

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

AUGUST 16, 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, August 16, 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"); Debbie Bessire of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Zachary 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. of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Deputy D. Richardson of the Harris County Constable's Office ("HCCO"); and Whitney Soddors.

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. There was no members of the public present.
2. Minutes. The Board reviewed the minutes of the regular meeting held on July 19, 2022 and the special meeting minutes of August 11, 2022, copies of which were 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 regular meeting held on July 19, 2022 and the special meeting minutes of August 11, 2022.

3. Constable's Report. Deputy Richardson reviewed the July Constable's Report with the Board. Director Riddle stated the Law Enforcement Services Contract will be discussed later in the meeting. The Board thanked Deputy Richardson.
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 1.5206% interest and the net asset value is 0.99964%.

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 13280 through 13304 from the Operating Account.

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

a. Ms. Bessire reported that 89.8% of the 2021 taxes had been collected as of July 31, 2022. Ms. Bessire stated that the certified values from HCAD are expected and so setting the tax rate was tabled until the September Board meeting.

b. Next, Director Fritsche reviewed with the Board a customer letter requesting that the Board waive certain penalty fees. Discussion ensued. The Board did not take any action to waive the penalty fees because the District took extra measures to remind customers of the deadline to pay the delinquent taxes, including authorizing Eagle Water Management to leave door hangers.

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 nos. 2438 thru 2442.

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 July was 10,469,000 gallons and the average daily flow at the sewer plant during the previous month was 78,000 GPD, which is 35% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 91.04% at the water plant. No excursions for the month of July.

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

Mr. Plunkett reported approximately thirteen (13) disconnection accounts listed, and Mr. Plunkett requested the Board authorize termination of any remaining accounts for non-payment.

Upon motion by Director Galindo, seconded by Director Wright, 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 stated that the Stage 1 voluntary drought status is still in place. He also informed the Board of an illegal connection on Casper Drive and that he would be monitoring this.

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

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. Petrov entered the meeting at this time. He stated that he and Mr. Van Dusen plan to schedule a conference call with Diego Vilchis to discuss the Detention Pond and to conduct an inspection/punch list prior to accepting the property.

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

8. New Business.

a. Report on Flock Safety Camera System. Director Riddle reviewed a memorandum prepared by the Security Committee, a copy of which is attached hereto as Exhibit "E". The Board decided not to move forward with the purchase of a camera system at this time.

Director Riddle also reviewed the Security Committee's findings regarding the need for a second deputy and recommended that the Board approve adding a second deputy to the Law Enforcement Services Contract with Harris County.

Upon motion by Director Riddle, seconded by Director Fritsche, after full discussion and with all Directors present voting aye, the Board the Law Enforcement Services Contract with Harris County with the addition of a second officer at 70%.

b. Discussion of Proposed 2022 Tax Rate. This item was tabled until the September Board of Director's meeting.

c. Resolution Regarding District Characterization for 2022 Tax Rate (the "Resolution"), a copy of which is attached hereto as Exhibit "F". Mr. Petrov reviewed the Resolution with the Board. Mr. Petrov reviewed the three categories and explained that the Resolution would be revised to state that the Board does not intent to propose and adopt a tax rate with a maintenance and operation component, but only a debt service tax rate. Discussion ensued.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved the Resolution subject to revisions.

d. Review Rate Order. No action was taken at this time.

e. Authorize Attendance at upcoming AWBD Fall Seminar and/or Mid-Winter Conference. No action was taken at this time.

f. Detention Pond Access and Maintenance Equipment. Director Fritsche reviewed a memorandum, which was previously distributed to the Board, a copy of which is attached hereto as Exhibit "G". Mr. Plunkett stated that upon his inspection and evaluation of the detention pond, he determined that a zero turn would be the best option to mow the pond. He

also stated that the pond needs to be inspected by the District Engineer and cleaned prior to the District taking possession and maintenance.

9. Old Business.

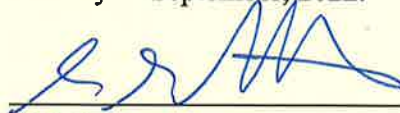
- a. Drescher Gate-Detention Pond Meeting. Discussed under Engineer's Report.
- b. Easements for Dunn and Miller Properties. Mr. Van Dusen will get with CBRE to determine a location change.
- c. Easements for new Water Plant Site. The Easements have been signed and will be sent for recording.
- d. Open Space Security Fence. Director Wright stated that he received another quote from Ace Fence in the amount of \$995.00, and he requested the Board's approval to proceed.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the Security Fence quote from Ace Fence in the amount of \$995.00.

- e. Audit Committee. No updates at this time.

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

PASSED AND APPROVED on the 20th day of September, 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 - Audit Committee Memorandum on Flock System and Law Enforcement Services Contract
- F - Resolution Regarding District Characterization for 2022 Tax Rate
- G - Detention Pond Access and Maintenance Equipment memorandum

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session August 16, 2022**

[DISTRICT SEAL]

