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

3 May 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 3rd day of May 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. VasinaPresident/Investment OfficerCynthia Ann CruzVice PresidentTammy B. RoseSecretary/TreasurerMarvin L. ZahradnikAssistant Secretary/TreasurerLuther F. CowlingAssistant Vice President

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

Also present were Robin Goin of Bob Leared Interests, the District's Tax Assessor/Collector; 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; David Green of Coats Rose, P.C. ("Coats Rose"), the District's Attorney; JoAnn Vasina, an interested party; and Leroy Rose, a resident of the District. Attending by teleconference was Cole Konopka of Coats Rose.

Director Vasina called the meeting to order.

Operator's Report

Mr. Wright presented the Operator's Report, a copy of which is attached hereto as an exhibit to these minutes. He reviewed with the Board the condition of the District's facilities.

<u>Water Well No. 1 ("Well No. 1")</u>. Mr. Wright reported on the status of the rehabilitation of Well No. 1 (the "Well Rehabilitation") by C & C Water Services, LLC ("C & C"). He stated that C & C intends to conduct water production tests in the following week and then perform the bacteriological testing.

<u>Arsenic Remediation System at Water Plant No. 2 (the "Arsenic System")</u>. The Board discussed the status of the Arsenic System. Director Zahradnik requested that the monthly reports from the District's Operator on the operation of the Arsenic System include statistics comparing the quantity of water used for the backwash with the quantity of water that moves through the Arsenic System.

List of Proposed Replacement Items. Mr. Wright reported that the District's Engineer and Operator were working to prepare a list of replacement items for the District's facilities. He added that Neil Technical Services, Corp. would provide information for the preparation of the list.

<u>Commercial Center at 13610 Veterans Memorial Drive (the "Commercial Center")</u>. Mr. Wright reported that the video of the televised inspection of the sanitary sewer line located west of the Commercial Center near the intersection of TC Jester Boulevard and Veterans Memorial Drive (the "Sewer Line") was provided to the District's Engineer for review. Because of the age of the Sewer Line, he told the Board, WDM is recommending that the Sewer Line be repaired by slip-lining rather than by point repair. Mr. Wright then stated that the District's Operator was recommending that the inspection of the grease trap at the Commercial Center (the "Inspection") be conducted on a monthly basis rather than once every three months. He remarked that the District's Consolidated Rate Order permits the Board to define the frequency of the Inspection.

After further discussion, upon a motion duly made and seconded, the Board voted unanimously to (1) accept the Operator's Report; (2) authorize the District's Operator to perform the Inspection at the Commercial Center on a monthly basis; and (3) authorize the District's Operator to proceed with the slip-lining of the Sewer Line at an estimated cost of \$85 per linear foot.

Tax Assessor/Collector's Report

Ms. Goin presented the Tax Assessor/Collector's Report for the Board's consideration. She reported that the District's 2022 tax levy was 94.8% collected as of 31 March 2023. She asked for the Board's approval of five checks written on the District's tax account and two transfers by wire as follows: the transfer of \$2,260.82 in revenues from the District's tax for maintenance and operations to the General Fund and the transfer of \$10,000 to the Debt Service Fund. The Directors then entered into a discussion with Ms. Goin regarding the list of Top Delinquent Taxpayers, a copy of which is included in the Tax Assessor/Collector's Report.

After discussion, upon a motion duly made and seconded, the Board voted unanimously to: (1) accept the Tax Assessor/Collector's Report; and (2) authorize the disbursements from the District's Tax Account as listed therein. A copy of the Tax Assessor/Collector's Report is attached hereto as an exhibit to these minutes.

Engineer's Report

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

<u>Well No. 1</u>. Mr. Bordelon reported on the status of the Well Rehabilitation by C & C. He stated that C & C was currently working on installing the new liner in the well and anticipates that testing will take place on 5 May 2023.

<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 on the teleconference conducted during the previous week by representatives of A&S and the City's Water Infrastructure Planning Group regarding the alignment of the City's proposed surface water line (the "City Water Line") to provide surface water to the District, Harris County Municipal Utility District No. 119, and El Dorado Utility District. He remarked that the City was continuing to consider Route 2B for the alignment of the City Water Line. Mr. Bordelon then reviewed with the Board a draft letter from the District's Engineer to the City requesting that the District be granted an extension with regard to the schedule for connecting with the City Water Line and accepting surface water from the City (the "Extension Letter"). The Board requested certain revisions to the Extension Letter. Mr. Bordelon stated that he would forward an execution original of the revised Extension Letter to the District's Attorney for execution by Director Vasina.

<u>Status of Developer Deposits</u>. Mr. Bordelon reviewed a list denoting the balance of deposits paid by applicants or developers for legal and engineering fees incurred by the District for their respective projects (the "Developer Deposit List"). He stated that A&S would transmit the Developer Deposit List to Claudia Redden & Associates, L.L.C., the District's Bookkeeper for further handling.

After further discussion, upon a motion duly and seconded, the Board voted unanimously to (1) accept the Engineer's Report; and (2) authorize execution of the Extension Letter, as revised.

Mr. Wright departed the meeting at this time to attend to a business commitment.

Security Patrol Report

Director Zahradnik reviewed with the Board the Security Patrol Report for the month of April 2023 as prepared by the Harris County Sheriff's Office. A copy of the Security Patrol Report is attached hereto as an exhibit to these minutes. A discussion ensued regarding the reported incidents in the District involving aggressive animals. Director Zahradnik stated that the Sheriff's Office has a Deputy who specializes in matters involving aggressive animals and who could attend a future meeting of the Board to give a presentation on this matter. The Directors expressed their desire for the Deputy to attend the Board's meeting on 7 June 2023.

Paymentech LLC / Agreement for Merchant Services Processing

The Board then considered entering into an agreement with Paymentech LLC ("Paymentech"), a wholly owned subsidiary of JPMorgan Chase Bank, N.A., for certain merchant services processing pursuant to the terms and conditions set forth in the

Terms and Conditions for Merchant Services Processing (the "Agreement") and the Electronic Check Processing Addendum (the "ECP Addendum"), for payment services relating to the bills distributed by WDM to the District's customers for water and sanitary sewer service. The Directors agreed to defer consideration of the Agreement and the ECP Addendum to a future meeting of the Board when Mr. Wright would be available to respond to questions regarding this matter.

Attorney's Report

Mr. Konopka presented the Attorney's Report.

<u>Directors Election</u>. The Board discussed matters relating to the 6 May 2023 Directors Election. Mr. Konopka stated that the Directors would need to reschedule the special meeting of the Board in which to canvass the results of the Directors Election. He explained that the District's Attorney was informed by Harris County Election Administration ("HCEA") earlier this week that the official tally of the votes cast in the elections administered by HCEA would not be available until 16 May 2023. After discussion, the Directors agreed to meet at 5:00 p.m. on Tuesday, 16 May 2023, to canvass the results of the Directors Election.

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 5 April 2023 Attachments

- 1. Operator's Report;
- 2. Tax Assessor/Collector's Report;
- 3. Engineer's Report; and
- 4. Security Patrol Report;