MINUTES OF REGULAR MEETING HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11 HARRIS COUNTY, TEXAS

26 October 2022

THE STATE OF TEXAS § COUNTY OF HARRIS §

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 11 (the "District") met in regular session, open to the public at 5:00 p.m. on the 26th day of October 2022 at the offices of Coats Rose, P.C., 9 Greenway Plaza, Suite 1000, Houston, Texas 77046, outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Kenneth D. Vasina Cynthia Ann Cruz Tammy B. Rose Marvin L. Zahradnik Luther F. Cowling President/Investment Officer Vice President Secretary/Treasurer Assistant Secretary/Treasurer Assistant Vice President

and all of said persons were present, thus constituting a quorum.

Also present were Claudia Redden of Claudia Redden & Associates, L.L.C., the District's Bookkeeper; Troy Bordelon, P.E., and Hala Abdo, P.E., of A&S Engineers, Inc. ("A&S"), the District's Engineer; Dennis Wright of Water District Management Company, Inc. ("WDM"), the District's Operator; Cole Konopka, Christopher Hsu, and David Green of Coats Rose, P.C., the District's Attorney; JoAnn Vasina, an interested party; and Leroy Rose, a resident of the District.

Director Vasina called the meeting to order.

Approval of Minutes

The Board first considered approval of the minutes of the meetings of 28 September 2022 and 5 October 2022. After discussion, upon a motion duly made and seconded, the Board voted unanimously to approve the minutes of the meetings of 28 September 2022 and 5 October 2022, as written.

Engineer's Report

Then Mr. Bordelon presented the Engineer's Report, a copy of which is attached hereto as an exhibit.

<u>Rehabilitation of Sanitary Sewer Lines in Woodgate Subdivision, Sections 1 and</u> <u>2 (the "Sewer Repairs")</u>. Mr. Bordelon reported on the status of the contract with King Solution Services LLC ("KSS") for the Sewer Repairs. Mr. Bordelon stated that A&S is still waiting on CenterPoint Energy Houston Electric, LLC ("CenterPoint") to provide the easements for the neighboring tract. He added that KSS is working to complete all other outstanding items while A&S coordinates the relocation of the power pole with CenterPoint.

<u>Request for Service / Taco Bell Restaurant</u>. Mr. Bordelon reported on the request for service from the new Taco Bell restaurant located on Veterans Memorial Drive north of Aldine Western Road (the "Restaurant"). He stated that A&S had reviewed the revised set of drawings for the Restaurant and was ready to issue the no objection letter once the instruments for the proposed Water Line Easement and Sanitary Sewer Line Easement have been executed and recorded in the Official Public Records of Real Property of Harris County, Texas.

<u>Request for Service and Annexation / 1.94-acre tract on Aldine Western Road</u>. Mr. Bordelon stated that he had nothing new to report at this time with regard to the request from Late Model Investments, LLC for service to and annexation of a 1.94-acre tract of land located at 1930 Aldine Western Road.

<u>Arsenic Remediation System at Water Plant No. 2 (the "Arsenic System")</u>. Mr. Bordelon recalled that the Texas Commission on Environmental Quality (the "Commission") had granted conditional approval to the District to allow the use of the Arsenic System with the Tonka Simul-Wash System for backwashing and pretreatment with sodium hypochlorite, carbon dioxide, and ferric chloride as treatment for the removal of arsenic. He stated that the District's Engineer had discussed with the Commission the conditions listed in the Commission's letter dated 13 September 2022 and had requested clarification on certain details in the letter. Mr. Bordelon stated that the Commission has directed the District's Engineer to perform a corrosivity study on the District's water and prepare design drawings for the Simul-Wash System. He remarked that the design drawings would require a few months to prepare. The District's Engineer will inquire if the Simul-Wash System can be used in the meantime, he told the Board.

<u>Water Supply and Groundwater Reduction Plan Wholesale Agreement (the "GRP Agreement"</u>). The Board discussed matters relating to the GRP Agreement dated 5 March 2003 between the District and the City of Houston (the "City"). Mr. Bordelon reported that EJES Incorporated, the design consulting engineer for the City's proposed surface water line (the "City Water Line"), had informed the District's Engineer that another route for the City Water Line was being evaluated prior to completing the preliminary design phase. He focused the Board's attention on an exhibit that denotes the possible routes for the City Water Line that are under consideration. A copy of the exhibit is included with the Engineer's Report.

Mr. Bordelon then reported that he and Ms. Abdo had met with Mr. Konopka to discuss the proposed agreement between the District and Forest Hills Municipal Utility District ("Forest Hills MUD") to share the cost to construct the District's water transfer

line (the "Transfer Line"). He reviewed with the Board an exhibit that summarizes the Cost Sharing Breakdown for the Transfer Line and displays the proposed route of same. A copy of the exhibit is included with the Engineer's Report. Mr. Bordelon stated that the District's Engineer was looking into preparing a bid package that would include all three nodes of the Transfer Line as described in the exhibit. Once Mount Houston Road Municipal Utility District has been contacted by the engineer for Forest Hills MUD, he continued, A&S will strive to schedule a meeting of the interested parties.

