MINUTES OF MEETING OF BOARD OF SUPERVISORS
OCTOBER 8, 2024

THE STATE OF TEXAS §
COUNTY OF HARRIS §
MEMORIAL VILLAGES WATER AUTHORITY §

The Board of Supervisors (the "Board") of Memorial Villages Water Authority (the "Authority") met in regular session, open to the public, on October 8, 2024, at the Authority's office at 8955 Gaylord, Houston, Harris County, Texas at 7:00 p.m., whereupon the roll was called of the members of the Board, to wit:

Gary Schenk, President
Will Wilson, Vice President
Randolph Ewing, Secretary
Veronica Roa, Assistant Secretary
Cathy Stubbs, Treasurer
Unal Baysal, Assistant Secretary
Locke Braly, Assistant Secretary

Persons Attending. All members of the Board were present, except Supervisor Roa, thus constituting a quorum. Also attending were Mr. Trey Cantu, General Manager of the Authority; Mr. John Davis, Mr. Norman Gutierrez, and Mr. Tim Hardin of Langford Engineering, Inc. ("LEI"), Engineer for the Authority; Ms. Kathleen Ellison and Mr. Fernando Orellana of Norton Rose Fulbright US LLP ("NRF"), Attorneys for the Authority; Mr. Heath Armstrong of Jackson Walker, Special Counsel for the Authority; and Ms. Andrea Herman, resident of the Authority.

Call to Order. The President called the meeting to order in accordance with notice posted pursuant to law, a Certificate of Posting of which is attached hereto as Exhibit "A," and the following business was transacted:

1. **Public Comments**. There were no public comments at this time.

2. **Approve minutes of the September 10, 2024, regular meeting**. Proposed minutes of the September 10, 2024, meeting, previously distributed to the Board, were submitted for consideration and approval.

Upon motion by Supervisor Wilson, seconded by Supervisor Stubbs, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the September 10, 2024, regular meeting, as presented.

3. **Status report on Clarifier Project at Wastewater Treatment Plant and take any necessary action**. Mr. Gutierrez presented to and reviewed with the Board the status report on the Clarifier Project at Wastewater Treatment Plant.

Mr. Gutierrez reported a delivery date of November 21, 2024 for the clarifier mechanism and said shortly afterwards construction will begin. Mr. Gutierrez stated that he will be traveling to Austin to physical inspect the clarifier mechanism to make sure all components meet specifications.

4. Status report on Blower Panel Rehabilitation Project at Wastewater Treatment Plant and take any necessary action. Mr. Gutierrez presented to and reviewed with the Board the status report on Blower Panel Rehabilitation Project at Wastewater Treatment Plant. He provided two invoices from Electrical Field Services for installation of the blower panels in the amounts of $59,995 and $24,400 and construction progress photos, copies of which are attached hereto as Exhibit B. He stated that the motors have been refurbished and there is an individual control panel for each blower. He said the Blower Panel Rehabilitation project is complete.

5. Status report on Booster Pump Rehabilitation Project at Piney Point Water Plant and take any necessary action. Mr. Gutierrez presented to and reviewed with the Board the status report on the Booster Pump Rehabilitation Project at Piney Point Water Plant.

Mr. Gutierrez presented Pay Estimate No. 6 in the amount of $25,528.50 and construction progress photos, copies of which are attached hereto as Exhibit C. Mr. Gutierrez stated the payment is mainly for the coating completed to date and items under change order no. 2, which is the modification to the pressure leak valve. Mr. Gutierrez said LEI is pressing the contractor to complete the project by the end of the month.

Upon motion by Supervisor Wilson, seconded by Supervisor Ewing, after full discussion and the question being put to the Board, the Board voted unanimously to approve Pay Estimate No. 6 in the amount of $25,528.50.

. Mr. Gutierrez reported that LEI is continuing the electrical design of the Echo Lane Lift Station and coordinating with Center Point. Upon inquiry from the President, Mr. Gutierrez stated that LEI is aiming to take bids by the end of the year, so that the contractor has sufficient time to acquire the control panel, which require a 3-4 month lead time. Mr. Gutierrez said he hopes that the project will be completed by the Summer of 2025. Upon inquiry from the President, Mr. Davis said the control panel will be located above ground. Supervisors Wilson and Stubbs inquired about protection of the new control panel. Discussion ensued.

. Mr. Cantu reported that as requested by the Board, he sent out a letter to the City of Hedwig Village notifying them that the Authority was moving forward with its water line improvements for Magdalene Drive due to health and safety concerns. Mr. Cantu stated that the response from the City of Hedwig Village was to invite the Authority to its meeting to see the City's design plan and to say they can meet the Authority's schedule. Mr. Cantu informed the City that the Authority plans to start this project early 1st quarter of 2025. Discussion ensued. Mr. Davis said the project would be better coordinated and less disruptive to residents if the Authority and City can work together. Mr. Cantu reported that he and Supervisor Schenk will be attending the City meeting. Further discussion ensued. The Board deferred this item until next month.

