

MINUTES  
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

August 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 August, 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 Director Postle, thus constituting a quorum.

Also attending the meeting were Bryan Thomas of Inframark Water Infrastructure Operations; Wayne Ahrens, Melinda Silva, and Chase Juhl of Gannett Fleming; Troy Anthony of Project Surveillance, Inc.; Frank Turner of EEPB; and Alia Vinson, Sandra Staine, 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. 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 July 10, 2024, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the minutes of the July 10, 2024, regular Authority Board meeting, as submitted. The motion was seconded by Director Thornhill, 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 reported that the Authority will hold a “show and tell” style event at the end of the November 13, 2024 Authority Board meeting.

ENGINEERING MATTERS

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

Ms. Silva reported that for July, the Authority was 31.05% converted to surface water and for the 2024 calendar year, the Authority was 41.12% 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

Ms. Vinson reviewed the Agreement Regarding Credits for Alternative Water Supply Use with Harris County Municipal Utility District No. 418 and Harris County Water Control & Improvement District No. 159. Following review and discussion, Director Wheeler moved to approve the Agreement Regarding Credits for Alternative Water Supply Use with Harris County Municipal Utility District No. 418 and Harris County Water Control & Improvement District No. 159 and direct that such agreement be filed appropriately and retained in the Authority’s official records. Director Struzick 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 Surface Water Supply Project ("SWSP") Segments B1 and B2, SWSP Segment B3, SWSP Segments C1 and C2, SWSP Segments 3-A1 and 3-A3, SWSP Segments A1/ A2, the SWSP Central Pump Station and the SWSP RePump Station.

Ms. Silva recommended approval of: (1) Pay Estimate No. 18 in the amount of \$2,817,534.09 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 25 in the amount of \$3,649,374.17 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (3) Pay Estimate No. 26 in the amount of \$1,127,592.60 to Jay Dee Contractors, Inc. for SWSP Segment B3; (4) Pay Estimate No. 43 in the amount of \$462,215.00 to S.J. Louis Construction, Inc. for SWSP Segment C1; (5) Pay Estimate No. 40 in the amount of \$64,360.39 to Harper Brothers Construction, LLC for SWSP Segment C2; (6) Pay Estimate No. 15 in the amount of \$2,425,170.32 to Harper Brothers Construction, LLC for SWSP Segment A1/ A2; and (7) Pay Estimate No 1 in the amount of \$2,650,493.87 to PLW Waterworks, LLC for the SWSP RePump Station. Following review and discussion, Director Weppler made a motion to approve the above-described pay estimates, as recommended. Director Gorden seconded the motion, which passed unanimously.

Ms. Silva reported that the Authority received bids for Contract 63 and recommended that the Board award the contract to E.P. Brady, Ltd., the low bidder, in the amount of \$7,734,854.51. She noted that the Authority received approval by the Texas Water Development Board to award the contract. The Board concurred that, in its judgment, E.P. Brady, Ltd. 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 Wheeler moved to award Contract 63 to E.P. Brady Ltd. in the amount of \$7,734,854.51, based on the engineer's recommendation, subject to review of the certificate of insurance and endorsements, if any, provided by the contractor. Director Gorden 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 September 6, 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 NFBWA on review of the design plans for the Bellaire Meter Station.

Ms. Silva then reported that sealed design plans for the I-10 Meter Station were submitted for approval to utility companies, Harris County, and Harris County Flood Control District on May 31, 2024.

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

Ms. Silva reported that the final design plans for Kinder Morgan Segments 2 and 4 have been approved by all agencies and authorization is needed from the Texas Water Development Board to advertise for bids for the projects.

Ms. Silva then reported that 95% design plans submitted by Huitt-Zollars, the design engineer for SWSP Segment 3-A5, are under review.

Regarding SWSP Segment 3-A5, Ms. Silva reported that CenterPoint is installing additional infrastructure in the corridor and Gannett Fleming is coordinating with CenterPoint to understand the impacts, if any, on Segment 3-A5 design.

