

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

SEPTEMBER 20, 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, September 20, 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, Lt. Lindley, Lt. Flores and Assistant Chief John Zitzmann of the Harris County Constable's Office ("HCCO"); and Paula Mohr a resident 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. Ms. Mohr addressed the Board regarding an issue along Whitewood and Twain. Mr. Plunkett stated he would have someone address the issue.
2. Minutes. The Board reviewed the minutes of the regular meeting held on August 16, 2022, copies of which were 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 regular meeting held on August 16, 2022.

3. Constable's Report. Deputy Richardson reviewed the August Constable's Report with the Board. Deputy Richardson also suggested that if residents would go to the precinct website and to submit a neighborhood check request for non-emergency requests.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved 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 2.1627% interest and the net asset value is 0.99942%.

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 13311 through 13335, from the Operating Account plus two (2) additional checks which will be reflected on next month's report.

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 91.9% of the 2021 taxes had been collected as of August 31, 2022. She reported there are approximately forty-four (44) accounts outstanding, of which four (4) are deferred.

Director Fritsche stated he would like the Delinquent Tax Attorney to provide a report on the status of the outstanding accounts.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, including payment of check nos. 2443 thru 2445.

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 5,999,000 gallons and the average daily flow at the sewer plant during the previous month was 110,000 GPD, which is 49% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 92.31% at the water plant. There was one (1) permit violation excursion for the month of August as a result of incomplete disinfection (external outfall). Additionally, Mr. Plunkett requested installation of safety stairs at the chamber platform of the new sanitary sewer treatment plant, which will be part of the Engineer's Report.

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

Mr. Plunkett reported approximately nine (9) disconnection accounts listed, of which approximately half were paid and Mr. Plunkett requested the Board authorize termination of any remaining accounts for non-payment.

Upon motion by Director Galindo, seconded by Director Fritsche, 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.

Upon motion by Director Ghinelli, 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. Van Dusen updated the Board on the new Sanitary Sewer Treatment Plant, which is currently operational. He presented changes orders for the new plant blowers, the reduction of outfall piping length and deletion of deep excavation, the cost to demo the old sewer plant, and cost of adding safety stairs to the contact chamber platform. (See Engineer's Report). Mr. Van Dusen recommended the Board approve the change orders. Discussion ensued.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the change orders for the new plant blowers, the reduction of outfall piping length and deletion of deep excavation, the cost to demo the old sewer plant, and cost of adding safety stairs to the contact chamber platform.

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

8. Financial Advisor's Report. Mr. Howell reviewed with the Board the Tax Recommendation for 2022, a copy of which is attached hereto as Exhibit "E". Mr. Howell recommended the Board levy the total tax of \$0.16 per year, all for debt service purposes. A \$0.16 total tax rate will result in the annual tax bill for the average homestead resident to be approximately \$389. He requested the Board authorize him to publish the proposed tax rate of \$0.16 per \$100 assessed valuation for debt service only and setting the public hearing for the proposed tax rate publication on Tuesday, October 18, 2022 at 6:30 p.m. Discussion ensued.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board: (i) proposed a 2022 tax rate of \$0.16 per \$100 of assessed valuation; (ii) authorized publication of the Notice of a Public Hearing on the proposed tax rate of \$0.16 per \$100 of assessed valuation to be scheduled for the regular Board meeting on October 18, 2022 at 6:30 p.m.

At approximately 8:10 p.m., John Howell, Debbie Bessire and Cathi Wilbanks exited the meeting.

9. New Business.

a. Tree Removal at Wastewater Treatment Plant (WWTP). Director Galindo reported that there are approximately six (6) dead trees at the WWTP that need to be removed. He also stated that the double gate needs a new lock. Discussion ensued.

Upon motion by Director Fritsche, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board authorized Director Galindo to obtain qualified bidders and report back to the Board.

b. Dresher/Barwick Water Loss. Director Fritsche updated the Board on Eagle Water Management's process and procedures when a water leak is reported. A Technician will assess the situation and determine if immediate repair is warranted.

c. Direct Waste Solutions Hydraulic Fluid Loss. Director Fritsche updated the Board on the spill that occurred on August 16, 2022.

10. Old Business.

a. Drescher Gate-Detention Pond Meeting. Mr. Petrov reported that he and Mr. Van Dusen had a conference call with Diego Vilchis. Mr. Petrov stated that the punch list items needed to be completed prior to the District taking possession of the pond.

b. Easements for Dunn and Miller Properties. Discussed in Executive Session.

c. Easements for new Water Plant Site. Discussed in Engineer's Report.

d. Audit Committee. No updates at this time.

11. Executive Session. 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 8:30 p.m. Everyone departed the meeting with the exception of the Board, Zachary Petrov, Sergio Van Dusen and Marisa Roberts.

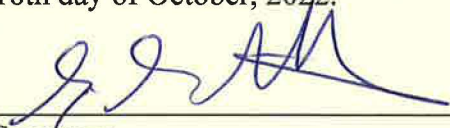
As of 8:54 p.m., the President declared the Executive Session was closed and open session resumed in which members of the public were given the opportunity to return to the meeting.

No action was taken in Executive Session.

The Board authorized Johnson Petrov and Vogt Engineering to send copies of the Dunn and Miller appraisals to Spring ISD and to send the first formal offer.

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

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

  
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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 - Tax Recommendation for 2022

**Minutes recorded by Marisa L. Roberts**  
**Johnson Petrov LLP**  
**Regular Session September 20, 2022**

**[DISTRICT SEAL]**

