

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 21, 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 6:30 p.m. at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, June 21, 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
George Galindo	Secretary
Thomas Riddle	Assistant Secretary/Treasurer/Investment Officer
Rick Ghinelli	Director
Terry Wright	Director

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Cathi Wilbanks of ETI Bookkeeping Services, bookkeeper for the District ("ETI"); Marisa L. Roberts, legal assistant, for the District ("Johnson Petrov"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, P.E. of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Deputies Z. Ryan, and D. Richardson and Lt. Lindley of the Harris County Constable's Office ("HCCO"); Tom Emanis and Whitney Sodders, 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. Public Comment. Members of the Public were given an opportunity to speak. Ms. Sodders informed the Board that she received the door hanger notice for late payment on a parcel of land that Harris County Tax Office had mistakenly added to her account, as she did not own that parcel of land. She stated that she is working with the tax office to have that parcel removed from her tax account.

2. Minutes. The Board reviewed the minutes of the regular meeting held on May 17, 2022, and the Workshop Minutes of May 25, 2022, copies of which were previously distributed to the Board.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved regular meeting held on May 17, 2022, and the Workshop Minutes of May 25, 2022.

3. Constable's Report. Deputy Ryan reviewed the May Constable's Report with the Board. Deputy Ryan introduced Deputy Richardson and stated that Deputy Richardson will be taking over in July. Deputy Ryan answered questions from the Board. Next, Lt. Lindley reported that Commissioner Ramsey has implemented the use of Flock cameras. He explained that the

cameras read the license plates of vehicles and sends alerts to law enforcement officers when the cameras identify license plates of stolen vehicles or vehicles of interest to the police. Discussion ensued. Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board authorized Director Riddle to evaluate the use of the Flock camera system and report back to the Board.

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

4. Bookkeeper's Report/Investment Report/Energy Usage Report. Ms. Wilbanks 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. Wilbanks reported that TexPool is paying 0.6228% interest and the net asset value is 0.99978%.

b. Ms. Wilbanks then stated that she had submitted the Texas Unclaimed Property Report on June 1st on behalf the District for one (1) account in the amount of \$156.82.

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 13222 through 13255 from the Operating Account.

5. Tax Assessor-Collector's Report. Ms. Wilbanks also presented and reviewed the Tax Assessor-Collector's Report, a copy of which is attached hereto as Exhibit "B."

a. Ms. Wilbanks reported that 76.9% of the 2021 taxes had been collected as of May 31, 2022.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, including payment of check nos. 2431 thru 2434.

6. 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 May was 7,771,000 gallons and the average daily flow at the sewer plant during the previous month was 94,000 GPD, which is 42% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 97.15% 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 ten (10) 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, 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, the Board approved the termination list and authorized the Operator to terminate service as permitted by the Rate Order to all customers who remain delinquent.

Mr. Plunkett also explained the Drought Contingency Plan and how the various phases are implemented by certain triggers.

Mr. Plunkett also presented a quote in the amount of \$5,600.00 for the lift pump repair at the WWTP. Upon motion by Director Ghinelli, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the Operator's Report, including the quote in the amount of \$5,600.00 for the lift pump repair at the WWTP.

7. 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 presented and reviewed Payment Application No. 8 to Sitecon Services for the new Wastewater Treatment Plant ("WWTP") in the amount of \$38,755.80 and recommended Board approval. A copy of which is attached to the Engineer's Report. Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved Payment Application No. 8 to Sitecon Services for the new Wastewater Treatment Plant ("WWTP") in the amount of \$38,755.80.

Mr. Van Dusen also presented and reviewed the Payment Application No. 1 from Texas Pride in the amount of \$126,214.75 for the sanitary sewer rehabilitation along Whitewood Drive.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the Payment Application No. 1 from Texas Pride in the amount of \$126,214.75 for the sanitary sewer rehabilitation along Whitewood Drive.

Next, Mr. Van Dusen discussed the easements for the New Water Treatment Plant. Mr. Van Dusen recommended the Board approve the easements, copies of which were distributed to the Board and are attached hereto as Exhibit "E".

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, including approval of the easements for the new Water Treatment Plant.

8. Old Business.

c. Audit Committee. No new updates at this time.

9. New Business.

a. Easements for Dunn and Miller Properties. CBRE has agreed to conduct an appraisal for the Dunn and Miller properties.

b. Easements for new Water Plant Site. Discussed under the Engineer's Report.

c. Open Space Security Fence (Fritsche). Director Fritsche prepared a memorandum, which was distributed to the Board regarding the open space on Cypresswood and Whitewood and another along Drescher and Whitewood, and the need for a security fence to fill-in the gaps, as well as discussions with Fidelis regarding same. Discussion ensued.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved Director's Galindo and Wright to obtain three (3) bids for a security fence and report back to the Board.

d. Open Meetings Act and Public Comment (Fritsche). Director Fritsche prepared a memorandum, which was distributed to the Board regarding Public Comment and complying with the Open Meetings Act. No action was taken.

e. Drescher Emergency Service Gate (Fritsche). The Board discussed the need for an Emergency Service Gate and authorized Johnson Petrov to contact Fidelis regarding same.

f. Monthly Cleaning of District Meeting House/HVAC check (Fritsche). The requested additional services from Eagle Water Management. The Board approved 1.5 to 2.0 hours per month at a rate of \$75.00 to \$80.00 per hour to do light cleaning and check the HVAC, plus the costs of any supplies at the District Meeting House and the WWTP.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the additional services from Eagle Water Management for an additional 1.5 to 2.0 hours per month at a rate of \$75.00 to \$80.00 per hour to do light cleaning and check the HVAC, plus the costs of any supplies at the District Meeting House and the WWTP.

The Board called 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 8:21 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen and Marisa Roberts.

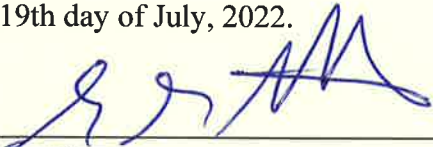
No action was taken during the executive session.

As of 8:27 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 motion by Director Fritsche, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board authorized Vogt to obtain follow-up with CBRE regarding the appraisal for the Dunn and Miller properties.

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

PASSED AND APPROVED on the 19th day of July, 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
- E - Easements for the New Water Treatment Plant

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session June 21, 2022**

[DISTRICT SEAL]

