

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

APRIL 21, 2020

The Board of Directors (the "Board" or "Directors") of Harris County Water Control and Improvement District No. 99 (the "District") met in regular session, at 7:00 p.m., at 19423 Lockridge Drive, Spring, Texas 77373 and by Teleconference, on Tuesday, April 21, 2020, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code; whereupon the roll was called of the members of the Board, to-wit:

Monte Lee Cooper	President
Billy Ray Fritsche	Vice President
Tim Evans	Assistant Secretary
Ed Jensen	Secretary/Treasurer/Investment Officer
Charles Leroy Richardson	Director/Operations Maintenance Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting by personal appearance or by teleconference were: Karen Long of Equi-Tax, Inc., bookkeeper for the District ("Equi-Tax"); Patricia Hall of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Andrew P. Johnson, III, Zachary A. Petrov, attorneys and Marisa L. Roberts, legal assistant, attorneys for the District ("Johnson Petrov" and/or "Attorney"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, P.E. and Caitlin Bobb, EIT of Vogt Engineering, L.P., engineer for the District ("Engineer"); Deputy Z. Ryan of the Harris County Constable's Office ("HCCO"); George Galindo; Bryan Vance; Omar Flores and Tom Riddle, residents of the District.

The President, after finding that notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order and declared it open for such business as may regularly come before it.

1. Minutes. The Board reviewed the regular meeting minutes held on March 17, 2020, and special meeting minutes of March 30, 2020; copies of which were previously distributed to the Board. Upon motion by Director Fritsche, seconded by Director Evans, after full discussion and with all Directors present unanimously voting aye, the Board approved the regular meeting minutes held on March 17, 2020, and special meeting minutes of March 30, 2020.
2. Constable's Report. Deputy Z. Ryan updated the Board regarding the recent activities in the District and responded to questions from the Board.
3. Bookkeeper's Report/Investment Report/Tax Assessor-Collector's Report/Energy Usage Report. Ms. Long presented to and reviewed with the Board, the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report for the previous month, copies of which are attached hereto collectively as Exhibit "A."

Ms. Long reported that TexPool is paying 1.0034% interest and the net asset value is 1.00066%. She also stated that the WellsFargo account has been closed and the funds transferred to the general operating account.

b. Authorize filing of Texas Unclaimed Property Report. This item was tabled until the May board meeting.

Upon motion by Director Fritsche seconded by Director Jensen, after full discussion and with all Directors present unanimously voting aye, the Board 1) approved the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report, as presented, 2) authorized the payment of checks numbered 12287 through 12308 from the Operating Account.

4. Operator's Report. Mr. Plunkett presented the Operations Report, a copy of which is attached hereto as Exhibit "B."

Mr. Plunkett reported the average daily flow at the sewer plant during the previous month was 66,000 G.P.D. He also reported the pumped to billed ratio was 89.92% at the water plant. That there were no excursions reported.

Mr. Plunkett next presented the Monthly Light Fixture Review, a copy of which is attached to the Operator's Report. He again asked the Board to consider halting terminations as well as consider waiving late fees. Discussion ensued.

Upon motion by Director Jensen, seconded by Director Fritsche, after full discussion and with all Directors present unanimously voting aye, the Board agreed to suspend terminations until further notice.

Upon motion by Director Fritsche, seconded by Director Jensen, after full discussion and with all Directors present unanimously voting aye, the Board also agreed that penalties and interest will accrue on unpaid balances.

Mr. Plunkett then reported that he attended a special meeting for North Harris County Regional Water Authority (the "NHCRWA") and that the rates were scheduled to go up on April 1<sup>st</sup>, but that at the special meeting, the NHCRWA Board agreed to postpone that increase until July 1<sup>st</sup> and that said increase will be reflected on the August statements. Mr. Johnson then stated that the NHCRWA is accepting late payments requests, but the request must be in written.

Upon motion by Director Jensen, seconded by Director Fritsche, after full discussion and with all Directors present unanimously voting aye, the Board approved the Operator's Report.

5. Engineer's Report. The Engineer's Report was presented and reviewed by Mr. Van Dusen, a copy of which is attached as Exhibit "C".

Mr. Van Dusen reviewed the engineer's report with the Board.

Mr. Van Dusen has been in touch with DreamLab's engineer regarding the proposed water line and sanitary easements. He then stated that Vogt Engineering has drafted a Letter of Availability, a copy of which is attached to the Engineer's Report and that Johnson Petrov is reviewing same as well as preparing the Detention Pond ownership letter.

Mr. Van Dusen then stated that the TCEQ issued a letter of administratively approved for the Bond Application Report and that final approval is pending.

Mr. Van Dusen then updated the Board on the progress with the Lemm Gully gap project.

Lastly, he reported that the TCEQ sent a notice that the well completion data does not meet all criteria and that Vogt Engineering is working to obtain a Sanitary Control Easement ("Easement") for the two existing wells at the WWTP. He also stated that portions of the easement would be within the property of Harris County Water Control and Improvement District No. 110 ("WCID 110") and that he is working with John Davis, WCID 110's Engineer, to obtain a resolution for the Easement.

