

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

25 January 2023

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 25th day of January 2023 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	President/Investment Officer
Cynthia Ann Cruz	Vice President
Tammy B. Rose	Secretary/Treasurer
Marvin L. Zahradnik	Assistant Secretary/Treasurer
Luther F. Cowling	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., 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 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 20 December 2022 and 4 January 2023. After discussion, upon a motion duly made and seconded, the Board voted unanimously to approve the minutes of the meetings of 20 December 2022 and 4 January 2023, as written.

### **Engineer's Report**

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

Water Well No. 1 ("Well No. 1"). Mr. Bordelon reported that the production capacity of Well No. 1 had recently experienced a significant decline. What is more, he told the Board, Well No. 1 is now producing sand and brass. He stated that WDM had obtained a price quote from C & C Water Services, LLC ("C & C") to pull the pump and

conduct a televised inspection of Well No. 1 (the "Well Inspection") at an estimated cost of \$9,300. Mr. Bordelon assured the Board that Water Well No. 2 has sufficient production capacity to meet the District's water demand during the winter months.

Renewal of Wastewater Discharge Permit. Mr. Bordelon reported that the District's Engineer was preparing the application to the Texas Commission on Environmental Quality (the "Commission") for the renewal of the Discharge Permit.

Rehabilitation of Sanitary Sewer Lines in Woodgate Subdivision, Sections 1 and 2 (the "Sewer Repairs"). Mr. Bordelon reported on the status of the contract with King Solution Services LLC ("KSS") for the Sewer Repairs. He stated that A&S is waiting on CenterPoint Energy Houston Electric, LLC to provide the easements for the neighboring tract. In the meantime, he continued, KSS is working to close out the other outstanding items on the contract for the Sewer Repairs.

Request for Service / Taco Bell Restaurant. 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 recalled that A&S had issued the no objection letter for the Restaurant project. Mr. Bordelon stated that the developer on the Restaurant project would coordinate with the District's Operator when construction commences.

Arsenic Remediation System at Water Plant No. 2 (the "Arsenic System"). Mr. Bordelon reported that the District's Engineer was continuing the work on the corrosivity study on the District's water (the "Study") as directed by the Commission. He added that A&S had asked the Commission to confirm the necessity for conducting the Study in connection with the pilot study on the Arsenic System.

Water Supply and Groundwater Reduction Plan Wholesale Agreement (the "GRP Agreement"). 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 the City's Public Works & Engineering Department had scheduled a teleconference on 30 January 2023 to discuss the provision of surface water to the District, Harris County Municipal Utility District No. 119, and El Dorado Utility District through the City's proposed surface water line (the "City Water Line"). He stated that the District's Engineer would transmit several questions to the City in advance of the teleconference, including a request for the status of the final alignment for the City Water Line.

Then, after review, upon a motion duly made and seconded, the Board voted unanimously to (1) accept the Engineer's Report; and (2) authorize the District's Engineer to notify C & C to proceed with the Well Inspection.

## **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 93% for the month of December 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 308,000 gallons per day during the month, representing a flow equal to 60% 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.

Agreement for Operation of the District's Facilities (the "Service Agreement"). Mr. Wright submitted to and reviewed with the Board a letter dated 23 January 2023 from David Rowe of WDM, requesting that the Board approve an amendment to the Service Agreement to adopt a revised Schedule of Rates (the "Amendment"). A copy of the letter is attached hereto. The Directors agreed to consider approval of the Amendment at the Board's meeting on 1 February 2023.

Detention Pond / Maple Ridge Place Subdivision ("Maple Ridge Place"). Mr. Wright reported that, to date, he had not received proposals from Storm Water Solutions, LLC for proposed repairs to and maintenance of the detention pond serving Maple Ridge Place (the "Detention Pond"). After discussion, the Board directed Mr. Wright to solicit proposals for the Detention Pond repairs and maintenance from an additional vendor.

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.

### **Proposed Annexation of Detention Pond and Water Plant Sites**

Next, the Directors entered into a discussion regarding the possible annexation of two certain tracts of land located outside the boundaries of the District on which the following facilities are located: (1) the Maple Ridge Place Detention Pond; and (2) the District's Water Plant No. 2 (collectively, the "Tracts"). Mr. Bordelon expressed his view that there was no necessity from an engineering standpoint for the District to annex the Tracts. Mr. Konopka stated that the Tracts are both owned by the District and accordingly the District could not assess property taxes on the Tracts if they were annexed into the District. The Directors then declined to take any action on the matter.

## **Attorney's Report**

Mr. Konopka presented the Attorney's Report.

Directors Election. The Board discussed matters relating to the 6 May 2023 Directors Election required for the District. Mr. Konopka distributed a draft ORDER CALLING DIRECTORS ELECTION FOR A MUNICIPAL UTILITY DISTRICT. He explained that the Board was required to adopt the Order prior to 17 February 2023 pursuant to the requirements of the Texas Election Code. He told the Board that the deadline for submission of an application for a position on the ballot was 5:00 p.m. on 17 February 2023 and that the deadline for filing as a write-in candidate was 5:00 p.m. on 21 February 2023. If there are no contested positions after 21 February 2023, then the Board can cancel the Directors Election, Mr. Konopka continued. He added that the Order Calling Directors Election would have to be completed if the District were required to hold the Directors Election. Mr. Konopka then recommended that the Board authorize execution of an agreement with Harris County to conduct a joint election (the "Election Agreement") in the event that the District was required to hold the Directors Election.

After review, upon a motion duly made and seconded, the Board voted unanimously to (1) adopt the Order Calling Directors Election, subject to completion if the election is required; and (2) authorize execution of the Election Agreement, as needed. A copy of the Order Calling Directors Election thus adopted is attached to these minutes as an exhibit.

Central Harris County Regional Water Authority (the "CHCRWA") / Proposed Water Line Easement Agreement (the "Easement Agreement"). Mr. Konopka submitted to and reviewed with the Board the proposed Easement Agreement between the District and the CHCRWA in connection with 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. He reviewed with the Board the exhibits to the Easement Agreement that depict the 1.7-acre Water Line Easement and Temporary Construction Easement (collectively, the "Easements"). Mr. Bordelon recommended that the metes & bounds descriptions of the Easements be reviewed by the District's Engineer to confirm that they closed correctly. The Directors expressed their concern as to whether the Easements would allow the crossing of a future District water line to connect with the City Water Line. Director Zahradnik expressed his view that the Board should defer action on the Easement Agreement until the City confirms the final alignment of the City Water Line. Director Vasina proposed that the District request monetary compensation from the CHCRWA in connection with granting the Easements. Mr. Konopka stated that he would so notify the attorney for the CHCRWA. He cautioned the Board that the CHCRWA could seek to acquire the Easements by condemnation if the Board does not approve the Easement Agreement.

## **Bookkeeper's Report**

Finally, 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 3.98% per annum for the reporting period.

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; and (2) authorize the payment of the District's bills. A copy of the Bookkeeper's Report is attached hereto as an exhibit to these minutes.

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 25 January 2023  
Attachments

1. Engineer's Report;
2. Operator's Report;
3. Letter from WDM / proposed revisions to service rates;
4. Order Calling Directors Election; and
5. Bookkeeper's Report.