Rapid Research to replace Exhibit B; (2) Addendum No. 7 to the Master Services Agreement with Heidaker Land Services, Inc. to replace Exhibit B; and (3) Amendment No. 4 to the Master Services Agreement with V&A Consulting Engineer, Inc. to replace Exhibit B-1. Following review and discussion, Director Struzick moved to approve the above-described addenda and amendment. Director Thornhill seconded the motion, which passed unanimously.

The Board then considered approving the following work authorizations: (1) Work Authorization No. 13 to V&A Consulting Engineers, Inc. in the not to exceed amount of \$14,609.00; and (2) Supplement No. 2 to Work Authorization No. 1 to V&A Consulting Engineers, Inc. to extend the termination date. Following review and discussion, Director Wheeler moved to approve the above-described work authorization and supplement to work authorization. Director Gorden seconded the motion, which passed unanimously.

ENVIRONMENTAL PERMITTING, COMPLIANCE, MITIGATION AND RELATED AGREEMENTS

Ms. Silva provided a report on the update to the SWSP East-West Nationwide Permit ("NWP") from NWP 12 to NWP 58.

REALTY INTEREST ACQUISITION AND CONVEYANCE, INCLUDING ACCEPT, CONVEY, AMEND, APPROVE OR RELEASE EASEMENTS, EASEMENT AGREEMENTS, ASSIGNMENTS OF EASEMENTS, DEEDS, PLATS, RIGHT OF ENTRY AGREEMENTS, RELOCATION 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 attached engineer's report.

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

Director Wepler reported that the Authority will be implementing a new encroachment policy (the "Policy") and he anticipates that the Policy will be presented to the Board for approval at the Authority Board meeting next month. He noted that after the Policy is approved by the Board, it will be posted to the Authority's website and distributed to municipal utility district engineers and attorneys via email.

CONSTRUCTION UPDATES

Mr. Anthony presented the attached SWSP Monthly Construction Status Report dated March 6, 2023.

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

Mr. Berry reviewed the bookkeeper's report, a copy of which is attached, and the disbursements in the bookkeeper's report submitted for the Authority's review. He then reviewed invoices from McGriff Insurance Services, Inc. in the amount of \$7,875.00 for a Railroad Protective Liability insurance policy and the United States Army Corps of Engineers in the amount of \$11,300.00 for a permit fee. Following review and discussion, Director Thornhill moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report, and payments to McGriff Insurance Services, Inc. in the amount of \$7,875.00 and the United States Army Corps of Engineers in the amount of \$11,300.00. Director Struzick seconded the motion, which carried by a vote of six for the motion, with Director Postle abstaining.

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, AUTOMATIC METER READING, REQUESTS FOR REIMBURSEMENT, CREDITS, OR WAIVERS, REPAIRS, INSPECTIONS, MAINTENANCE, CATHODIC PROTECTION, RIGHT OF WAY MAINTENANCE, AND WATER SUPPLY ISSUES, APPROVAL OF CONTRACTS FOR RELATED WORK, CHANGE ORDERS, WORK AUTHORIZATIONS, AMENDMENTS TO AND ASSIGNMENTS OF CONTRACTS, TERMINATIONS, AND DROUGHT CONTINGENCY PLAN MATTERS

Mr. Thomas reviewed the operator's report, a copy of which is attached. Following review and discussion, Director Gorden made a motion to approve the operator's report. Director Struzick seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION TO CONSULT WITH ATTORNEY PURSUANT TO SECTION 551.071 TEXAS GOVERNMENT CODE

The Board did not convene in executive session.

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

_____/s/ Douglas C. Postle_____
Secretary, Board of Directors



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