

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

MAY 19, 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., by Teleconference, on Tuesday, May 19, 2020, pursuant to notice of said meeting posted in accordance with the Governor's Executive Orders regarding holding Open Meetings via Teleconference for the protection of public health and safety during the COVID-19 pandemic; 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, with the exception Director Cooper, thus constituting a quorum. Also attending all or portions of the meeting by teleconference were: Karen Long of Equi-Tax, Inc., bookkeeper for the District ("Equi-Tax"); Patricia Hall and Debbie Bessire 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"); Melissa Womble, attorney with Allen Boone Humphries Robinson LLP ("ABHR"); Nathan Adams, Diego Vilchis, a representative of Dreamlab Developers, LLC; Ford Allen; Kennedy Davis and Trey Waggnor, representatives of Fidalis; and George Galindo, Bryan Vance, Mike Kiger, and Tom Riddle, residents of the District.

Director Fritsche, 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 April 21, 2020; a copy of which was previously distributed to the Board. Mr. Jensen asked for clarification of the annual cost estimate for maintenance of the Detention Pond in the amount of \$5,000/year or \$500 per month. Mr. Johnson explained the District requested an estimate from Eagle Water Management, which was \$5,000/year, and that the Board's discussion had been to charge \$500/month to provide some contingency in the estimate. Mr. Johnson also stated that this is a placeholder amount until such time that the Detention Pond is constructed, at which time an actual bid will be provided for maintenance of the Detention Pond and the Rate Order would be amended to reflect the actual cost when known.

Upon motion by Director Jensen, seconded by Director Richardson, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes held on April 21, 2020.

2. Constable's Report. There was not a representative of the Constable's Office present.
3. DreamLab's Development LLC. Mr. Johnson introduced Diego Vilchis, Ford Allen, Kennedy Davis and Trey Waggnor and asked that they proceed with the presentation.

Mr. Allen presented and reviewed the DreamLab/Fidalis Presentation, which included the list of amenities and exterior building materials plan, a copy of which is attached hereto as Exhibit "A." Discussion ensued. Mr. Johnson asked the Board if they had any questions. Mr. Johnson also stated that the Waiver of Special Appraisal will be sent to Melissa Womble, attorney with ABHR, for review and execution by DreamLab.

Upon motion by Director Fritsche, seconded by Director Richardson, after full discussion and with all Directors present unanimously voting aye, the Board approved the DreamLab/Fidalis Presentation, which included the list of amenities and exterior building materials plan subject to DreamLab's execution and recording of the Utility Commitment Letter, Capacity Letter, Restrictions and Waiver of Special Appraisal.

4. 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 and Energy Usage Report for the previous month, copies of which are attached hereto collectively as Exhibit "B." She also stated that Ms. Pat Hall would present the Tax Assessor-Collector's Report.

- a. Ms. Long reported that TexPool is paying 0.4452% interest and the net asset value is 1.00041%.

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, and Energy Usage Report, as presented, 2) authorized the payment of checks numbered 12314 through 12339 from the Operating Account.

Next, Ms. Pat Hall stated that she and Debbie Bessire of Equi-Tax, Inc., would be working together until the account is up and running to levy the taxes. She and Debbie have been working with the appraisal district and plan to have it done by June. She stated that she is still waiting for a few documents from DreamLab. She also stated that she has a preliminary roll. She also stated that she did not submit an invoice and that if it was okay with the Board, she would defer their fee until the fall when the District will start collecting taxes.

Upon motion by Director Jensen seconded by Director Evans, after full discussion and with all Directors present unanimously voting aye, the Board approved the Tax Assessor-Collector Report.

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

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

Mr. Plunkett reported the average daily flow at the sewer plant during the previous month was 63,000 G.P.D. He also reported the pumped to billed ratio was 88.64% at the water plant. He stated that pumpage is still down and that they are still operating off Well No. 1. There were no excursions reported for the month of April.

Mr. Plunkett next presented the Monthly Light Fixture Review, a copy of which is attached to the Operator's Report.

Next, Mr. Plunkett discussed Drinking Water Quality Report, also known as the Consumer Confidence Report (the "CCR") and stated that the report would be posted to the District's website.

Mr. Plunkett stated that he received a call from several residents regarding low pressure issues on Lemm Court. He further stated that the 2" water main line serves about five (5) homes and that he suspects this is a value issue. Should this turn out to not be a value issue, he recommends that the line be replaced with a 4" line using PVC and that the PVC would last another 50 years or so.

Mr. Plunkett also reported that all of the fire hydrants have been inspected, which Eagle Water does annually.

Mr. Plunkett asked the Board to continue suspending terminations pursuant to the request from Harris County. Director Fritsche reminded Mr. Plunkett that the Board would not terminate any accounts at this time.

Upon motion by Director Jensen, seconded by Director Evans, after full discussion and with all Directors present voting aye, the Board approved the Operator's Report; and authorized Eagle Water to post the CCR on the District's website.

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

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

Mr. Van Dusen stated that Vogt has begun the design on the Cypresswood waterline extension project and is coordinating the easements. He also stated that Vogt is coordinating with Dreamlab's engineer to finalize the locations of the easements. He expects construction to start in September.

Mr. Van Dusen also stated that he met with the Harris County Flood Control District ("HCFCD") project manager and walked the length of Casper drive. He also stated that he met with the same project manager for the Lemm Gully repair project, specifically the sanitary sewer crossing at Ames Street.

Director Fritsche asked about Casper Drive, and if Timberland UD is on board with sharing the responsibility, to which Mr. Van Dusen responded, yes. Director Fritsche stated he would like Harris County to eventually take over the maintenance of the road. Director Evans stated he agreed.

