

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

DECEMBER 21, 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 6:30 p.m. at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, December 21, 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:

Billy Ray Fritsche	President
Charles Leroy Richardson	Vice President/Operations Maintenance Officer
George Galindo	Secretary
Thomas Riddle	Assistant Secretary/Treasurer/Investment Officer
Rick Ghinelli	Director

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 were: Karen Long of ETI Bookkeeping Services, bookkeeper for the District ("ETI"); Debbie Bessire of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Zachary A. Petrov, attorney and Marisa L. Roberts, legal assistant, 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 Tyler Reeves of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Deputies Z. Ryan and J. Flores of the Harris County Constable's Office ("HCCO"); and 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 November 16, 2021, a copy of which was previously distributed to the Board.

Upon motion by Director Riddle, 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 November 16, 2021.

2. Constable's Report. Deferred until later in the meeting.

3. 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 "A."

a. Next, Ms. Long reported that TexPool is paying 1.0005% interest and the net asset value is 1.00002%.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board: 1) approved the Bookkeeper's Report, with certain revisions, Investment Report, and Energy Usage Report; and 2) authorized the payment of checks numbered 13056 through 13085 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 "B."

Ms. Bessire reported that 14.6% of the 2021 taxes had been collected as of November 30, 2021.

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

Ms. Bessire presented check nos. 2403 thru 2405 for approval.

Upon motion by Director Fritsche, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved check nos. 2403 thru 2405.

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

Mr. Plunkett reported the total monthly pumpage for October was 4,199,000 gallons and the average daily flow at the sewer plant during the previous month was 82,000 GPD, which is 36.0% of current capacity. There were no excursions for the month of November. He also reported the pumped to billed ratio was 91.94% 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 presented and reviewed the disconnection list of twenty-two (22) accounts. Mr. Plunkett requested the Board postpone the terminations for the month of December for any non-payment accounts until January 2022.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board agreed to postpone the terminations for the month of December for any non-payment accounts until January 2022.

Mr. Plunkett then reported an issue with Well No. 1 during routine sample collection. CenterPoint was called out to address the issue, which caused the power to trip due to high voltage and as such, the Water Plant is currently powered by a generator. Mr. Plunkett presented an estimate from C&C Water Services LLC in the amount of \$55,223 for full replacement of the equipment, a copy of which is attached to the Operator's Report. Mr. Plunkett also stated that he will file a property claim.

Upon motion by Director Ghinelli, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the estimate from C&C Water Services LLC in the amount of \$55,223.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved 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 "D".

Mr. Van Dusen also reviewed pay application submitted by SiteCon Services in the amount of \$216,090.00.

Mr. Van Dusen also reviewed the pay application in the amount of \$110,835.00 from Triple J Services for the Lemm Gully Slope Stabilization, copies of both are attached to the Engineer's Report.

Upon motion by Director Fritsche seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved payment to SiteCon Services in the amount of \$216,090.00 and payment to Triple J. Services in the amount of \$110,835.00 and to hold the retainage until January.

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

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

The Constables entered the meeting at this time.

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

8. Old Business.

a. Spring ISD Annexation. Mr. Petrov stated that the application is still pending approval from the City of Houston.

b. Audit Committee. No additional update at this time.

c. Easement Acquisition for services to SISD Transportation Facility. See under Engineer's Report.

d. Letter to Out-of-District Customers regarding new Out-of-District Rates. Mr. Petrov reported that the certified values have been received for the Out-of-District customers and the letters will be sent out soon.

9. May 7, 2022 Election. Mr. Petrov reminded the Board that the Directors Election is scheduled on Saturday, May 7, 2022. The District will be able to hold a joint election with Harris County. If no more than three (3) persons apply for a place on the ballot there will be no need to hold the Election. Next, Mr. Petrov discussed appointment of a designated agent for the May 7, 2022 Directors Election to perform the duties set forth in Sections 31.122 and 31.123 of the Texas Election Code, as amended. Mr. Petrov reported that the District must post the Notice of Deadline to File Applications for Place ("Notice") on the Ballot was December 20, 2021 and the Notice was posted. Next, Mr. Petrov reported that the first day to file an application for a place on the ballot is January 19, 2022 and the last day to file an application for a place on the ballot is 5:00 p.m. on February 18, 2022. Mr. Petrov requested the Board appoint Johnson Petrov LLP as the District's Designated Agent to handle the submission of all election notices as

required by the Texas Election Code and, on behalf of the District accept all applications for a place on the ballot.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board (i) appointed JP as the District's designated agenda for the May 7, 2022 election; and (ii) authorizing posting of the Notice as required by Texas Election Code.

10. New Business.

- a. Coding of Profit and Loss Schedule Expenses. Director Fritsche presented a memo with preferred suggestions on coding the expenses. Discussion ensued.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the audit committee's recommendations for coding the Profit and Loss expenses.

- b. Acquisition of a sanitary control easement for the No. 2 Water Plant. This item was discussed during and following Executive Session.

c. Harris County Precinct 4 Verification of Patrol Contract Agreement Information. Harris County requested an update on the parties to contact for the contract renewal and any changes to the number of required deputies. The Board requested the following changes: add Directors Tom Riddle and Rick Ghinelli as the point of contact and remove Mark Wells. Ms. Roberts stated she will submit the requested changes to the County.

d. Annual Agenda. Ms. Roberts presented an updated 2022 Annual Agenda for information purposes only. No Board action is required.

11. Public Comment. Members of the Public were given an opportunity to speak.

12. Executive Session. An Executive Session, closed to the public, pursuant to Section 551.072 of the Texas Government Code concerning deliberations regarding real estate property was called by the President as of 7:33 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen, T. Reeves, Zachary Petrov and Marisa Roberts.

No action was taken during the executive session.

As of 8:23 p.m., the President declared the Executive Session was closed and open session resumed in which members of the public were given the opportunity to return to the meeting.

Upon opening the meeting back in open session, the Board, upon a motion by Director Riddle, seconded by Director Galindo, authorized Directors Fritsche and Riddle to meet and negotiate with the owners of the property adjacent to the proposed Water Plant No. 2 for acquisition of a sanitary control easement within the parameters discussed by the Board.

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

PASSED AND APPROVED on the 18th day of January, 2022.



Secretary
Board of Directors

EXHIBITS:

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

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session December 21, 2021**

[DISTRICT SEAL]

