

MINUTES OF MEETING OF BOARD OF DIRECTORS
AUGUST 17, 2021

THE STATE OF TEXAS
COUNTY OF HARRIS
ATASCOCITA JOINT OPERATIONS BOARD

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The Board of Directors (the “*Board*”) of Atascocita Joint Operations Board (the “*District*”) convened in regular session on Tuesday, August 17, 2021 at 7:00 p.m. via videoconference pursuant to Section 551.125, Texas Gov’t Code as modified by the temporary suspension of certain provisions thereof pursuant to guidelines issued by the Texas Attorney General and approved by the Governor for use during the COVID-19 statewide disaster. A roll call was taken of the persons present:

Owen Parker, Harris County Municipal Utility District No. 109 (“*No. 109*”), President
Vera Nykaza, Harris County Municipal Utility District No. 46 (“*No. 46*”), Vice President
Ernest Bezdek, Harris County Municipal Utility District No. 152 (“*No. 152*”), Assistant Secretary
Tim Stine, Harris County Municipal Utility District No. 132 (“*No. 132*”), Secretary
Edward Cocetti, Harris County Municipal Utility District No. 153 (“*No. 153*”), Director
Kent Spitzmiller, Harris County Municipal Utility District No. 151 (“*No. 151*”), Director
Neil McLeroy, Harris County Municipal Utility District No. 106 (“*No. 106*”), Director

All members of the Board were present. Also attending all or parts of the meeting were Mr. Rick Soliz, Director of No. 153; Ms. Deborah Malone, Director of No. 46; Mr. Michael Hamlin and Mr. Ralph Edgar, Directors of No. 106; Mr. Curtis McMinn, Director of No. 152; Mr. Bill Kotlan of BGE, Inc. (“*BGE*”), engineering firm for the Atascocita Central Sewage Treatment Plant (the “*Plant*”) and District Nos. 109, 132, and 153; Mr. Allen Jenkins and Mr. Robert Miller of Inframark (“*Inframark*” or the “*Operator*”), operators for the Plant and District Nos. 132, 151, and 152; Ms. Cindy Craig of Governmental Financial Reporting, LLC (“*GFR*”), bookkeeper for the Plant; and Mr. Dimitri Millas and Ms. Jane Maher of Norton Rose Fulbright US LLP (“*NRF*”), attorneys for the Plant.

Pursuant to Section 551.054, Texas Gov’t Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on No. 109’s website, www.waterdistrict109.com, within the time limits prescribed by law. The agenda packet was posted on the website as items became available. Certificates of such posting are attached hereto as *Exhibit A*.

Call to Order. President Parker called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. President Parker then set out guidelines for the conduct of the meeting. He asked each speaker to identify themselves before speaking. He then proceeded with the meeting business:

1. **Public comments.** There were no public comments.

2. **Minutes.** The Board considered the proposed minutes of the meeting of July 20, 2021, previously distributed to the Board. Upon motion by Director Nykaza, seconded by Director Stine, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the meeting of July 20, 2021, as presented.

3. **Approve audit for fiscal year ended May 31, 2021.** Mr. Millas stated that this item would be deferred until next month.

4. **Review Engineer's Report.** President Parker recognized Mr. Kotlan, who presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit B*.

Mr. Kotlan stated that the design is underway on the 2020 Wastewater Treatment Plant Rehabilitation, and that BGE is waiting for completion of the maintenance on the gates to bid the painting project.

Mr. Kotlan reviewed the Summary of the Capital Improvement Plan ("CIP"), a copy of which is attached to the Engineer's Report. Discussion ensued. Upon motion by Director Stine, seconded by Director Nykaza, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CIP.

Upon motion by Director Spitzmiller, seconded by Director Nykaza, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Engineer's Report.

5. **Discuss and take necessary action in connection with capital improvement plan.** This item was addressed under the previous item.

6. **Review Operations Report and authorize repairs.** President Parker recognized Mr. Jenkins, who presented and reviewed the Operations Report for the month of July 2021, a copy of which is attached hereto as *Exhibit C*.

Mr. Jenkins reviewed the Major Maintenance Summary for the month of July.

Upon motion by Director Stine, seconded by Director Bezdek, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report.

7. **Review Financial Statements and authorize payment of bills.** President Parker recognized Ms. Craig, who presented to and reviewed with the Board the Bookkeeper's Report, a copy of which is attached hereto as *Exhibit D*.

Upon motion by Director Stine, seconded by Director Nykaza, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, to authorize the payment of check numbers 6392 through 6398, the two payments processed subsequent to the last meeting from the General Fund in the amounts, to the persons, and for the purposes listed in the Bookkeeper's Report, to authorize President Parker to coordinate their execution.

8. **Discuss and consider authorization to moving District accounts and approval of all required documentation and actions related hereto, and take any necessary actions. No action was taken.** President Parker recognized Ms. Craig, who stated that Compass Bank is no longer interested in securing public funds and requested that the Board move the District accounts with Compass Bank to Central Bank. Mr. Millas stated that NRF would provide a Depository Pledge Agreement ("DPA") for Central Bank.

Upon motion by Director Nykaza, seconded by Director Spitzmiller, after full discussion and the

question being put to the Board, the Board voted unanimously to move the District accounts from Compass Bank to Central Bank and to approve the form of DPA approved by NRF and Central Bank.

9. **Discuss Meeting Format and Meeting Locations.** The Board discussed the meeting format. Mr. Millas stated that NRF would provide a memorandum regarding the District's options for meeting formats for the next meeting.

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

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The foregoing minutes were passed and approved by the Atascocita Joint Operations Board on September 21, 2021.

President, Board member

ATTEST:

Secretary, Board member

(AJOB SEAL)