

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 18, 2019

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 18, 2019, 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:

Monte Lee Cooper	President
Billy Ray Fritsche	Vice President
Tim Evans	Assistant Secretary
Ed Jensen	Secretary/Treasurer/Investment Officer
Charles Leroy Richardson	Director/Operations Maintenance Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Karen Long of Equi-Tax, Inc., tax assessor-collector and bookkeeper for the District ("Equi-Tax"); Sergio Van Dusen, P.E. and Caitlin Bobb, EIT of Vogt Engineering, L.P., engineer for the District ("Engineer"); Andrew P. Johnson III and Zachary A. Petrov, attorneys and Marisa L. Roberts, Legal Assistant of Johnson Petrov LLP, attorney for the District ("Attorney"); and several residents of the District and members of the public (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. Minutes. The Board reviewed the minutes of the regular meeting held on May 21, 2019, and the Bond Workshop special meeting minutes of May 29, 2019, copies of which were previously distributed to the Board. Upon motion by Director Jensen, seconded by Director Fritsche, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting held on May 21, 2019, and the Bond Workshop special meeting minutes of May 29, 2019.

2. Constable's Report. Mark Wells, the appointed liaison on behalf the District and the Harris County Constable's Office, presented an oral and written report and updated the Board regarding the recent activities in the District. Mr. Wells also responded to questions from the Board.

3. Bookkeeper's Report/Investment Report/Tax Assessor-Collector's Report/Energy Usage Report. Ms. Long presented to and reviewed with the Board, the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report for the previous month, copies of which are attached hereto collectively as Exhibit "A." She also reported there was no unclaimed property to report.

a. Ms. Long next reported that TexPool is paying 2.4005% interest and the net asset value is 1.00008%. She also presented and reviewed the Energy Usage Report.

Upon motion by Director Jensen, seconded by Director Fritsche, after full discussion and the question being put to the Board, all members of the Board present voted to 1) approve the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report, as presented, 2) authorize the payment of checks numbered 11975 through 12004 from the Operating Account; and 3) authorize the payment of one (1) check numbered 2390 from the Tax Account.

4. Operator's Report. Mr. Plunkett presented the Operations Report, a copy of which is attached hereto as Exhibit "B," and responded to questions from the Board.

a. Mr. Plunkett reported the average daily flow at the sewer plant during the previous month was 118,000 G.P.D. He also reported the pumped to billed ratio was 91.33% at the water plant, and no permit excursions were noted. He noted that the pumpage was down due to recent rain and that he expected it to go up with hot, dry weather approaching. He also reported that NTS has not gone out for the additional repairs, except for the clarifier. Mr. Johnson inquired about the cracks in the manholes, to which Mr. Plunkett stated he recommended smoke tests, which are best performed when it's dry weather for the most accurate results.

He reported forty-one (41) delinquency notices were sent out to customers and twenty-three (23) remain unpaid to date.

Director Fritsche inquired about the County digging the culverts for the water pooling at Lockridge, to which Mr. Plunkett responded saying the residents are responsible for requesting the clean out of ditches.

Director Jensen inquired about the results of the additional samples collected, to which Mr. Plunkett responded that a year's worth of influent samples of raw sewage will be collected and analyzed.

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

5. Engineer's Report. The Engineer's Report was presented and reviewed by Mr. Van Dusen, a copy of which is attached as Exhibit "C".

Mr. Van Dusen reviewed his report with the Board.

Upon motion by Director Jensen, seconded by Director Fritsche, after full discussion and the question being put to the Board, all members of the Board approved the Engineer's Report.

6. Update on DreamLab at Cypresswood.

a. Mr. Johnson updated the Board regarding a meeting with representatives of DreamLab and Lynne Humphries, legal counsel for DreamLab. He stated that DreamLab is requesting full reimbursement. He also reported that the District's Financial Advisor projected the District's debt service tax rate would not exceed \$0.37 per \$100 assessed valuation for the proposed capital improvements detailed in the long-term capital plan presented by the Engineer.

Director Fritsche made a motion, which was seconded by Director Jensen after full discussion, and the question being put to the Board, with all Directors present voting aye, the Board went into Executive Session pursuant to the Texas Government Code Section 551.071

Consultation with Attorney and Section 551.072 Deliberation Regarding Real Property, was called as of at 6:59 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen, Caitlin Bobb, EIT, Mike Plunkett, Andrew P. Johnson, III, Zachary A. Petrov and Marisa Roberts. As of 7:46 p.m., Director Fritsche made a motion, which was seconded by Director Richardson after full discussion and the question being put to the Board, and with all Directors present voting aye, the Board declared the Executive Session was ended and the public session resumed.

The Public reentered the meeting.

No Action was taken in Executive Session.

Director Fritsche made a motion to authorize Johnson Petrov to finalize a written offer with DreamLab and to provide the Board with a financial schedule. The motion was seconded by Director Jensen after full discussion and the question being put to the Board, and will all Directors present voting aye, the Board authorized Johnson Petrov to finalize a written offer with DreamLab and to provide the Board with a financial schedule.

b. The President resumed the regular meeting, Update on Security Fence at the Water Plant, which Director Richardson requested be tabled.

c. Director Fritsche reported he has reviewed the 2020 Budget and met with both Mr. Plunkett and Mr. Van Dusen. He suggested a reduction in several line items, a copy of which is attached hereto as Exhibit "D."