Upon motion by Director Fritsche, seconded by Director Richardson, after full discussion and with all Directors present unanimously voting aye, the Board approved the Engineer's Report.

6. a. Amendment to Rate Order.

The Board next discussed amending the District's Rate Order by adding a new category for the maintenance of the Detention Pond. Mr. Plunkett also recommended an annual cost estimate for said maintenance of \$5,000/year or \$500 per month. Mr. Johnson stated that this amount would be adjusted to actual costs and that the District would obtain a formal bid for maintenance when the Detention Pond is complete. Next Director Fritsche discussed a minimum charge for water of \$33.00 per ESFC and a minimum charge for sewer of \$47.00, which also includes the \$12.00 fee per month for law enforcement. Discussion ensued. Mr. Johnson requested the Board's authorization for Johnson Petrov to work on the rate order to incorporate language for commercial property and multi-family In-District charges

Upon motion by Director Fritsche seconded by Director Richardson, after full discussion and the question being put to the Board, all members of the Board approved \$500 month fee for the maintenance of the detention pond, as well as Director Fritsche's recommended minimum charge of \$33.00 for water and \$47.00 for sewer, which includes the \$12.00 per month for law enforcement; and authorized Johnson Petrov to work on the rate order to incorporate language for commercial property and multi-family In-District charges.

b. DreamLab Development. Mr. Johnson requested the Board's authorization to issue the Utility Commitment. A copy of which is detailed in the Annexation, Service and Financing Agreement with DreamLab, and the Board's authorization for the President to sign the Declaration of Covenants, Conditions and Restrictions (the "Restrictions") so that DreamLab can proceed with their application process. Mr. Johnson also stated that he had invited DreamLab to attend tonight's meeting, but they were unable to attend.

Next, Mr. Johnson requested the Board to authorize Johnson Petrov to work with Vogt Engineering to draft a letter to the Harris County Flood Control District (the "HCFCD") for the Board's signature. This letter is required by HCFCD to indicate that the District will assume maintenance responsibilities for the DreamLabs Detention Pond.

Upon motion by Director Cooper, seconded by Director Richardson, after full discussion and with all Directors present unanimously voting aye, the Board authorized the President to sign the Utility Commitment, Restrictions and authorized Johnson Petrov to work with Vogt Engineering to draft a letter to HCFCD.

7. Update regarding annexation request by Spring ISD. Spring ISD has authorized their attorney to talk to Mr. Johnson. No other updates at this time.

8. Public Comment.

Members of the public were given an opportunity to speak and express any concerns.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,**  
the meeting was adjourned at 8:16 p.m.


**Pay the Bills:** As previously approved by the Board, the following bills were paid:

**Checks Written on Operations Account #0751-690363**

**Harris County WCID #99 GOF  
Checks Presented  
April 21, 2020**

Num	Name	Description	Amount
12287	Billy R Fritsche	Director Fee	-138.52
12288	Charles L Richardson	Director Fee	-300.22
12289	Monte L Cooper	Director Fee	-138.52
12290	Timothy P. Evans	Director Fee	-138.52
12291	Center Point Energy 4610016-0	Utilities	-27.54
12292	CFI Services Inc	Maintenance & Repairs	-462.16
12293	Direct Waste Solutions	Garbage Collection	-9,120.50
12294	DXI Industries, Inc.	Chemicals	-529.30
12295	Eagle Water Management, Inc.	Operator Fee	-13,877.38
12296	ETI Bookkeeping Services	Bookkeeping Fee	-700.00
12297	Harris County Treasurer	Security	-6,046.00
12298	Lawns & More	Mowing	-360.00
12299	North Harris County Regional Water Author	NHCRWA Fee	-14,280.40
12300	Reliant Energy 1 499 574-0	Utilities	-12.92
12301	Reliant Energy 1 500 965-7	Utilities	-1,114.76
12302	Reliant Energy 1 505 184-0	Utilities	-1,618.77
12303	Verizon	Telephone	-63.69
12304	Waste Connections of Texas	STP Dumpster	-251.66
12305	Edward Lopez	Customer Deposit Refund	-64.15
12306	Julie and/or David Clem	Customer Deposit Refund	-57.26
12307	Robbie Lynn Robinson	Customer Deposit Refund	-157.26
12308	Ronald D Fajohn	Customer Deposit Refund	-140.30
			<b>-49,579.83</b>

**PASSED AND APPROVED** on the 19th day of May, 2020.



Secretary  
Board of Directors

**EXHIBITS:**

- A - Bookkeeper's Report, Investment Report,  
Tax Assessor-Collector's Report, Energy Report
- B - Operations Report
- C - Engineer's Report

**Minutes recorded by Marisa L. Roberts  
Johnson Petrov LLP  
Regular Session April 21, 2020**

**[DISTRICT SEAL]**

