

MINUTES
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

February 14, 2024

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 14th day of February, 2024, 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 Weppler, Postle, and Thornhill, 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.; Frank Turner of EEPB; and Alia Vinson and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR"). 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. There being no 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 January 10, 2024, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the minutes of the January 10, 2024, regular Authority Board meeting, as revised. The motion was seconded by Director Wheeler, 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 Struzick stated that the 2024 edition of the "Partners in Progress" newsletter has been posted on the Authority's website, sent out through an email blast, and printed copies are available for those attending tonight's meeting.

ENGINEERING MATTERS

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

Ms. Silva reported that for January, the Authority was 37% converted to surface water and for the 2024 calendar year, the Authority was 37% converted to surface water.

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

The Board considered authorizing issuance of Cash Call No. 2 in the amount of \$30,781,173.18 for Surface Water Supply Project ("SWSP") RePump Station. Following review and discussion, Director Wheeler moved to authorize the issuance of Cash Call No. 2 for SWSP RePump Station. Director Gorden seconded the motion, which passed unanimously.

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 Harris-Galveston Subsidence District issued the new 2024 well permits and copies of the new well permits have been posted on the Authority's website.

Ms. Silva reported that Harris County Municipal Utility District No. 576, Barker Cypress Municipal Utility District, and Harris County Municipal Utility District No. 432 each have a new well.

Ms. Silva recommended reimbursement to West Harris County Municipal Utility District No. 17 ("WHC MUD 17") in the amount of \$502,788.94 for conversion to chloramine for WHC MUD 17's Water Plant as discussed in the Authority's Design Committee and in accordance with the Authority's Rate Order. Following review and discussion, Director Struzick moved to approve reimbursement in the amount of \$502,788.94 to WHC MUD 17, subject to execution of a Receipt and Release by WHC MUD 17. Director Wheeler seconded the motion, which passed unanimously.

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, 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.

Ms. Silva recommended approval of: (1) Pay Estimate No. 12 in the amount of \$1,401,819.23 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 22 and Final in the amount of \$751,728.18 to Persons Services Corp. for Contract 50; (3) Pay Estimate No. 19 in the amount of \$2,120,857.28 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (4) Pay Estimate No. 20 in the amount of \$3,736,636.10 to Jay Dee Contractors, Inc. for SWSP Segment B3; (5) Pay Estimate No. 37 in the amount of \$167,717.71 to S.J. Louis Construction, Inc. for SWSP Segment C1; (6) Pay Estimate No. 37 in the amount of \$114,547.20 to Harper Brothers Construction, LLC for SWSP Segment C2; (7) Pay Estimate No. 25 in the amount of \$38,103.00 to E.P. Brady, Ltd. for SWSP Segment 3-A2 ; (8) Pay Estimate No. 18 in the amount of \$298,932.28 to Main Lane Industries, Ltd. for SWSP Segment 3-A3; and (9)

Pay Estimate No. 9 in the amount of \$11,304,464.94 to Harper Brothers Construction, LLC for SWSP Segment A1/A2. Following review and discussion, Director Cannon made a motion to approve the above-described pay estimates, as recommended. Director Gorden seconded the motion, which passed unanimously.

Ms. Silva recommended approval of Change Order No. 1 to the contract for construction of the SWSP Segments B1 and B2 with Harper Brothers Construction, LLC, in the amount of \$2,239,441.81 and the addition of 27 days to the contract duration to address unanticipated utility conflicts. The Board determined that Change Order No. 1 is beneficial to the Authority. After review and discussion, Director Struzick moved to approve Change Order No. 1 to the contract for construction of the SWSP Segments B1 and B2 with Harper Brothers Construction, LLC, based upon the Board's finding that the Change Order is beneficial to the Authority and the engineer's recommendation. Director Wheeler seconded the motion, which passed unanimously.

Ms. Silva reported that the design engineer for the SWSP RePump Station recommended that the Board award the contract to PLW, LLC ("PLW"), the low bidder, in the amount of \$104,424,996.48. Ms. Silva noted that the Authority received authorization from the Texas Water Development Board to award the contract. The Board concurred that, in its judgment, PLW was a responsible bidder who would be most advantageous to the Authority and would result in the best and most economical completion of the project. Following review and discussion, Director Struzick moved to award the SWSP RePump Station to PLW in the amount of \$104,424,996.48, based on the engineer's recommendation and subject to approval of payment and performance bonds and review of the certificate of insurance and endorsements, if any, provided by the contractor. 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 next Water Supply Contract Advisory Committee meeting is scheduled for March 1, 2024.