Ms. Silva then reported 95% design plans submitted by BGE, the design engineer for SWSP Segment 3-B1, are under review.

Ms. Silva also reported that submittal of 95% design plans for the SWSP Kinder Morgan 7 sub-segment are due.

Ms. Silva reported that 60% design plans submitted by Sander Engineering, the design engineer for Contract 51, are under review.

Ms. Silva then reported that Arcadis, the design engineer for Contract 52, is working towards submittal of 90% design plans.

Ms. Silva also reported that a meeting is being scheduled with IDS Engineering Group, Inc. to review comments on the design plans Contract 53.

Ms. Silva reported that the design proposal for Contract 54 from InduSri is being finalized.

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

Ms. Silva then reported that agency approvals of the final design plans for Contract 64 are being obtained.

Ms. Silva also reported that the final design plans for Contract 65 been approved by all agencies and authorization is needed from the Texas Water Development Board to advertise for bids for the projects.

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

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 5Engineering, the design engineer for Contract 28, submitted 30% design plans.

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

Ms. Silva reviewed and recommended approval of the following: (1) Amendment No. 4 to the Master Services Agreement with Mbroh Engineering, Inc. to increase the maximum payable amount to \$1,448,940.00; and (2) Addendum No. 2 to the Agreement for Professional Engineering Services with Halff Associates for Kinder Morgan Segment 1 Design in the amount of \$31,100.00. Following review and discussion, Director Struzick moved to approve the above-described amendments. Director Thornhill seconded the motion, which passed unanimously.

Ms. Silva then reviewed and recommended approval of the following work authorizations: (1) Work Authorization No. 23 to Integra Realty Resources in the amount of \$15,000.00; (2) Supplement No. 3 to Work Authorization No. 22 to Texas American Title Company to increase the maximum amount payable to \$11,000.00; and (3) Work Authorization No. 7 to Mbroh Engineering, Inc. to provide design phase and construction phase services for the Bellaire, I-10, and Northeast Meter Stations in the amount not to exceed \$407,970.00. Following review and discussion, Director Wheeler moved to approve the above-described work authorizations and supplement to work authorization. Director Gorden seconded the motion, which passed unanimously.

CONSENT TO ASSIGNMENT OF PROFESSIONAL ENGINEERING SERVICES AGREEMENT TO GANNETT FLEMING AND APPROVE SECOND AMENDED RESOLUTION DESIGNATING PROGRAM MANAGER

Mr. Ahrens reported that DEC was acquired by Gannett Fleming and Gannett Fleming is requesting that the Authority consent to the assignment of the Professional Engineering Services Agreement (the "Agreement") between the Authority and Dannenbaum Engineering (DE Corp.) to Gannett Fleming.

Ms. Vinson reviewed the Second Amended Resolution Designating Program Manager to designate Gannett Fleming to be the Authority's Program Manager.

Following review and discussion, Director Struzick moved to (1) approve and authorize execution of a Consent to Assignment of the Agreement; and (2) adopt the Second Amended Resolution Designating Program Manager. Director Thornhill 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.

Director Janneck joined the meeting.

CONSTRUCTION UPDATES

Mr. Anthony presented the attached SWSP Monthly Construction Status Report dated August 5, 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. Following review and discussion, Director Wheeler moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report. Director Wepler 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.

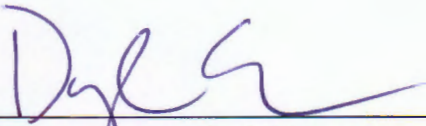
OPERATION OF AUTHORITY FACILITIES, BILLINGS, AUTOMATIC METER READING, REQUESTS FOR REIMBURSEMENT, CREDITS, OR WAIVERS, REPAIRS, INSPECTIONS, MAINTENANCE, CATHODIC PROTECTION, RIGHT OF WAY MAINTENANCE, AND WATER SUPPLY ISSUES, APPROVAL OF CONTRACTS FOR RELATED WORK, CHANGE ORDERS, WORK AUTHORIZATIONS, 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.

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.

  
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Secretary, Board of Directors

(SEAL)





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