. Mr. Cantu presented to and reviewed with the Board the proposal from Ram Rod Utilities LLC for sanitary sewer rehabilitation on South Blalock, a copy of which is attached hereto as Exhibit D.

Mr. Cantu reported that approximately 1,130 feet of sanitary sewer pipe collapsed on Blalock between Memorial and Green Oaks and had to be repaired on an emergency basis.

Mr. Cantu stated that the Authority hired Ram Rod Utilities LLC to repair the pipe for the amount of $147,288.39 and the repair has been completed. Discussion ensued.

Upon motion by Supervisor Wilson, seconded by Supervisor Stubbs, after full discussion and the question being put to the Board, the Board voted unanimously to declare the sewer collapse an emergency and to approve the sanitary sewer repairs in the amount of $147,288.39.

The President said the Board will now be going into executive session and the engineers may feel free to leave. Mr. Davis announced that after 45 years of service to the Authority, he will retire in January. He introduced Mr. Tim Hardin as his replacement.

9. Executive session pursuant to Section 551.071 of the Open Meetings Act for the purpose of a private consultation with the Board's attorney about pending litigation and/or matters in which the attorney's duty to the governmental body requires confidentiality under the Rules of Professional Conduct; of the State Bar of Texas in connection with Petition of City of Bunker Hill Village Appealing Wholesale Sewer Rates Charged by the Authority under Public Utility Commission of Texas Docket No. 56717 Upon motion by Supervisor Wilson, seconded by Supervisor Stubbs, after full discussion and the question being put to the Board, the Board voted unanimously at 7:34 p.m. to enter into executive session pursuant to Section 551.071, Texas Gov't Code, for private consultation with its attorneys about pending litigation and/or matters in which the attorney's duty to the governmental body requires confidentiality under the Rules of Professional Conduct of the State Bar of Texas in connection with Petition of City of Bunker Hill Village Appealing Wholesale Sewer Rates Charged by the Authority under Public Utility Commission of Texas Docket No. 56717. The following persons were in attendance: the Supervisors, Mr. Cantu, Ms. Ellison, Mr. Orellana, and Mr. Armstrong.

10. Return to open session. Upon motion by Supervisor Ewing, seconded by Supervisor Wilson, after full discussion and the question being put to the Board, the Board voted unanimously to reconvene in public session at 9:25 p.m. There was no public waiting to enter the meeting.

11. Authorize any desirable actions with respect to settlement discussions with Bunker Hill Village and/or proceeding with hearing against Bunker Hill Village re appropriate sewer rate. Upon motion by Supervisor Stubbs, seconded by Supervisor Baysal, after full discussion and the question being put to the Board, the Board voted unanimously to (i) authorize special counsel to make changes to the Stipulation and Settlement Agreement, as discussed, present the revised Agreement to Bunker Hill Village, and upon determining it is satisfactory, execute the Agreement on behalf of the Board, (ii) authorize special counsel to prepare and file the monthly settlement status reports to the PUC staff stating that the Authority and Bunker Hill Village continue to work for a resolution of their dispute, and (iii) following execution of the Stipulation and Settlement Agreement by both parties, authorize special counsel to present a wholesale wastewater services agreement as discussed to Bunker Hill Village.

12. Manager's Report including; monthly water samples, Wastewater Treatment Facility's monthly discharge compliance, Tax Recap, Investment Report on the Authority's investments, monthly Identity Theft Compliance Report, and any other matters concerning

business of the Authority. Mr. Cantu presented to and reviewed with the Board the Manager's Report.

Mr. Cantu reported that he received the information requested from the auditors which he will send to Supervisor Roa for her response.

Mr. Cantu recommended moving the Authority's November meeting to earlier in the month due to the need to allow all participants in the Villages Mutual Insurance Group to approve the insurance this month. He said the Authority has to act first. The Board decided to meet on Wednesday, November 6^{th}.

Mr. Cantu presented the Drinking Water Coliform Report, a copy of which is attached hereto as Exhibit E.

Mr. Cantu presented the Discharge Monitoring Report, a copy of which is attached hereto as Exhibit F.

Mr. Cantu presented the Wastewater Treatment Facility Monthly Operating Report, a copy of which is attached hereto as Exhibit G.

Mr. Cantu presented the Funds Balance – Investment Report, a copy of which is attached hereto as Exhibit H.

Mr. Cantu presented the TexPool update, a copy of which is attached hereto as Exhibit I.

Mr. Cantu presented the Budget Variance Report as of August 31, 2024, a copy of which is attached hereto as Exhibit J. He indicated Supervisors Stubbs and Braly are working with him on the budget.

13. Authorize payment of bills. Mr. Cantu presented the payment of bills, a list of which is attached hereto as Exhibit K. Upon motion by Supervisor Wilson, seconded by Supervisor Braly, after full discussion and the question being put to the Board, the Board voted unanimously to approve payment of the bills.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

* * *

The above and foregoing minutes were passed and approved by the Board of Supervisors on November 6, 2024.

President, Board of Supervisors

ATTEST:

Secretary, Board of Supervisors