<u>Central Harris County Regional Water Authority (the "CHCRWA")</u>. Mr. Bordelon stated that he had nothing new to report at this time regarding the CHCRWA's proposed surface water transmission line project to provide surface water to Harris County Municipal Utility District No. 33 and Fallbrook Utility District.

<u>Traffic Issues in Woodgate Subdivision, Section 3 ("Section 3")</u>. The Board briefly discussed matters relating to traffic issues in Section 3, including the District's request for the installation of a traffic light at the intersection of Veterans Memorial Drive and Marshwood Road. Mr. Bordelon reported that the District's Engineer was awaiting an update from Harris County Commissioner Precinct 1 in connection with the study to be prepared by the Harris County Traffic Study Department.

Bond Application Report for Proposed Sale of Series 2023 Bonds (the "BAR"). Mr. Bordelon reported that a draft of the BAR and attachments had been provided to the District's Attorney and Financial Advisor for review. He went on to say that the District's Engineer anticipates submitting the BAR to the Commission by December 2022.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to accept the Engineer's Report.

Bookkeeper's Report

Ms. Redden presented the Bookkeeper's Report for the Board's consideration. She commented on the income to the District, summarized the activity in each of the District's accounts, and listed the balance in each account. Ms. Redden discussed the District's investment information with the Board and reviewed the District's Investment Report, as included in the Bookkeeper's Report. She noted that TexPool had paid an average interest rate of 2.4126% per annum for the reporting period. Ms. Redden then reviewed with the Board the Special Projects Report. A copy of the Special Projects Report is attached hereto as an exhibit to these minutes.

<u>Collection and Deposit of Customer Payments</u>. Ms. Redden reported on matters relating to the collection and deposit of payments from the District's customers (the "Payments") on their bills for water and sanitary sewer service. She stated that Central Bank and First Billing Services, LLC, the company that collects the Payments on behalf of WDM, were working to resolve the matter of the Payments that were inadvertently routed to a collections account at Central Bank that was closed out earlier this year.

The Board then completed the review of the invoices to the District and the checks prepared in payment thereof. After further discussion, upon a motion duly made and seconded, the Board voted unanimously to: (1) accept the Bookkeeper's Report; (2) authorize the payment of the District's bills; and (3) approve the Investment Report. Copies of the Bookkeeper's Report and Investment Report are attached to and shall be considered to be part of these minutes.

Operator's Report

Mr. Wright presented the Operator's Report, a copy of which is attached hereto as an exhibit to these minutes. Mr. Wright stated that the total water accountability rate for the District's wells was 94.9% for the month of September 2022. He noted that the results of the bacteriological tests performed on samples of the District's water indicated that no coliform organisms were present. Mr. Wright then reported that the District's Wastewater Treatment Plant (the "Plant") treated an average flow of 249,000 gallons per day during the month, representing a flow equal to 68% of the design capacity for the Plant. Also reviewed was the Arsenic Analysis Report, a copy of which is included with the Operator's Report.

<u>Woodsdale Boulevard / Storm Sewer Repairs</u>. Mr. Wright reported that Harris County was repairing the storm sewer along Woodsdale Boulevard in the District. He noted that an excavated portion of the pavement was temporarily covered with steel plates.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to accept the Operator's Report.

Termination of Service

Consideration was then given to the termination of water and sewer service to certain delinquent accounts. The President recognized Mr. Wright, who advised the Board that the requisite notifications had been given to each customer and that each customer was advised of the date, time, and place of the Board meeting which they could attend to discuss termination of service. The Board noted that there were no customers present to protest the utility billings. After discussion, upon a motion duly made and seconded, the Board voted unanimously to authorize the Operator to terminate the water and sewer service to those accounts listed on the termination list.

Attorney's Report

Mr. Konopka presented the Attorney's Report.

<u>Power Supply Issues / Public Power Pool ("P3")</u>. The Directors discussed matters pertaining to the aggregate purchase of electricity under the auspices of the Public Power Pool ("P3"). Mr. Konopka presented a correspondence sent by P3 informing the District that earlier this date the P3 board of directors had received

executable pricing offers from the four short-listed retail electric providers. A copy of the correspondence is attached hereto.

There being no further business to come before the Board, the meeting was adjourned.

Secretary, Board of Directors

SEAL

Harris County Municipal Utility District No. 11 Meeting of 26 October 2022 Attachments

- 1. Engineer's Report;
- 2. Bookkeeper's Report;
- 3. Special Projects Report;
- 4. Operator's Report; and
- 5. P3 Newsletter / 2023 Procurement.