

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109

Minutes of Meeting of Board of Directors

June 10, 2024

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 June 10, 2024, in accordance with the duly posted notice for such public meeting, and the roll was called of the duly constituted officers and members of said Board as follows:

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

all of whom were present, thus constituting a quorum.

Also attending the meeting were: Bradley Jenkins and Conner Murphy of Quiddity Engineering, LLC ("Quiddity"); Johnson Ashcraft of Inframark, LLC ("Inframark"); Karen Sears of Storm Water Solutions, LP ("SWS"); Mike Lyons and Joe Silva, District residents; and Eric Lai of Schwartz, Page & Harding, L.L.P. ("SPH").

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. Lyons and Mr. Silva stated that they did not have comments.

APPROVAL OF MINUTES

The Board considered approval of the minutes of its meeting held on May 13, 2024. Mr. Murphy requested that the minutes be revised under the Engineer's Report. Upon discussion, Director Lakin moved that said minutes be approved, subject to certain revisions. Director Carroll seconded said motion, which unanimously carried.

DETENTION AND DRAINAGE REPORT

Ms. Sears presented to and reviewed with the Board a Detention and Drainage Report, a copy of which is attached hereto as Exhibit A. She then presented to and reviewed with the Board a proposal in the amount of \$5,921.00 for the removal of dead trees and the repair of the hole in the chain link fence at the Greenwood Springs detention pond, a copy of which is attached with Exhibit A. Upon review, Director Lakin moved that said proposal be approved and accepted by the Board. Director Carroll seconded said motion, which unanimously carried. A discussion

ensued regarding the removal of aquatic vegetation from the Greenwood Springs detention pond. Ms. Sears stated that she will present a proposal to the Board at its next meeting for the removal of the aquatic vegetation from the Greenwood Springs detention pond.

DELINQUENT TAX REPORT

The Board considered a Delinquent Tax Report ("Report") prepared by Ted A. Cox, P.C., ("Cox") a copy of which is attached hereto as Exhibit B. Mr. Lai reviewed said report with the Board. Upon review, the Board concurred that no lawsuits be filed for those personal property accounts under \$250.00 as listed in the Report.

OPERATOR'S REPORT

Mr. Ashcraft reviewed with the Board an Operator's Report and Delinquent Report, copies of which are attached hereto as Exhibit C, and discussed the information contained therein.

Mr. Ashcraft reported to the Board that Inframark discovered that there is a District resident illegally connecting to the District's facilities to a residence that has an inactive account. He stated Inframark sent a letter on behalf of the District indicating that theft of water is a violation under the District's Rate Order and subject to penalties. Upon discussion, Director Carroll moved that [SPH] be authorized to contact the Harris County Constable's Office, Precinct 4 and report that a District resident is providing an unauthorized connection. Director Culbreth seconded said motion, which unanimously carried.

Mr. Ashcraft stated that the proposal received for the roof replacement at the District's Wastewater Treatment Plant ("WWTP") exceeded \$25,000. He stated that Inframark is requesting authorization to solicit three (3) bids for said work and present same to the Board for its consideration. Upon discussion, Director Carroll moved that Inframark be authorized to solicit three (3) bids for the roof replacement at the WWTP. Director Culbreth seconded said motion, which unanimously carried.

Mr. Lai advised that Section 13.1396 of the Texas Water Code, as amended, requires the District to update its information identifying the location and description of facilities that have qualified for critical load status and its information regarding emergency contacts (a) annually to each electric utility that provides transmission and distribution service to the District and each retail electric provider that sells power to the District, and (b) immediately upon any change in the information to the above entities, as well as to the office of emergency management of Harris County, the Public Utility Commission of Texas, and the division of emergency management of the governor. Mr. Ashcraft advised that EDP would provide the annual update and, if required, any changes to the information to the appropriate entities. Upon discussion, Director Carroll moved that Inframark be authorized to submit the annual update on behalf of the Board and District. Director Culbreth seconded said motion, which unanimously carried.

ENGINEERING REPORT

Mr. Murphy presented to and reviewed with the Board a written Engineering Report dated June 10, 2024, a copy of which is attached hereto as Exhibit D, detailing the status of various projects within the District.

Mr. Murphy next presented to and reviewed with the Board a scope memo for the WWTP site evaluation in the amount of \$61,000, in connection with the proposed re-rating of the District's WWTP to 1.7 MGD and maintaining the WWTP at 3.0 MGD. Mr. Murphy and Mr. Jenkins responded to questions from the Board. Upon discussion, Director Lakin moved that the proposal from Quiddity in the amount of \$61,000 for the WWTP site evaluation be approved. Director Carroll seconded said motion, which unanimously carried.

Mr. Murphy next reported that a developer of a tract adjacent to Hurst Park detention pond is inquiring if the Board will convey an easement to the development's homeowners association for maintenance of such tract. Upon discussion, Director Lakin moved that Quiddity be authorized to contact said developer to coordinate the parameters for a maintenance agreement with the HOA, Director Carroll seconded said motion, which unanimously carried.

F.M. 1960 GREEN MEDIANS PROJECT

Director Carroll stated that the next meeting of the F.M. 1960 Green Medians Joint Powers Board will occur in early July 2024.

VOTING SYSTEM ANNUAL FILING FORM

The Board next considered the completion, execution and filing with the Secretary of State's Office of a Voting System Annual Filing Form ("Form"). Mr. Lai advised the Board that, pursuant to the Texas Election Code, each political subdivision in the State of Texas is required to complete and file said Form with the Secretary of State's Office. After discussion of the Form, Director Carroll moved that SPH be authorized to complete the Form and file same with the Secretary of State's Office, as required by law, when and if received. Director Culbreth seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. Mr. Lai stated that he did not have anything to report to the Board of a legal nature that was not already discussed under an agenda item.

CLOSED SESSION

Mr. Lai advised the Board that it would not be necessary to enter into Closed Session.

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 Carroll, seconded by Director Lakin, and unanimously carried, the meeting was adjourned.

William Lakin, Secretary
Board of Directors

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List of Exhibits

- Exhibit A Detention and Drainage Report
- Exhibit B Delinquent Tax Report
- Exhibit C Operator's Report
- Exhibit D Engineering Report

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