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 on coordination with the North Fort Bend Water Authority on review of the design plans for the Bellaire Pump Station Meter Station.

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

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

Ms. Silva reported that final updates and resubmittals of the design plans for SWSP Kinder Morgan Segments 1, 2, 3, and 5 Station are being worked on.

Ms. Silva then reported that work is being done on the Texas Department of Transportation permit for the design plans for SWSP Kinder Morgan Segment 4.

Ms. Silva also reported that a request for authorization to advertise for bids for SWSP Kinder Morgan Segment 6 has been submitted to the Texas Water Development Board.

Ms. Silva reported that Huitt-Zollars, the design engineer for SWSP Segment 3-A5, is working on CAD updates and finalizing design work for the project.

Ms. Silva then reported that BGE, the design engineer for SWSP Segment 3-B1, is working on CAD updates and finalizing design work for the project.

Ms. Silva also reported that EHRA, the design engineer for the SWSP Kinder Morgan 7 sub-segment, is coordinating with the Kinder Morgan representative regarding extension of an easement to serve Harris County Municipal Utility District No. 5 and easement issues are being worked through.

Ms. Silva reported that Sander Engineering, the design engineer for Contract 51, is working on the 60% design plans.

Ms. Silva then reported that comments will be returned on the 60% design plans for Contract 52 this week.

Ms. Silva also reported that IDS Engineering Group, Inc., the design engineer for Contract 53, submitted 30% design plans on February 8, 2024.

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

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

Ms. Silva also reported that final approval of the design plans for Contract 63 has been obtained by all agencies.

Ms. Silva reported that LAN, the design engineer for Contract 64, submitted 95% design plans.

Ms. Silva then reported that comments on the 90% design plans for Contract 65 were returned.

Ms. Silva also reported that Sander Engineering, the design engineer for Contract 25, is working on the 90% design plans.

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

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

Ms. Silva then reported that a kickoff meeting with 5 Engineering for Contract 28 was held on February 1, 2024.

Ms. Silva also reported that a proposal meeting with Kuo, the design engineer for Contract 29, was postponed.

Ms. Silva reviewed and recommended approval of Addendum No. 5 to the Master Services Agreement with Arch Aerial to increase the maximum amount payable to \$390,000.00 and update the rate sheet. Following review and discussion, Director Wheeler moved to approve the above-described addendum. Director Cannon seconded the motion, which passed unanimously.

Ms. Silva reviewed and recommended approval of Work Authorization No. 8 to Arch Aerial in the amount of \$150,000.00. Following review and discussion, Director Wheeler moved to approve the above-described work authorization. Director Struzick seconded the motion, which passed unanimously.

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, 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.

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

Mr. Turner 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 requested that the Board approve a payment to CenterPoint Energy in the amount of \$2,420.00. Following review and discussion, Director Wheeler moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report, including payment to CenterPoint Energy in the amount of \$2,420.00. Director Struzick 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 reported that the Authority received requests for a one-time waiver of late fees from the following: (1) Harris County Municipal Utility District No. 155 in the amount of \$5,790.42; (2) Morton Road Municipal Utility District in the amount of \$2,600.49; (3) Quadvest Aurora in the amount of \$1,414.03; (4) DXC Technology in the amount of \$638.08; and (5) Heritage at Towne Lake in the amount of \$458.18. Following discussion, Director Struzick moved to approve one-time waivers of late fees for Harris County Municipal Utility District No. 155 in the amount of \$5,790.42, Morton Road Municipal Utility District in the amount of \$2,600.49, Quadvest Aurora in the amount of \$1,414.03, DXC Technology in the amount of \$638.08, and Heritage at Towne Lake in the amount of \$458.18. Director Gorden 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.

CONSTRUCTION UPDATES

Mr. Anthony presented the attached SWSP Monthly Construction Status Report dated February 5, 2024.

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.



Secretary, Board of Directors

(SEAL)



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