

MINUTES
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

March 13, 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 13th day of March, 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 Wepler	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 Director Hansen, thus constituting a quorum.

Also attending the meeting were Bryan Thomas of Inframark Water Infrastructure Operations; Wayne Ahrens of DEC; Troy Anthony of Project Surveillance, Inc.; Frank Turner of EEPB; and Sanjay Bapat 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 Wepler 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 Wepler moved to the next agenda item.

MINUTES OF PREVIOUS MEETINGS

The Board reviewed the minutes of the February 14, 2024, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the minutes of the February 14, 2024, regular Authority Board meeting, as submitted. The motion was seconded by Director Thornhill, which passed unanimously.

DISCUSS DIRECTOR APPOINTMENT PROCESS AND ADOPT ORDER DECLARING DIRECTORS ELECTED AND CANCELING DIRECTOR APPOINTMENT PROCESS

Mr. Bapat discussed the director appointment process for 2024 and stated that the Authority received candidate nominations for Director Precincts 3, 6, 7, and 8 and stated that Eric Hansen, Cam Postle, Gary Struzick, and Mark Janneck were each nominated for re-appointment, and no nominations were received for any other candidates by the deadline established by the Texas Legislature in the Authority's enabling legislation. Mr. Bapat reviewed an Order Declaring Directors Elected and Canceling Directors Appointment Process (the "Order") for Director Precincts 3, 6, 7, and 8, appointing Eric Hansen, Cam Postle, Gary Struzick, and Mark G. Janneck directors of the Authority to serve until May, 2028. Following review and discussion, Director Gorden moved to adopt the Order and direct that it be filed appropriately and retained in the Authority's official records. Director Postle seconded the motion, 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 provided an update from the Authority Communications Committee.

ENGINEERING MATTERS

Mr. Ahrens reviewed the engineer's report, a copy of which is attached.

Mr. Ahrens reported that for February, the Authority was 34.68% converted to surface water and for the 2024 calendar year, the Authority was 35.64% 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

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

Mr. Ahrens reported that the Authority received the 2022 Over-Conversion Credit certificates from the Harris-Galveston Subsidence District.

Mr. Ahrens reported that Harris County Municipal Utility District No. 586 has two new wells.

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

Mr. Ahrens reported on the status of construction for 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.

Mr. Ahrens recommended approval of: (1) Pay Estimate No. 13 in the amount of \$3,939,754.24 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 20 in the amount of \$7,703,747.48 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (3) Pay Estimate No. 21 in the amount of \$2,938,736.83 to Jay Dee Contractors, Inc. for SWSP Segment B3; (4) Pay Estimate No. 38 in the amount of \$417,925.57 to S.J. Louis Construction, Inc. for SWSP Segment C1; (5) Pay Estimate No. 38 in the amount of \$407,777.89 to Harper Brothers Construction, LLC for SWSP Segment C2; (6) Pay Estimate No. 26 and Final in the amount of \$252,683.60 to E.P. Brady, Ltd. for SWSP Segment 3-A2 ; and (7) Pay Estimate No. 10 in the amount of \$2,019,387.45 to Harper Brothers Construction, LLC for SWSP Segment A1/A2. Following review and discussion, Director Struzick 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

Mr. Ahrens reported that the next Water Supply Contract Advisory Committee meeting is tentatively scheduled for June 7, 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

Mr. Ahrens reported that contract documents are being prepared for the RePump Station.

Mr. Ahrens reported on coordination with the North Fort Bend Water Authority on review of the design plans for the Bellaire Pump Station expansion and Meter Station.

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

Mr. Ahrens also reported that 90% design plans for the Northeast Meter Station have been submitted to agencies for review.

Mr. Ahrens 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.

Mr. Ahrens then reported that the Texas Department of Transportation permit is needed to complete the design plans for SWSP Kinder Morgan Segment 4.

Mr. Ahrens 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.

Mr. Ahrens reported that Huitt-Zollars, the design engineer for SWSP Segment 3-A5, submitted 95% design plans for review.

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

Mr. Ahrens 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.

Mr. Ahrens reported that Sander Engineering, the design engineer for Contract 51, submitted 60% design plans on March 6, 2024.

Mr. Ahrens then reported that comments were returned on the 60% design plans for Contract 52 on February 12, 2024.

Mr. Ahrens also reported that comments on the 30% design plans submitted by IDS Engineering Group, Inc. for Contract 53 are being prepared.

Mr. Ahrens reported that the design proposal for Contract 54 from InduSri is being finalized.

Regarding Contract 55, Mr. Ahrens reported that DEC received future water plant site locations from the engineers for three municipal utility districts.

Mr. Ahrens then reported that final approval of the design plans for Contract 63 has been obtained by all agencies and a project manual is being prepared.

Mr. Ahrens also reported that LAN, the design engineer for Contract 64, submitted 95% design plans.

Mr. Ahrens reported that Kimley-Horn, the design engineer for Contract 65, is working on the 95% design plans.

Mr. Ahrens then reported that Sander Engineering, the design engineer for Contract 25, is working on the 90% design plans.

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

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

Mr. Ahrens reported that a survey for Contract 28 is underway.

Mr. Ahrens then reported that a proposal meeting with Kuo, the design engineer for Contract 29, was postponed.

Mr. Ahrens reviewed and recommended approval of the following: (1) Addendum No. 11 to the Professional Engineering Services Agreement with DE Corp. to update the rate sheet; and (2) Addendum No. 11 to the Master Services Agreement

with Hollaway Environmental + Communications Services, Inc. ("Hollaway") to increase the maximum amount payable to \$2,500,000.00 and update the rate sheet. Following review and discussion, Director Struzick moved to approve the above-described addendum. Director Gorden seconded the motion, which passed unanimously.

Mr. Ahrens reviewed and recommended approval of (1) Work Authorization No. 20 to Hollaway in the amount of \$200,000.00; (2) Supplement No. 1 to Work Authorization No. 198 to Rapid Research to increase the maximum amount payable to \$4,855.00; (3) Supplement No. 2 to Work Authorization No. 22 to Texas American Title Company to increase the maximum amount payable to \$10,500.00; (4) Work Authorization No. 26 to Texas American Title Company in the amount of \$600.00; (5) Supplement No. 3 to Work Authorization No. 9 to Baseline Corporation, Inc. to increase the maximum amount payable to \$80,900.00; and (6) Work Authorization No. 171 to Lupher, LLC in the amount of \$17,000.00. Following review and discussion, Director Thornhill moved to approve the above-described work authorizations and supplements to work authorizations. Director Struzick seconded the motion, which carried by a vote of seven for the motion, with Director Postle abstaining.

ENVIRONMENTAL PERMITTING, COMPLIANCE, MITIGATION AND RELATED AGREEMENTS

Mr. Ahrens stated that the United States Army Corps of Engineers issued an Approved Jurisdictional Determination for the Northeast Meter Station site and that the property has been declassified as wetlands.

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

Mr. Ahrens 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

Mr. Ahrens 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. Anthony presented the attached SWSP Monthly Construction Status Report dated March 6, 2024.

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 Harris County Municipal Utility District No. 167 in the amount of \$3,925.00. 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 Harris County Municipal Utility District No. 167 in the amount of \$3,925.00. Director Struzick seconded the motion, which carried by a vote of seven 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.

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 Thornhill made a motion to authorize filing of the critical load spreadsheet. 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.

(SEAL)



/s/ Douglas C. Postle
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
List of persons present at the meeting	1
Engineer's report.....	2
SWSP Monthly Construction Status Report.....	7
Bookkeeper's report.....	7
Operator's report.....	7