

MINUTES
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

April 10, 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 10th day of April, 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 Postle and Thornhill, thus constituting a quorum.

Also attending the meeting were Bryan Thomas of Inframark Water Infrastructure Operations; Wayne Ahrens and Melinda Silva of DEC; Troy Anthony of Project Surveillance, Inc.; Kevin Berry 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 March 13, 2024, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the minutes of the March 13, 2024, regular Authority Board meeting, as submitted. The motion was seconded by Director Cannon, 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 reserved an exhibitor space for the 2024 Association of Water Board Directors summer conference.

Ms. Vinson provided an update regarding preparation of the 2024 edition of the "Partners in Progress" newsletter.

Ms. Silva reported that the emergency preparedness workshop will be held in person on May 15, 2024, and an invitation to the workshop has been sent to municipal utility district operators.

ENGINEERING MATTERS

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

Ms. Silva reported that for March, the Authority was 37.17% converted to surface water and for the 2024 calendar year, the Authority was 36.15% 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. Silva reported that DEC submitted the 2023 permit reconciliation to the Harris Galveston Subsidence District on March 15, 2024. She also reported that the Authority sent letters to districts that earned credits for alternative water usage pursuant to their respective Agreements Regarding Credits for Alternative Water Supply Use with the Authority.

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, and the SWSP Central Pump Station.

Ms. Silva reported that Harper Brothers Construction, LLC ("Harper Brothers") reached 50% completion of SWSP Segments B1 and B2 and, due to Harper Brothers' project performance, DEC recommends payment in full of future pay applications for SWSP Segments B1 and B2. Following review and discussion, Director Weppler moved to authorize reducing retainage from 10% to 5% for the SWSP Segments B1 and B2 contract, with payments being made in full for all progress payments after Harper Brothers has crossed 50% completion (resulting in 5% retainage over the full contract). Director Wheeler seconded the motion, which passed unanimously.

Ms. Silva recommended approval of: (1) Pay Estimate No. 14 in the amount of \$3,931,966.49 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 21 in the amount of \$5,338,811.33 to Harper Brothers for SWSP Segments B1 and B2; (3) Pay Estimate No. 22 in the amount of \$1,191,254.37 to Jay Dee Contractors, Inc. for SWSP Segment B3; (4) Pay Estimate No. 39 in the amount of \$77,289.30 to S.J. Louis Construction, Inc. for SWSP Segment C1; (5) Pay Estimate No. 19 in the amount of \$688,275.48 to Main Lane Industries, Ltd. for SWSP Segment 3-A3; and (6) Pay Estimate No. 11 in the amount of \$1,728,895.16 to Harper Brothers for SWSP Segment A1/A2. 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.

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 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

Ms. Silva reported that the request to issue the Notice to Proceed for the RePump Station is being prepared for submittal to the Texas Water Development Board.

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

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

Ms. Silva also reported that agency comments on the design plans for the Northeast Meter Station are being addressed.

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 the Texas Department of Transportation permit is needed to complete the design plans for SWSP Kinder Morgan Segment 4 and an updated project manual is needed for the project.

Ms. Silva also reported that an updated project manual is needed for SWSP Kinder Morgan Segment 6.

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

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

Ms. Silva also reported that easement issues are being worked through for the SWSP Kinder Morgan 7 sub-segment.

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 comments were returned on the 60% design plans for Contract 52 on February 12, 2024.

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

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

Ms. Silva also reported that a project manual is being prepared for Contract 64.

Ms. Silva reported that Kimley-Horn, the design engineer for Contract 65, submitted 95% design plans for the project and the plans are under review.

Ms. Silva then 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 also reported that a new project manager from Vogler & Spencer is taking over for Contract 27 and a progress meeting has been scheduled for April 26, 2024.

Ms. Silva reported that 5Engineering, the design engineer for Contract 28, is working on the 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) Supplement No. 2 to Work Authorization No. 2 to Mbroh Engineering in the amount of \$25,060.00; (2) Supplement No. 1 to Work Authorization No. 18 to Integra Realty Resources to increase the maximum amount payable to \$78,000.00; and (3) Supplement No. 1 to

Work Authorization No. 167 to Lupher, LLC to increase the maximum amount payable to \$85,735.00. Following review and discussion, Director Wheeler moved to approve the above-described supplements to work authorizations. 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

There was no discussion on this matter.

CONSTRUCTION UPDATES

Mr. Anthony presented the attached SWSP Monthly Construction Status Report dated April 3, 2024.

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. Following review and discussion, Director Wheeler moved to approve the bookkeeper's report and the disbursements reflected in the bookkeeper's report. Director Cannon 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.

Mr. Thomas reported that the Authority received a request for a one-time waiver of late fees from Harris County Municipal Utility District No. 371 in the amount of \$4,134.69.

Mr. Thomas then reported that Towne Lake Community Association overpaid their account in the amount of \$6,675.48 and is requesting a refund.

Following discussion, Director Struzick moved to (1) approve a one-time waiver of late fees for Harris County Municipal Utility District No. 371 in the amount of \$4,134.69; and (2) authorize the Authority bookkeeper to issue a refund to Towne Lake Community Association in the amount of \$6,675.48 for overpayment on their account. Director Wheeler seconded the motion, which passed unanimously.

Mr. Thomas reported that the office of Harris County Commissioner Precinct 4 and Harris County Municipal Utility District No. 127 each requested use of the Authority's Mobile Teaching Lab Trailers for events on April 13, 2024.

REVIEW WATER CONSERVATION PLAN; APPROVE ANNUAL REPORT AND WATER CONSERVATION IMPLEMENTATION REPORT; ADOPT ORDER ADOPTING AMENDED AND RESTATED WATER CONSERVATION PLAN

The Board considered approving the Water Conservation Plan annual report and the Five-Year Implementation Report on the Water Conservation Plan. Ms. Vinson stated that the Texas Commission on Environmental Quality ("TCEQ") rules require that the Authority review and adopt an Amended and Restated Water Conservation Plan prior to May 1, 2024. She reviewed an Amended and Restated Water Conservation Plan with the Board. After review and discussion, Director Wepler moved to (1) approve the Water Conservation Annual Report and Five-Year Implementation Report,

direct that the reports be filed appropriately and retained in the Authority's official records, and authorize submission of the reports to the appropriate government agencies, subject to final review by the Authority's president; and (2) adopt an Order Adopting Amended and Restated Water Conservation Plan, direct that the Order be filed appropriately and retained in the Authority's official records, and authorize submission of the Amended and Restated Water Conservation Plan to the appropriate government agencies, subject to final review by the Authority's president. Director Wheeler seconded the motion, which passed by unanimous vote.

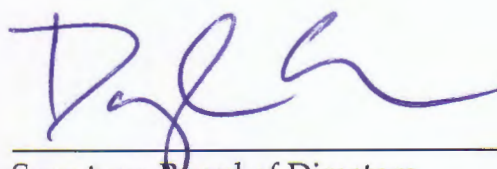
REVIEW DROUGHT CONTINGENCY PLAN AND ADOPT ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN

Ms. Vinson stated that the TCEQ rules require that the Authority review and adopt an Amended and Restated Drought Contingency Plan in 2024, prior to May 1st. She reviewed an Amended and Restated Drought Contingency Plan with the Board. After review and discussion, Director Weppler moved to adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the Authority's official records. Director Gorden seconded the motion, which passed by unanimous vote.

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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