

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109

Minutes of Meeting of Board of Directors

January 23, 2023

The Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 109 (the "District") met at 5302 Old Lodge Drive, Houston, Harris County, Texas, on January 23, 2023, in accordance with the duly posted notice for such special public meeting, and the roll was called of the duly constituted officers and members of said Board as follows:

Warren Carroll, President
Vic Robson, Vice President
Allen Schreiber, Secretary
William Lakin, Assistant Secretary
W. Kemp Culbreth, III, Assistant Secretary

all of whom participated in the meeting, thus constituting a quorum.

Also attending the meeting were: Debra Loggins of L&S District Services, LP ("L&S"); Rene Anandel of Wheeler and Associates, Inc. ("Wheeler"); Bradley Jenkins and Conner Murphy of Quiddity Engineering, LLC ("Quiddity"); Joe Andress of Champions Industries, Inc. ("Champions"); Roselyn Sanchez of Texas Pride Disposal, Inc. ("Texas Pride"); Chester Hicks and Jo Latimer, District residents; and Rick Barker of Schwartz, Page & Harding, L.L.P. ("SPH"). Matthew May and Dane Turner of Best Trash, LLC ("Best Trash") entered later in the meeting as noted herein.

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. Mr. Hicks addressed the Board regarding drainage issues within the District due to development of the Champion Oak subdivision located in Harris County Municipal Utility District No. 202 ("No. 202"), adjacent to the District. Upon discussion, the Board authorized Quiddity to contact No. 202 to determine whether there are any issues affecting drainage within the District.

Ms. Hicks exited the meeting at this time. Mr. May and Mr. Turner entered the meeting at this time.

BOOKKEEPER'S REPORT

Ms. Loggins presented to and reviewed with the Board a Bookkeeper's Report, a copy of which is attached hereto as Exhibit A. After discussion, it was moved by Director Schreiber that said report and the various payments listed therein be approved. Director Lakin seconded said motion, which unanimously carried.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Andel presented to and reviewed with the Board the tax assessor-collector's report and delinquent collections report for the month of December 2022, copies of such reports being attached hereto as Exhibit B. After discussion on the matter, Director Lakin moved that the tax assessor-collector's report be approved and that the checks identified in the report be approved for payment. Director Robson seconded said motion, which unanimously carried.

HYDROPNEUMATIC TANK AT WATER PLANT NO. 3

There was next a discussion regarding the replacement of the Hydropneumatic Tank ("HPT") at Water Plant No. 3. Mr. Jenkins reported to the Board that Quiddity has submitted a request to the Texas Commission on Environmental Quality on behalf of the District for an emergency waiver of the public bidding requirements. He then reviewed with the Board a summary bid tabulation for the procurement of a HPT, a copy of which is attached hereto as Exhibit C. He noted that the detailed bid proposal for the removal of the current HPT and the installation of the new HPT will be presented to the Board at a subsequent meeting. Mr. Jenkins recommended that the Board award the project to Tank & Vessel Builders, LP, at a cost of \$84,845.00. Upon discussion, Director Culbreth moved that the proposal from Tank & Vessel Builders, LP in the amount of \$84,845.00, for the removal of the old HPT and the installation of the new HPT at Water Plant No.3 be accepted, and that the President be authorized to execute said proposal on behalf of the Board and District. Director Robson seconded said motion, which unanimously carried.

Mr. Jenkins, Mr. Murphy, Ms. Loggins, and Ms. Andel exited the meeting at this time.

Mr. May and Mr. Turner exited the meeting.

PROPOSALS FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES

Mr. Address presented to and reviewed with the Board a proposal from Champions, a copy of which is attached hereto as Exhibit D. He then responded to questions from the Board.

Mr. Address exited the meeting at this time. Mr. May and Mr. Turner entered the meeting.

Mr. May presented to and reviewed with the Board a proposal from Best Trash, a copy of which is attached hereto as Exhibit E. He then responded to questions from the Board.

Mr. May and Mr. Turner exited the meeting.

Ms. Sanchez discussed the solid waste collection issues by Texas Pride. She then responded to questions from the Board. Ms. Sanchez exited the meeting.

After discussion on the matter, Director Lakin moved that (i) the District terminate its Residential Solid Waste Collection Contract with Texas Pride, (ii) SPH be authorized to send a Notice of Termination to Texas Pride, and (iii) authorize SPH to negotiate the engagement of Best Trash as the District's solid waste and recycling collection provider. Director Robson seconded said motion, which unanimously carried.

FUTURE AGENDAS

Other than as discussed earlier in the meeting and reflected above, there were no additional agenda items requested.

ADJOURNMENT

There being no further business to come before the Board, upon motion made by Director Schreiber, seconded by Director Lakin, and unanimously carried, the meeting was adjourned.

Allen Schreiber, Secretary
Board of Directors

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List of Exhibits

- Exhibit A Bookkeeper's Report
- Exhibit B Tax Assessor-Collector's Report
- Exhibit C Quiddity Summary Bid Tabulation
- Exhibit D Solid Waste Collection and Disposal Services Proposal from Champions Industries, Inc.
- Exhibit E Residential Solid Waste, Disposal and Recycling Agreement from Best Trash, LLC

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