

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

**FEBRUARY 18, 2025**

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, February 18, 2025, 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
Thomas Riddle	Vice President
George Galindo	Secretary
Rick Ghinelli	Director
Terry Wright	Director

All members of the Board were present, with the exception of Director Wright, 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.; Zachary A. Petrov, Attorney and Marisa Roberts, Paralegal of Johnson Petrov LLP ("Johnson Petrov" and/or "Attorney"); Doug Jacobson of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, Engineer and Tyler Reeves, EIT of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Lt. Flores, Deputy Richardson, and Deputy Suarzo of the Harris County Constable's Office ("HCCO"); Michelle Kincer of Storm Water Solutions and several 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. Public Comment. Members of the public were given an opportunity to speak at this time.
2. Minutes. The Board reviewed the minutes of the special meeting of January 28, 2025, a copy of which was 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 the minutes the special meeting of January 28, 2025.

3. Constable's Report. Deputy Richardson reviewed the January Constable's Report with the Board. Deputy Richardson then responded to questions from the Board.

No action was taken at this time.



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."

Ms. Wilbanks reported that TexPool interest rate has decreased and is paying 4.3919% interest and the net asset value is 1.00012%.

Ms. Wilbanks reviewed the draft budget no. 2 with the Board and the Board offered various revisions.

Upon motion by Director Ghinelli, 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 14068 through 14093 from the Operating Account.

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

Ms. Bessire reported that 56.1% of the 2024 taxes and 96.9% of the 2023 taxes have been collected as of January 31, 2025.

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. 2540 thru 2542.

6. Operations Report. Mr. Jacobson presented the Operations Report, a copy of which is attached hereto as Exhibit "C."

a. Mr. Jacobson then reported the total monthly pumpage for December was 5,006,000 gallons and the average daily flow at the sewer plant during the previous month was 188,000 GPD, which is 65% of current capacity. Mr. Jacobson also reported the pumped to billed ratio was 86.99% at the water plant. There were no excursions.

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

Mr. Jacobson presented and reviewed the disconnection list of eleven (11) accounts.

Mr. Petrov entered the meeting at this time.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board, 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: 1) approved the termination list and authorized the Operator to terminate service as required by the Rate Order to all customers who remain unpaid; and 2) approved the Operations 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".



a. Mr. Van Dusen reviewed the Report with the Board and responded to questions.

b. Mr. Van Dusen presented and reviewed Pay Application No. 6 from SiteCon Services, Inc. in the amount of \$169,794.00 for WTP project, a copy of which is attached to the Engineer's Report. Mr. Van Dusen recommends approval of Pay Application No. 6.

c. Storm Water Solutions Monthly Report. Ms. Kincer presented and reviewed the February Storm Water Management Report, a copy of which is attached hereto as Exhibit "E".

d. Cypresswood Detention Pond/Pipe Erosion. Next, Ms. Kincer presented and reviewed a proposal in the amount of \$21,250 to excavate, backfill with stabilized cemented sand, regard, place rip rap, desilt and hand seed, and a second proposal for monthly maintenance, copies of which are attached to the Storm Water Management Report.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board 1) approved the proposals presented, and 2) the Storm Water Management Report.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved 1) Pay Application No. 6 from SiteCon Services, Inc. in the amount of \$169,794.00 for WTP project and 2) the Engineer's Report.

8. New Business/Annual Agenda.

a. Resolution Implementing Penalty for Delinquent Taxes, a copy of which is attached hereto as Exhibit "F-1". Mr. Petrov reviewed with the Board the Resolution Penalty for Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Tax. Mr. Petrov explained the timeline and recommended that the Board approve the Resolution.

b. Resolution Authorizing Petition Challenging Appraisal Records, a copy of which is attached hereto as Exhibit "F-2". Next, Mr. Petrov reviewed the Resolution Authorizing Petition Challenging Appraisal Records for the Tax Assessor/Collector to allow Equi-Tax to represent the District in matters before HCAD.

c. Order Determining Ad Valorem Tax Exemptions, a copy of the Tax Exemption Order is attached as Exhibit "F-3". Mr. Petrov then reviewed the Order Determining Ad Valorem Tax Exemptions and reminded the Board the Tax Exemption Order currently has the maximum homestead exemption of 20%. .

