

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

JANUARY 18, 2022

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 6:33 p.m. at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, January 18, 2022, 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 and Fritsche, 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 Assistant Secretary, 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 December 21, 2021, a copy of which was previously distributed to the Board.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting held on December 21, 2021.

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

Mr. Petrov asked the Board to consider agenda item 9.d., the renewal for the Interlocal Agreement with Harris County for Constable Security, a copy of which was previously distributed to the Board and attached hereto as Exhibit "A". Mr. Petrov noted that the proposed contract is only for seven (7) months because Harris County has adjusted its fiscal year end date so the upcoming fiscal year for Harris County is only seven (7) months. The following contracts will be for twelve (12) months.

Upon motion by Director Riddle, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the Interlocal Agreement with Harris County, which will begin on March 1, 2022, and end on September 30, 2022.

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 "B."

a. Next, Ms. Long reported that TexPool is paying 0.0376% interest and the net asset value is 0.99996%.

Upon motion by Director Galindo, seconded by Director Ghinelli, 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 13086 through 13109 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 reported that 26.2% of the 2021 taxes had been collected as of December 31, 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, including payment of check no. 2407.

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

Mr. Plunkett reported no pumpage for Well No. 1, and the total monthly pumpage for December was 4,225,000 gallons and the average daily flow at the sewer plant during the previous month was 87,000 GPD, which is 39.0% of current capacity. There were no excursions for the month of December. He also reported the pumped to billed ratio was 93.18% 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 updated the Board regarding the issue with Well No. 1. He also confirmed that an insurance claim had been submitted. Mr. Plunkett requested the Board authorize Eagle Water Management to proceed with the repairs. This item will be discussed further under the Engineer's Report.

Mr. Plunkett reported seven (7) collection accounts and approximately thirty (30) disconnection accounts listed, and he requested the Board authorize termination of any remaining accounts for non-payment.

Upon motion by Director Ghinelli, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board 1) approved the Operator's Report, and 2) 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, approved the termination list and authorized the Operator to terminate service as permitted by the Rate Order to all customers who remain unpaid.

At 7:25 p.m., Ms. Bessire departed the meeting.

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 also reviewed pay application submitted by SiteCon Services in the amount of \$67,759.00. Mr. Van Dusen recommended the Board approve the pay application.

Next, Mr. Van Dusen reviewed with the Board the Lemm Gully Swale Budget proposed by Triple J Enterprises, LLC ("Triple J"), a copy of which is attached to the Engineer's Report. Director Galindo presented photos taken earlier of Lemm Gully and stated that the proposed Budget was not acceptable and requested Vogt Engineering to express the Board's concerns with the work performed and renegotiate the project.

At 7:42 p.m., Director Fritsche entered the meeting.

Mr. Van Dusen then presented draft plans for the Board's review and consideration for the acquisition of a sanitary control easement. Discussion ensued. The Board stated that further discussion would need to take place in Executive Session.

Mr. Van Dusen then discussed the emergency repairs needed for Water Well No. 1.

Upon motion by Director Fritsche, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved Eagle Water Management to proceed with the emergency repairs to Water Well No. 1 in an amount not to exceed \$90,000.00 and that in the event that the costs exceed \$90,000.00, a member of the audit committee would be authorized to approve the additional amount.

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

7. Old Business.

a. Spring ISD Annexation. Ms. Roberts reported that a revision was made to the Petition Consenting to correct the total acreage to reflect 94.191 acres and 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.

8. Election Agenda.

a. Order Calling Directors Election scheduled for May 7, 2022. Mr. Petrov presented an Order Calling Directors Election for May 7, 2022, a copy of which is attached hereto as Exhibit "F".

Upon motion by Director Riddle, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the Order Calling Director's Election.

b. Determine Canvassing Date for the May 7, 2022 election. Mr. Petrov stated that the Board will need to determine the date to canvass the returns of the election and if no provisional ballots are received, the first date to canvass is Tuesday, May 10, 2022 and the last day is May 18, 2022. He stated that the Board's regular meeting date in May is Tuesday, May 17, 2022, and that the Board could canvass the returns then, if the District does not cancel the election.

9. New Business.

a. District Mowing Clean Up Contract. Director Fritsche passed out a memo from the Audit Committee regarding services provided by the current provider and the expectations of the District. Discussion ensued. The Board assigned Director Ghinelli to work with another Board member on a new landscaping contract and present it to the Board at a future meeting for approval.

b. Annual Insurance. Mr. Petrov stated that Johnson Petrov would request an insurance proposal from SIG/McDonald & Wessendorff, the District's current insurance broker.

c. Ethics Policy. A copy of the most recent Ethics Policy was distributed to the Board. Director Fritsche stated that the policy can be updated any time, and he requested the Board review it and submit any changes deemed necessary.

d. Interlocal Agreement with Harris County Precinct 4. This item was discussed under the Constable's Report.

e. Eminent Domain 2022. Mr. Petrov informed the Board that recently enacted SB 1812 requires public and private entities with eminent domain authority to report specific information to the Texas Comptroller by February 1, 2022. Mr. Petrov informed the Board that Johnson Petrov has completed such filing on behalf the District.

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

11. 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 8:37 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen, T. Reeves, Zachary Petrov and Marisa Roberts.

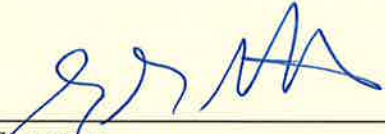
No action was taken during the executive session.

As of 8:57 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.

Following opening the meeting back in open session, the Board, upon a motion by Director Galindo, seconded by Director Fritsche, after full discussion and with all Directors present voting aye, approved Johnson Petrov to proceed with a formal offer to Albert Fallah to obtain the Sanitary Control Easement and Water Line Easement.

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

PASSED AND APPROVED on the 15th day of February, 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 January 18, 2022**

[DISTRICT SEAL]

