

MINUTES OF MEETING OF BOARD OF DIRECTORS
JUNE 16, 2020

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, June 16, 2020 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, except Director McLeroy, thus constituting a quorum. Also attending all or parts of the meeting were Mr. Michael Hamlin, Director of No. 106; Ms. Deborah Malone, Director of No. 46; Mr. Rick Soliz, Director of 153; 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 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, 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 May 19, 2020, previously distributed to the Board. 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 minutes of the meeting of May 19, 2020, as revised.

3. **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 reviewed with the Board the draft Capital Improvement Plan. He stated that the general plant rehabilitation for 2021 would include the painting of exposed plant pipes, painting or replacing valves and operators, repainting chlorination and dechlorination buildings, new roof and siding for the belt press building, modifications to the digesters and the replacement of a sludge pump.

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 accept the Engineer's Report and to authorize BGE to prepare an opinion of cost and engineering work proposal for the 2021 capital improvements at the wastewater treatment plant.

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

5. **Review Operations Report and authorize repairs.** President Parker recognized Mr. Jenkins, who presented and reviewed the Operations Report for the month of May 2020, a copy of which is attached hereto as *Exhibit C*.

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

Mr. Jenkins presented quotes from Rage Industrial Solutions and Alvin Contracting to replace the scum rubbers on the clarifiers. He suggested that the Board consider Rage Industrial Solutions' proposal and replace the scum rubbers on all three clarifiers for a total of \$11,400.00.

Mr. Jenkins presented a quote from Inframark to replace the exhaust fan and fiberglass housing at the lift station in the amount of \$13,772.00.

Upon motion by Director Stine, seconded by Director Spitzmiller, after full discussion and the question being put to the Board, the Board voted unanimously to (1) approve the Operations Report; (2) approve the proposal from Rage Industrial Solutions in the amount of \$11,400.00 to replace the scum rubbers on three clarifiers; and (3) approve the quote from Inframark in the amount of \$13,772.00 to replace the exhaust fan and fiberglass housing at the lift station.

6. **Consideration of Operations contract amendment.** The Board reviewed the Amended and Restated Professional Services Agreement (the "Agreement") for Inframark, a copy of which is attached hereto as *Exhibit D*. Mr. Jenkins noted that the new rates would go into effect July 1, 2020. Upon motion by Director Bezdek, seconded by Director Nykaza, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Agreement subject to the incorporation of final comments from NRF, and to authorize President Parker to execute the Agreement.

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 E*. Mr. Jenkins and Mr. Kotlan stated that they will review the budget and coordinate on what items can be moved to capital improvements.

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 Bookkeeper's Report, to authorize the payment of check numbers 6289 through 6295, and 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 and to authorize President Parker to coordinate their execution.

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 July 21, 2020.

President, Board member

ATTEST:

Secretary, Board member

(AJOB SEAL)