

MINUTES  
WEST HARRIS COUNTY REGIONAL WATER AUTHORITY

May 8, 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 8th day of May, 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, 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; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC; 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 Hansen offered any members of the public attending the meeting the opportunity to make public comment.

Mr. Bob Blumrick stated he is a director of Harris County Municipal Utility District No. 163 and provided comments regarding flooding in the Kingwood area.

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 April 10, 2024, regular Authority Board meeting. Following review and discussion, Director Struzick moved to approve the

minutes of the April 10, 2024, regular Authority Board meeting, as submitted. The motion was seconded by Director Thornhill, which passed unanimously.

#### AUDIT REPORT FOR FISCAL YEAR END DECEMBER 31, 2023

Mr. Ellis reviewed the audit report for the fiscal year end December 31, 2023. Following review and discussion, Director Thornhill moved to approve the audit report for the fiscal year end December 31, 2023. Director Cannon 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 Hansen reported that the 2024 edition of the "Partners in Progress" newsletter is complete and has been posted on the Authority's website.

Ms. Silva reported that the emergency preparedness workshop will be held in person on May 15, 2024, at 11:30 a.m., 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 April, the Authority was 36.90% converted to surface water and for the 2024 calendar year, the Authority was 36.34% 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 the Jubilee development has a new well.

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 recommended approval of: (1) Pay Estimate No. 15 in the amount of \$2,494,175.17 to Reytec Construction Resources, Inc. for the Central Pump Station; (2) Pay Estimate No. 22 in the amount of \$7,471,493.33 to Harper Brothers Construction, LLC for SWSP Segments B1 and B2; (3) Pay Estimate No. 23 in the amount of \$1,047,296.08 to Jay Dee Contractors, Inc. for SWSP Segment B3; (4) Pay Estimate No. 40 in the amount of \$517,584.70 to S.J. Louis Construction, Inc. for SWSP Segment C1; (5) Pay Estimate No. 39 in the amount of 133,053.95 to Harper Brothers Construction, LLC for SWSP Segment C2; (6) Pay Estimate No. 20 in the amount of \$146,590.41 to Main Lane Industries, Ltd. for SWSP Segment 3-A3; and (6) Pay Estimate No. 12 in the amount of \$2,235,596.89 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 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 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 approval from the Texas Department of Transportation of the design plans for the Northeast Meter Station was received yesterday and that other agency comments 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 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 a package is being prepared for submittal to the Texas Water Development Board requesting permission to advertise for bids 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 submittal of 95% design plans for the SWSP Kinder Morgan 7 sub-segment is due this week.

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 60% design plans for Contract 52 were resubmitted by Arcadis on April 23, 2024, and are under review.

Ms. Silva also reported that comments on the 30% design plans submitted by IDS Engineering Group, Inc. for Contract 53 were returned on April 10, 2024.

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 the project manual for Contract 63 was received on May 1, 2024, and DEC is coordinating with Carollo, the design engineer for Contract 63, on preparation of a package for submittal to the Texas Water Development Board requesting permission to advertise for bids for the project.

Ms. Silva also reported that the project manual for Contract 64 was received on April 23, 2024, and agency approvals of the final design plans for the project are being obtained.

Ms. Silva reported that the final design plans for Contract 65 were submitted to agencies on May 3, 2024, and Kimley-Horn, the design engineer for Contract 65, is working on the project manual for the project.

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 was held on 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 requested authorization to advertise for bids for Contracts 63, 64, and 65, subject to receipt of all applicable regulatory approvals. Following discussion, Director Struzick moved to authorize advertisement for bids for construction of the Contracts 63, 64, and 65 subject to receipt of all applicable regulatory approvals. Director Weppler seconded the motion, which passed unanimously. In response to an inquiry by Director Hansen, Ms. Silva stated that DEC will post the design plans for Contracts 63, 64, and 65 to the Civcast website for information only, while regulatory approvals are being obtained for the projects.

Ms. Silva reviewed and recommended approval of Addendum No. 6 to the Agreement for Professional Engineering Services with Freese and Nichols, Inc. for limited construction phase services for the RePump Station in the amount of \$2,487,541.00. Following review and discussion, Director Wheeler moved to approve the above-described addendum. Director Thornhill seconded the motion, which passed unanimously.

Ms. Silva reviewed and recommended approval of Work Authorization No. 46 to Hawkins Lease Service, Inc. to increase the maximum amount payable to \$167,050.00. Following review and discussion, Director Wheeler moved to approve the above-described work authorization. Director Gorden 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.

#### CONSTRUCTION UPDATES

Mr. Juhl presented the attached SWSP Monthly Construction Status Report dated May 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 Kimley Horn & Associates in the amount of \$12,384.26. 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 Kimley Horn & Associates in the amount of \$12,384.26. Director Thornhill seconded the motion, which carried by a vote of seven for the motion, with Directors Wepler and 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.

Mr. Thomas reported that the Authority received a request for a one-time waiver of late fees from Sterling County Club in the amount of \$49.09. Following discussion, Director Struzick moved to approve a one-time waiver of late fees for Sterling County Club in the amount of \$49.09. Director Wheeler 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.



Secretary, Board of Directors

(SEAL)





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