

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

JULY 20, 2021

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, on Tuesday, July 20, 2021, 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
George Galindo	Secretary
Thomas Riddle	Assistant Secretary/Treasurer/Investment Officer
Charles Leroy Richardson	Director/Operations Maintenance Officer

All members of the Board were present, with the exception of Director Richardson, 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"); Debbie Bessire of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Andrew P. Johnson attorney, Marisa L. Roberts, legal assistant, for the District ("Johnson Petrov" and/or "Attorney"); Michael Others of McCall, Gibson & Company, PLLC, auditor for the District ("Auditor" and/or "McCall Gibson"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, P.E. and Tyler Reeves of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Lt. Flores and Deputy Z. Ryan of the Harris County Constable's Office ("HCCO"); and several residents of the District (see sign-in sheet).

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 minutes of the regular meeting held on June 15, 2021, a copy of which was previously distributed to the Board.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting held on June 15, 2021.

2. Constable's Report. Deputy Ryan reviewed the June Constable's Report with the Board and responded to questions from the Board.

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

3. Auditor's Report. Mr. Others presented a draft of the audit for the fiscal year ended March 31, 2021, copies of which are attached hereto as Exhibit "A." Mr. Others reported that the Auditor will issue a clean opinion and that McCall Gibson will file the audit with the TCEQ as required. Mr. Others noted that the District has approximately six (6) to eight (8) months of operational reserves. He then responded to questions from the Board.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the audit for fiscal year ended March 31, 2021, and authorized the legally required filing of the audit.

4. Bookkeeper's Report/Investment 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."

a. Ms. Long reported that TexPool is paying 0.0131% interest and the net asset value is 1.00009%.

Upon motion by Director Fritsche seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board: 1) approved the Bookkeeper's Report, Investment Report, and Energy Usage Report; and 2) authorized the payment of checks numbered 12693 through 12723 from the Operating Account.

4. Tax Assessor-Collector's Report. Ms. Bessire presented the Tax Assessor-Collector's Report, a copy of which is attached hereto as Exhibit "C."

Ms. Bessire stated she had nothing new to report. Ms. Bessire stated she anticipates the certified values to be in sometime in August.

a. Order Determining Ad Valorem Tax Exemptions, a copy of which is attached hereto as Exhibit "C-1". Mr. Johnson recommended that the Board adopt the statutory exemptions for Disabled Veterans and individuals sixty-five (65) years and older.

Upon motion by Director Fritsche seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the Order Determining Ad Valorem Tax Exemptions.

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

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

Mr. Plunkett reported the total monthly pumpage for June was 4,831,000 gallons; and the average daily flow at the sewer plant during the previous month was 116,000 G.P.D, which is 52.0% of current capacity. There were no excursions for the month of June. He also reported the pumped to billed ratio was 94.01% at the water plant.

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

Mr. Plunkett reported approximately six (6) or seven (7) accounts remained unpaid to date. Mr. Plunkett requested that the Board authorize termination of the six (6) or seven (7) remaining accounts for non-payment.

Mr. Plunkett stated that he received the tap fee for the new apartments. He then recommended that the District's Rate Order be amended to modify the commercial tap fee not to exceed 3x the actual costs.

Mr. Plunkett also revised a Water Meter Replacement Schedule with the Board, a copy of which is attached hereto as Exhibit "D-1." Mr. Plunkett stated that at this time, the cost to replace a meter is \$105.00, but that amount is going up.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board accepted Eagle Water Management's Water Meter Replacement Schedule.

Mr. Plunkett also stated that the valve survey has been completed and that he would work with Vogt Engineering on the new maps.

Upon motion by Director Galindo, seconded by Director Fritsche, after full discussion and with all Directors present voting aye, the Board, after confirming with the Operator that notice had been delivered by the Operator to each person on the list notifying them that they could appear before the Board to discuss termination of services and that services could be terminated at any time after this meeting, and determining that no one appeared at the meeting for such purpose 1) approved the termination list and authorized the Operator to terminate service as required by the Rate Order to all customers who remain unpaid; and 2) accepted the Operator's Report.