Upon motion by Director Riddle seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved: 1) Resolution Implementing Penalty for Delinquent Taxes and Contracting with Attorneys to Collect Delinquent Tax; and 2) the Resolution Authorizing Petition Challenging Appraisal Records; and 3) Order Determining Ad Valorem Tax Exemptions.

d. Best Trash Annual CPI Adjustment. The Board reviewed a notice from Best Trash regarding the annual CPI adjustment of one percent (1%), effective January 1, 2025, which reflects an increase in the garbage collection rate from \$20.50 to \$20.71 per month, per resident. A copy of the notice is attached hereto as Exhibit "G".



- e. Auditor Continuance Letter regarding audit for FYE March 31, 2025.

The Board reviewed the Audit Continuance Letter, and the estimated cost of the audit is between \$17,500 and \$20,500. No action was deemed necessary at this time.

- f. Designation of Additional Meeting Place(s). The Board appointed a committee consisting of Directors Fritsche and Ghinelli to find large capacity facility to designate as an additional meeting place.

Upon motion by Director Riddle seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved appointment of Director's Fritsche and Ghinelli to find large capacity facility to designate as an additional meeting place.

- g. Approve Insurance Proposal. This item was postponed.

- h. District Support to NHECC in the form of water taps regarding the cleaning of graffiti removal on the Sound Wall. This item was postponed until such time when the NHECC presents a proposal on same.

9. Old Business.

- a. Repair of service driveway at Water Plant. This was discussed under the Engineer's Report.

- b. Conversion of the District to powers of a MUD, including discussion regarding deed restrictions. Director Riddle reported on discussions with the Civic Club. The Board appointed a committee consisting of Directors Fritsche and Riddle to work on educating the public of the process and need for converting to a MUD. The committee with work on timeline to present at the next meeting.

Upon motion by Director Riddle seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board appointed a committee consisting of Directors Fritsche and Riddle to work on educating the public of the process and need for converting to a MUD and a timeline to present at the next meeting.

- c. Audit Committee. The Board discussed director vacancy and next steps to fill the vacancy.

10. Executive Session. As of 8:28 p.m., Director Riddle made a motion that the Board called for an Executive Session, closed to the public, pursuant to Section 551 of the Texas Government Code - Consultation with Attorney regarding PUC Docket No. 57439 and the Cypresswood Apartments. The motion was seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board called for an Executive Session. There were no members of the public present at this time. All Board Members present along with Zachary Petrov, Marisa Roberts, Sergio Van Dusen, Tyler Reeves and Doug Jacobson were present for Executive Session.

As of 8:39 p.m., Director Riddle made a motion that the Board close the Executive Session and resume open session, seconded by Director Fritsche, after full discussion and with all Directors present voting aye, the Board closed Executive Session and resumed open session.

No action was taken in Executive Session. There were no members of the public present.

Continuation of Old Business:

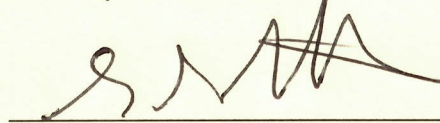
d. Cypresswood Apartments and Houston Housing Authority, including Deed Restriction Violation. Discussed under Executive Session.

e. PUC Docket No. 57439 and litigation counsel. Discussed under Executive Session.

f. Amend the District's Rate Order and Rules and Regulations related to service rates for all customers. No action was taken at this time.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,**  
the meeting was adjourned at 8:40 p.m.

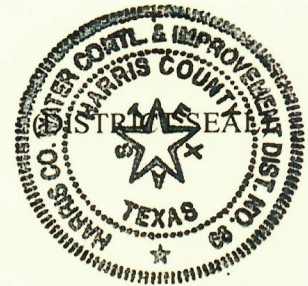
**PASSED AND APPROVED** on the 18th day of March, 2025.



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 - Storm Water Solutions Report / Proposals
- F-1 - Order Implementing Penalty for Delinquent Taxes
- F-2 - Resolution Authorizing Petition Challenging Appraisal Records
- F-3 - Order Determining Ad Valorem Tax Exemptions
- G - Best Trash Annual CPI Adjustment
- H - Audit Continuance Letter



**Minutes recorded by Marisa Roberts  
Johnson Petrov LLP  
Regular Session February 18, 2025**