Director Fritsche thanked Mr. Van Dusen for getting HCFCD to look at the issues with Lemm Gully again.

Next, Mr. Van Dusen stated that he has not heard back from the TCEQ regarding the Bond Application Report. He stated that it is not unusual at this point in the application process.

Mr. Van Dusen reported that the Lemm Gully stop gap project is complete and he recommended payment to Triple J in the amount of \$38,864.

Mr. Van Dusen then discussed the tree removal that is needed along Lemm Gully. Director Richardson stated that he was able to obtain a quote in the amount of \$3,750 for cutting and removing five (5) trees. Director Richardson also stated that the contractor would not grind the stumps but would remove them instead. Director Richardson explained that the contractor would climb the trees, top it off, drop the limbs and pull them back in order to avoid any damage. Discussion ensued.

A motion was made Director Evans, seconded by Director Jensen to approve the quote for the tree removal along Lemm Gully in the amount of \$3,750.

Director Fritsche asked that the written quote specify the cutting plan. Discussion ensued and the motion was amended by Director Evans and Jensen.

Upon motion by Director Evans, seconded by Director Jensen, after full discussion and with all Directors present voting aye, the Board approved the quote for the tree removal along Lemm Gully with specific cutting plan in an amount not to exceed \$4,000.

Mr. Van Dusen then reported that he met with an erosion expert that helped with the first Lemm Gully set of plans. He stated that due to the amount of erosion since the initial plans were developed, he'd like to get a surveyor to go out to update those plans. He stated the quote is \$2,700 and he requested Board's authorization.

Discussion ensued. Director Evans stated that he would like to meet on site to get a better understanding of what is needed. Ms. Roberts stated she would poll the Board and schedule a special meeting.

Director Fritsche then stated that there has been a lot of chatter on Facebook about the District's water quality, specifically solids. Mr. Plunkett explained that the testing is well start-up sands production, which is the same as solids, and the results are expected to be high when starting up a well that has not continuously operated. He also provided resources for looking up such testing online.

Lastly, Mr. Van Dusen stated that the Sanitary Control Easement resolution is still pending. Mr. Petrov stated that he had some email and forth with the TCEQ to see if the District's resolution is acceptable to them but has not yet received a conclusive answer.

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

7. Old Business.

a. Rate Order. Mr. Johnson stated that the recent amendment to the rate order is for the Multi-Family Rate and is a place holder for the maintenance of the Detention Pond until such time that it is constructed.

Mr. Johnson stated that Johnson Petrov would work with Director Fritsche on the multifamily and commercial property language.

b. Update regarding annexation request by Spring ISD. Mr. Johnson stated that he had discussions with the Spring ISD attorney and was asked to provide a one-page summary of options. During his discussion, he requested a representative of the Spring ISD sign the

annexation and letter of intent, which would then obligate the school to reimburse the District for expenses in accomplishing their annexation. Mr. Johnson stated that he anticipates receiving the signed agreements before the next meeting along with the deposit.

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.

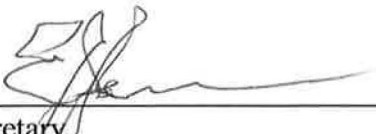
Pay the Bills: As previously approved by the Board, the following bills were paid:

Checks Written on Operations Account #0751-690363

**Harris County WCID #99 GOF
Checks Presented
May 19, 2020**

Num	Name	Description	Amount
12314	Billy R Fritsche	Director Fee	-138.52
12315	Charles L Richardson	Director Fee	-300.23
12316	Monte L Cooper	Director Fee	-138.52
12317	Timothy P. Evans	Director Fee	-138.52
12318	Center Point Energy 4610018-0	Utilities	-26.43
12319	CFI Services Inc	Maintenance & Repairs	-300.00
12320	Direct Waste Solutions	Garbage Collection	-9,083.50
12321	DXI Industries, Inc.	Chemicals	-60.00
12322	Eagle Water Management, Inc.	Operator Fee	-12,898.48
12323	Elite Pumps & Mechanical Services	Maintenance & Repairs	-930.00
12324	ETI Bookkeeping Services	Bookkeeping Fee	-728.75
12325	G-M Inspection Services, Inc.	Maintenance & Repairs	-1,100.00
12326	Harris County Treasurer	Security	-6,046.00
12327	Lawns & More	Mowing	-360.00
12328	Neil Technical Services Corp	Maintenance & Repairs	-6,505.00
12329	North Harris County Regional Water Author	NHCRWA Fee	-16,593.50
12330	Reliant Energy 1 499 574-0	Utilities	-12.42
12331	Reliant Energy 1 500 965-7	Utilities	-1,535.75
12332	Reliant Energy 1 505 184-0	Utilities	-1,607.27
12333	Verizon	Telephone	-63.39
12334	Vogt Engineering	Engineering Fee	-20,306.25
12335	Waste Connections of Texas	STP Dumpster	-251.66
12336	EC Contractors, LLC	Deposit Activity Refund	-6,780.00
12337	Gloria Ballin	Customer Deposit Refund	-57.26
12338	Louis Antonio Vasquez	Customer Deposit Refund	-157.26
12339	Michael Lawrence Barrow Jr	Customer Deposit Refund	-143.32
Total			-92,262.03

PASSED AND APPROVED on the 16th day of June, 2020.



Secretary
Board of Directors

EXHIBITS:

- A - DreamLab/Fidalis Presentation
- B - Bookkeeper's Report, Investment Report,
Tax Assessor-Collector's Report, Energy Report
- C - Operations Report
- D - Engineer's Report

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session May 19, 2020**