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

Mr. Van Dusen reviewed the Engineer's Report with the Board. He responded to questions from the Board.

Waterline Extension Along Cypresswood. Mr. Van Dusen stated the Waterline Extension Project has been completed, and that Vogt Engineering recommends final payment made by Macer Xpress LLC ("Macer") in the amount of \$15,731.40.

New Wastewater Treatment Plant (WWTP). Director Fritsche confirmed that the new WWTP will be built adjacent to the current WWTP. Mr. Van Dusen stated that the bids will be open and publicly read aloud on July 29, 2021.

Upon motion by Director Fritsche, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board confirmed that the new WWTP will be built adjacent to the current WWTP.

HCFCDC Casper Drive Road Repair. Mr. Van Dusen stated that HCFCDC is coordinating with Harris County Maintenance Department to request the repairs be made on behalf of HCFCDC, and that if Harris County Maintenance Department declines the repairs that HCFCDC will incorporate the repair work into an existing or upcoming contract.

Sanitary Sewer Crossing Lemm Gully. Mr. Van Dusen reviewed the bids received, and that Vogt Engineering recommended award to Triple J Enterprises, LLC, the second low bidder in the amount of \$372,250.00. Mr. Van Dusen also requested the Board authorize the Board President to sign the contract.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board accepted Triple J Enterprises, LLC, the second low bidder in the amount of \$372,250.00 and authorized the Board President to sign the contract.

Lynwood Estates Subdivision Drainage Assessment and Michael Baker Report on Cypress Creek: See Engineer's Report.

Spring ISD Transportation Center: See Engineer's Report.

Spring ISD ("SISD") Annexation. See Engineer's Report.

Review of Cypresswood Detention Pond (Dresher Pond) Design: See Engineer's Report.

Sewer Line from Dresher to Lockridge: See Engineer's Report.

Fill-in Property within Casper Lane Estates: See Engineer's Report.

Sanitary Control Easement. See Engineer's Report.

New Water Treatment Plant (WTP): See Engineer's Report.

7. Old Business.

a. Spring Independent School District ("SISD") Annexation Update. No additional update at this time.

b. Use of District Building. Mr. Plunkett will touch base with Director Richardson regarding the price quotes on the posts, which will protect the District's facility equipment/components at the Water Plant.

c. Audit Committee Update. Director Fritsche updated the Board regarding options for additional meeting places. He stated that he contacted a representative at Spring ISD regarding the use of the school's facilities as a meeting place. He was informed that the school only allows the school facilities to be used during the school year and that the meeting would need to be vacated by 10:00 p.m. Director Fritsche also suggested expanding the Water Board building and moving the District's files to the office of Johnson Petrov for record keeping.

d. Order Amending Rate Order. No updates are required at this time.

8. New Business.

a. Easement Acquisition for services to SISD Transportation Facility. Mr. Johnson stated it might be a good time to bring up the drainage issues to the school district. This item was tabled.

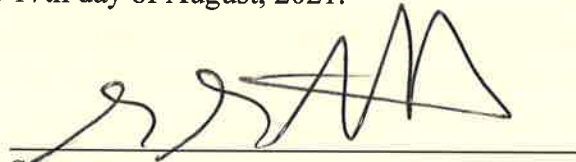


9. Next, the President directed the Board's attention to Public Comment.

Each member of the public was given an opportunity to speak under Public Comment.

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

**PASSED AND APPROVED** on the 17th day of August, 2021.

  
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Secretary  
Board of Directors

**EXHIBITS:**

- A - Audit Report
- B - Bookkeeper's Report, Investment Report, Energy Report
- C - Tax Assessor Collector Report
- C-1 - Order Adopting Ad Valorem Tax Exemptions
- D - Operations Report, and
- D-1 Meter Replacement Schedule
- E - Engineer's Report

**Minutes recorded by Marisa L. Roberts  
Johnson Petrov LLP  
Regular Session July 20, 2021**