7. Director Fritsche next presented the Board with suggested guidelines for revising the District's Rate Order, a copy of which is attached hereto as Exhibit "E." He requested that an agenda item for reviewing and amending the Rate Order be placed the July agenda.

Director Evans asked about the frequency of mowing grass at the Water Plant and stated that during the number months, it should be weekly. Director Richardson stated it is currently being mowed every two (2) weeks.

Director Evans made a motion to change the landscaping maintenance schedule for the months of May through November to a weekly schedule, the motion was seconded by Director Fritsche after full discussion and the question being put to the Board, and with all Directors present voting aye, the Board authorized changing the landscaping maintenance schedule for the months of May through November to a weekly schedule.

#### 7. Public Comment.

Mr. Paddock inquired to the status of the District's website. Ms. Roberts stated the District has engaged The Texas Network, LLC to design and maintain a new website and she anticipates the website will be up and running soon.

Mr. Mark Wells asked about the status of a meeting with Spring ISD. The meeting is pending. He also asked about having the root systems removed, and cleaning the gutter area around the Water Plant. The President stated this will be addressed.

Mrs. Jensen asked for clarification of the bond process and would the residents be made aware. Mr. Johnson responded saying that the District would have future town hall meetings and that overall, it would require a simple majority vote in order to pass.

Mr. Rumfield asked the public to trust the Board to make the best decisions.

Director Evans asked the Board to consider changing the meeting time from 6:30 p.m. to 7:00 p.m. to increase attendance from the public.

Upon motion by Director Evans, seconded by Director Jensen, after full discussion and the question being put to the Board, all members of the Board approved changing the meeting time from 6:30 p.m. to 7:00 p.m.

Lastly, Mr. Johnson asked the Board to authorize Johnson Petrov to begin the annexation process. Upon motion by Director Fritsche, seconded by Director Richardson, after full discussion and the question being put to the Board, all members of the Board authorized Johnson Petrov to begin the annexation process with DreamLab.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,**  
the meeting was adjourned at 8:20 p.m.

**Pay the Bills:** As previously approved by the Board, the following bills were paid:

**Checks Written on Operations Account #0751-690363**

**Harris County WCID #99 GOF**

**Checks Presented**

**June 18, 2019**

<b>Num</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
11975	Billy R Fritsche	Director Fee	-138.53
11976	Charles L Richardson	Director Fee	-118.53
11977	Monte L Cooper	Director Fee	-138.53
11978	Timothy P. Evans	Director Fee	-138.53
11979	Charles L Richardson	Maintenance Log	-184.70
11980	VOID	VOID	0.00
11981	Center Point Energy	Utilities	-31.20
11982	CFI Services Inc	WP Maintenance	-1,073.65
11983	Direct Waste Solutions	Garbage Collection	-9,231.50
11984	DLD Services	STP Maintenance	-2,667.54
11985	Eagle Water Management, Inc.	Operator Fee	-8,954.10
11986	Elite Pumps & Mechanical Services	STP Maintenance	-770.00
11987	ETI Bookkeeping Services	Bookkeeping Fee	-700.00
11988	Harris County Treasurer	Security	-5,764.00
11989	Lawns & More	Mowing	-360.00
11990	Neil Technical Services Corp	STP Maintenance	-535.00
11991	Reliant Energy 1 499 574-0	Utilities	-24.99
11992	Reliant Energy 1 500 965-7	Utilities	-1,281.95
11993	Reliant Energy 1 505 184-0	Utilities	-1,751.11
11994	TTN The Texas Network LLC	Website	-1,140.00
11995	Verizon	Telephone	-63.06
11996	Vogt Engineering	Engineering Fee	-6,663.75
11997	Waste Connections of Texas	STP Dumpster	-222.71
11998	North Harris County Regional Water Authority	NHCRWA Fee	-17,683.05
11999	DXI Industries, Inc.	Chemicals	-304.66
12000	Corey Scott Sessions	Customer Deposit Refund	-203.02
12001	Denise Antonette Jordan	Customer Deposit Refund	-62.15
12002	Jasmine Nicole Bosler Salgado	Customer Deposit Refund	-157.26
12003	Julian Dominguez Santiago	Customer Deposit Refund	-307.26
12004	Kip King	Customer Deposit Refund	-57.26
<b>Total</b>			<b>-60,748.04</b>



**PASSED AND APPROVED** on the \_\_\_\_ day of July, 2019.



Secretary  
Board of Directors

**EXHIBITS:**

- A - Bookkeeper's Report, Investment Report,  
Tax Assessor-Collector's Report, Energy Report
- B - Operations Report
- C - Engineer's Report
- D - 2020 Budget revisions
- E - Rate Order Guidelines

**Minutes recorded by Marisa L. Roberts  
Johnson Petrov LLP  
Regular Session June 18, 2019**



**[DISTRICT SEAL]**