

MINUTES  
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

July 12, 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 12th day of July, 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 Postle and Struzick, thus constituting a quorum.

Also attending the meeting were Bryan Thomas of Inframark Water Infrastructure Operations ("Inframark"); Wayne Ahrens, Melinda Silva, and Chase Juhl of DEC; Troy Anthony of Project Surveillance, Inc.; Kevin Berry of EEPB; and 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 Hansen offered any members of the public attending the meeting the opportunity to make public comment.

Mr. Philip Johnson introduced himself and distributed a list of questions to the Board. He noted that he did not expect the Board to immediately review and respond to the questions.

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



## MINUTES OF PREVIOUS MEETINGS

The Board reviewed the minutes of the June 14, 2023, regular Authority Board meeting. Following review and discussion, Director Thornhill moved to approve the minutes of the June 14, 2023, regular Authority Board meeting, as revised. The motion was seconded by Director Gorden, 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

Mr. Thomas provided a report regarding the exhibit booth the Authority obtained at the 2023 Association of Water Board Directors summer conference.

Mr. Thomas reported that the Authority launched a new website.

Mr. Thomas then reported that the first of a series of Authority advertisements are being placed in the *Katy Times* and the Katy and Cypress editions of *Community Impact* at the end of this month.

Mr. Thomas also reported that the 2023 edition of the "Partners in Progress" newsletter is almost complete.

Mr. Thomas reported that irrigation billing inserts can be ordered online through the Authority's website.

## 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 June is approximately 95.49% of the previous year at this date and that the average usage for 2023 to date is 64.10 MGD.

Ms. Silva reported that for June, the Authority was 30.27% converted to surface water and for the 2023 calendar year, the Authority was 36.53% 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

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

There was no discussion on this matter.

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, SWSP Segments A1/A2, and the SWSP Central Pump Station.

Regarding Contract 50, Ms. Silva reported that delivery of surface water to Morton Road Municipal Utility District and Harris County Municipal Utility District No. 17 commenced in June.

Regarding Contract 32, Ms. Silva reported that the final walkthrough is complete and approval from the Texas Water Development Board is needed to close out the project.



Ms. Silva recommended approval of: (1) Pay Estimate No. 5 in the amount of \$4,967,767.31 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 19 in the amount of \$74,175.30 to Persons Services Corp. for Contract 50; (3) Pay Estimate No. 12 in the amount of \$4,590,213.84 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (4) Pay Estimate No. 13 in the amount of \$5,069,215.17 to Jay Dee Contractors, Inc. for SWSP Segment B3; (5) Pay Estimate No. 30 in the amount of \$20,950.59 to S.J. Louis Construction of Texas Ltd. for SWSP Segment C1; (6) Pay Estimate No. 30 in the amount of \$1,374,959.25 to Harper Brothers Construction, LLC for SWSP Segment C2; (7) Pay Estimate No. 19 in the amount of \$391,336.01 to R Construction Company for SWSP Segment 3-A1; (8) Pay Estimate No. 21 in the amount of \$505,378.77 to E.P. Brady, Ltd. for SWSP Segment 3-A2; and (9) Pay Estimate No. 2 in the amount of \$87,639.75 to Harper Brothers Construction, LLC for SWSP Segment A1/A2. Following review and discussion, Director Weppler made a motion to approve the above-described pay estimates, as recommended. Director Wheeler 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 PURIFICATION PLANT ("NEWPP") EXPANSION, LUCE BAYOU, AND NORTHEAST TRANSMISSION LINE

Ms. Silva reported that the Water Supply Contract Advisory Committee meeting was held on June 23, 2023.

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 work related to Harris County fire code review of the 100% design plans for the RePump Station continues and that the City of Houston approved the plans.

Ms. Silva reported that 90% design plans for the Bellaire Pump Station Meter Station are being worked on.

Ms. Silva then reported that 90% design plans for the I-10 Meter Station are being worked on.



Ms. Silva also reported that 90% design plans for the Northeast Meter Station are also being worked on.

Ms. Silva reported that the design work for SWSP Kinder Morgan Segments 1-6 has restarted.

Ms. Silva then reported that design plans for SWSP Segment 3-A5 are on hold pending approval from the Harris County Flood Control District of the SWSP Segment 3-B1 design plans.

Ms. Silva also reported that right-of-way issues are being resolved and comments are being reconciled for Segment 3-B1 design plans.

Ms. Silva reported on coordination with EHRA, the design engineer for the Kinder Morgan 7 sub-segment, regarding extension of an easement to serve Harris County Municipal Utility District No. 5.

Ms. Silva then reported that survey work for Contract 51 is underway.

Ms. Silva also reported that survey work is also underway for Contract 52.

Ms. Silva reported that a kickoff meeting with IDS Engineering Group, Inc., the design engineer for Contract 53 is being scheduled.

Ms. Silva then reported that the design proposal for Contract 54 from InduSri is under review.

Ms. Silva also reported regarding Contract 55 and stated that DEC is coordinating with the municipal utility districts' engineers regarding the location of future water plant sites.

Ms. Silva reported that 90% design plans submitted by Carollo, the design engineer for Contract 63, are under review.

