

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 249

Minutes of Special Emergency Meeting of Board of Directors
May 11, 2021

The Board of Directors (the "Board") of Harris County Municipal Utility District No. 249 (the "District") met in special session, open to the public on May 11, 2021, in accordance with the duly posted Notice of Special Emergency Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Ralph V. Palermo, President
Willie Hodge, Vice President
Norman Adamek, Secretary
Michael Guillory, Assistant Secretary
Diana Moore, Assistant Secretary

all of whom participated in the meeting via telephone conference call, thus constituting a quorum.

Also attending the meeting via telephone conference call were: John Davis and Norman Gutierrez of Langford Engineering, Inc. ("Langford"); Eric Thiry of Environmental Development Partners, L.L.C. ("EDP"); Michelle Johnson of Touchstone District Services, LLC ("Touchstone"); Cindy Adamek, Doreen Wells and James McConville, residents of the District; and Christopher Skinner of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

EXPLANATION OF TELEPHONE CONFERENCE CALL MEETING PROCEDURES AND CALL TO ORDER

Mr. Skinner explained to the Board the procedures to be used during the telephone conference call meeting. In connection therewith, he informed the participants that the meeting would be recorded, and requested that each participant clearly state his or her name before speaking, including when making or seconding a motion. Mr. Skinner further explained that he would conduct a roll call vote for all motions and that Board members should wait to vote on a motion until his or her name has been called. Lastly, Mr. Skinner conducted a full roll call of all meeting participants for attendance purposes.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. There being no public comments presented, the Board continued to the next item of business.

WELL MOTOR FAILURE AT WATER PLANT NO. 1

Mr. Davis informed the Board that, at approximately 8:30 a.m. on Sunday, May 9, 2021, the District experienced an electrical failure in the submersible well motor pump at Water Plant No. 1, which caused the Water Plant to go offline. He advised that EDP arrived at Water Plant No. 1 promptly after becoming aware of the issue, and subsequently opened the water line interconnect with Harris County Water Control and Improvement District No. 110 to provide temporary emergency water supply to the District.

Mr. Davis then informed the Board that he was made aware of the situation Sunday afternoon and contacted Director Palermo accordingly. He advised that, in an effort to address the issue as quickly as possible, he contacted a water well contractor, C&C Water Services LLC ("C&C"), regarding its availability to perform any repairs required immediately, and that C&C indicated that it could mobilize a crew the following morning to pull the water well for inspection to determine what caused the electrical failure. Mr. Davis additionally advised the Board that C&C is in the process of performing such work.

Mr. Davis additionally informed the Board that Langford is recommending the District replace the submersible well motor pump with a vertical turbine pump, which would sit above ground, and televise the water well to ensure that there is no damage to the well casing and screens. Mr. Davis then presented to and reviewed with the Board a draft proposal from C&C for removal of the water well pump equipment, the televising of the interior of the water well, and the replacement of the water well submersible pump with a vertical turbine pump (the "Project"), at an estimated total cost of \$264,212.00; a copy of such draft proposal is attached hereto as **Exhibit A**. Mr. Davis then advised the Board that, typically the District would be required to publicly bid the project, but noted that due to the severity of the situation, the Board can authorize Langford to prepare and submit a letter to the Texas Commission on Environmental Quality ("TCEQ") requesting an exemption from the public bidding requirements, and permission for the District to award the contract to C&C on an emergency basis. Mr. Davis noted that the project would likely take approximately six (6) to eight (8) weeks to complete.

Mr. Thiry informed the Board that EDP would be filing a claim with the District's insurance company for the pump failure. A lengthy discussion then ensued regarding same and the Board asked various questions, to which Messrs. Davis and Thiry responded. The Board requested that Mr. Davis try to negotiate better pricing on C&C's proposal. After further discussion, Director Hodge moved that: (i) Langford be authorized to negotiate with C&C regarding the cost of the proposal for the Project; (ii) the final proposal to be negotiated by Langford be approved, subject to final review of the contract by SPH, and receipt of the associated TEC Form 1295 related to same, and (iii) Langford be authorized to prepare and forward the letter to the TCEQ relative to the public bidding exemption, as recommended. Director Guillory seconded the motion, which carried unanimously.

ADJOURN

There being no further business to come before the Board, upon motion duly made by Director Guillory, seconded by Director Hodge and carried unanimously, the meeting was adjourned.


Secretary



LIST OF ATTACHMENTS TO MINUTES

Exhibit A – Draft proposal from C&C Water Services LLC