Ms. Silva then reported that 60% design plans submitted by Lockwood, Andrews, and Newman, Inc., the design engineer for Contract 64, are under review.

Ms. Silva also reported that Kimley Horn, the design engineer for Contract 65, is working on the 60% design plans.

Ms. Silva reported that 60% design plans submitted by Sander Engineering, the design engineer for Contract 25, are under review.

Ms. Silva then reported that Huitt-Zollars, the design engineer for Contract 26, is working on the 60% design plans.



Ms. Silva also reported that Vogler & Spencer, the design engineer for Contract 27, is working on the 90% design plans.

Ms. Silva reported that a proposal meeting with 5 Engineering, the design engineer for Contract 28, is being scheduled.

Ms. Silva then reported that a proposal meeting is also being scheduled with Kuo, the design engineer for Contract 29.

Ms. Silva reviewed and recommended approval of the following work authorizations: (1) Work Authorization No. 201 to Rapid Research in the amount of \$7,085.00; (2) Work Authorization No. 14 to V&A Consulting Engineers, Inc. in the amount of \$18,461.00; (3) Work Authorization No. 15 to V&A Consulting Engineers, Inc. in the amount of \$18,461.00; and (4) Supplement No. 1 to Work Authorization No. 3 to Integra Realty Resources to increase the maximum payable amount to \$10,000.00. Following review and discussion, Director Wheeler moved to approve the above-described work authorizations and supplement to work authorization. Director Thornhill seconded the motion, which passed unanimously.

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

Mr. Silva reported that a response from the United States Army Corps of Engineers regarding the application for jurisdictional determination for the Northeast Meter Station site to declassify the property as wetlands submitted on December 7, 2022, is still pending.

Ms. Silva reported that the assessment and recommendations on environmental needs related to the CIP priority projects was received.

#### 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

Ms. Silva stated that the Encroachment Review Committee has been authorized to approve and authorize execution of appropriate approval documents related to requests to encroach onto the Authority's property interests and the list of the approved documents is reflected on the attached engineer's report.

CONSTRUCTION UPDATES

Mr. Juhl presented the attached SWSP Monthly Construction Status Report dated July 10, 2023.

RESOLUTION ESTABLISHING DIRECTOR FEES OF OFFICE

The Board then considered adopting a Resolution Establishing Director Fees of Office to reflect that directors' fees of office shall be paid at the maximum rate and maximum number of days per year allowed by law, noting that this would replace the previously adopted Resolution. After review and discussion, Director Thornhill moved to adopt a Resolution Establishing Director Fees of Office and direct that the Resolution be filed appropriately and retained in the District's official records. Director Wheeler seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF BILLS, REVIEW OF INVESTMENTS, AND AUTHORITY FEES AND CHARGES, AND ACCEPT ANNUAL DISCLOSURE STATEMENTS OF THE BOOKKEEPER AND INVESTMENT OFFICER

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. Following review and discussion, Director Wheeler moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report. Director Gorden seconded the motion, which passed unanimously.

The Board next considered accepting the annual disclosure statements of the bookkeeper and investment officer. Following review and discussion, Director Weppler moved to accept the annual disclosure statements of the bookkeeper and investment officer. Director Janneck seconded the motion, which passed unanimously.



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.

RISK MANAGEMENT SERVICE AGREEMENT WITH MCGRUFF INSURANCE  
SERVICES, LLC

The Board considered approving the Risk Management Service Agreement with McGriff Insurance Services, LLC. Following review and discussion, Director Wepler moved to approve the Risk Management Service Agreement. Director Janneck seconded the motion, which passed unanimously.

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.

Mr. Thomas requested that the Board approve a proposal from a subcontractor for Inframark to install a 30'x30' carport to store three Mobile Teaching Lab Trailers at Pump Station No. 1 in the amount of \$20,577.97. Following discussion, Director Janneck made a motion to approve the above-described proposal, as a subcontractor of Inframark, in the amount of \$20,577.97. Director Gorden seconded the motion, which passed unanimously.

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

The Board convened in executive session at 6:46 p.m. pursuant to Section 551.071, Texas Government Code. Mr. Bapat stated that the presence of Mr. Ahrens, Ms. Silva, Mr. Juhl, and Mr. Anthony in this executive session was necessary in order for the Board to obtain the necessary legal advice from its attorney, and the Board concurred to have them present. Present at the closed meeting were Directors Hansen, Wepler, Thornhill, Janneck, Cannon, Gorden and Wheeler, Mr. Ahrens, Ms. Silva, Mr. Juhl, Mr. Anthony, Mr. Bapat, and Ms. Panozzo.

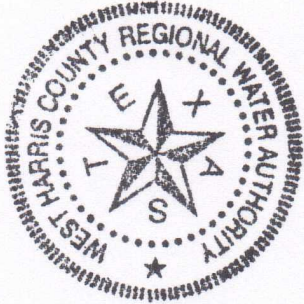


RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

At 7:05 p.m., the Board reconvened in open session. The Board took no action related to the executive session in open session.

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

(SEAL)



*M. L. L.*  
Asst. Secretary, Board of Directors



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