

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

OCTOBER 15, 2024

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, October 15, 2024, 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 Riddle, 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"); Zachary A. Petrov, Attorney and Marisa Roberts, Paralegal of Johnson Petrov LLP ("Johnson Petrov" and/or "Attorney"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, Engineer and Tyler Reeves of Vogt Engineering, L.P., engineer for the District ("Engineer" and/or "Vogt"); Deputy D. Richardson, Deputy K. Walker of the Harris County Constable's Office ("HCCO") and several residents (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 regular meeting of September 17, 2024 and the special meeting minutes of September 25, 2024, copies of which were previously distributed to the Board.

Upon motion by Director Wright, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the minutes the regular meeting of September 17, 2024 and the special meeting minutes of September 25, 2024.

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

Upon motion by Director Galindo, seconded by Director Wright, 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."

Ms. Wilbanks reported that TexPool interest rate has increased and is paying 5.1637% interest and the net asset value is 1.00029%.

Upon motion by Director Galindo, seconded by Director Wright, 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 13953 through 13986 from the Operating Account.

Ms. Wilbanks then exited the meeting.

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

Ms. Bessire reported that 96.0% of the 2023 taxes have been collected as of September 30, 2024.

2024 Tax Rate.

a. Public Hearing on Proposed 2024 Tax Rate. Upon a motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board opened the public hearing on the proposed 2024 tax rate at 6:50 p.m.

Mr. Petrov stated that a notice was published, as required by law, in the Houston Business Journal for at least seven (7) days prior to the meeting, a copy of which is attached hereto as Exhibit "C", and that the Board has proposed to levy a 2024 total ad valorem tax rate of \$0.16 per \$100 of assessed value for the tax year 2024 for debt services purposes. Mr. Petrov asked if anyone from the public wished to speak on the matter. There being no member of the public desiring to comment, upon motion by Director Galindo, seconded by Director Wright, with all Directors present voting aye, the Board closed the public hearing at 6:51 p.m.

b. Order Setting Rate and Levying Tax for 2024. The Board next considered an Order Setting Rate and Levying Tax for 2024, setting a tax rate of \$0.16 per \$100 assessed valuation for debt service purposes, a copy of which is attached as Exhibit "C-1."

c. Order Appointing Tax Assessor/Collector. The Board next considered an Order Appointing Tax Assessor-Collector, appointing Equi-Tax, Inc., a copy of which is attached hereto as Exhibit "C-2."

d. Resolution Concerning Tax Collection Procedures. The Board then considered a Resolution Concerning Tax Collection Procedures, a copy of which is attached as Exhibit "C-3."

e. Amended District Information Form. Mr. Petrov presented an Amended and Restated District Information Form, a copy of which is attached hereto as Exhibit "C-4." Mr. Petrov explained to the Board that the form is amended annually to show the current tax rate, the outstanding debt, the Notice to Purchasers form, and the total amount of bonds that have been approved by the voters and which may be issued by the District. The amended form is required to be filed with Harris County Real Property Records (the "HCRPR") and the Texas Commission

on Environmental Quality (the "TCEQ") and the updated Notice to Purchasers will be on the District's website.

Upon motion by Director Ghinelli, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved: (1) the Order Setting Rate and Levying Tax for 2024 levying a tax rate of \$0.16 per \$100 assessed valuation; (2) the Order Appointing Tax Assessor-Collector, appointing Equi-Tax, Inc. as the District's Tax Assessor-Collector; (3) the Resolution Concerning Tax Collection Procedures; and (4) the Amended District Information Form and authorizing the Johnson Petrov to file the same with the HCRPR and the TCEQ as required by law.

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. 2528 thru 2532.

6. Operation's Report. Mr. Plunkett presented the Operations Report, a copy of which is attached hereto as Exhibit "D."

a. Mr. Plunkett then reported the total monthly pumpage for the month of September was 7,161,000 gallons and the average daily flow at the sewer plant during the previous month was 137,000 GPD, which is 48% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 80.54% at the water plant. There were no excursions for the prior month.

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

Mr. Plunkett presented and reviewed the disconnection list of twenty-five (25) accounts. He also noted one leak request on Whitewood.

b. Discussion and possible action regarding amendment to the Drought Contingency Plan ("DCP"). Mr. Plunkett reported one minor update to the Drought Contingency Plan to include contact information for the North Harris County Regional Water Authority's (NHCRWA) general manager.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, Board approved amending the DCP to include contact information for the NHCRWA's general manager.

Upon motion by Director Galindo, seconded by Director Ghinelli, 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 "E".

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

Mr. Van Dusen presented and reviewed Change Order No. 1 from SiteCon Services, Inc. in the amount of \$150,620.00, due to additional well depth and drainage inlets requested by the District and extension the contract to December 31, 2024, a copy of which is attached to the Engineer's Report. Mr. Van Dusen recommends approval of Change Order No. 1.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved Change Order No. 1 from SiteCon Services, Inc. in the amount of \$150,620.00 and extension the contract to December 31, 2024.

Next, Mr. Van Dusen discussed the north detention basin pipe and requested authorization to obtain a proposal from Storm water Solutions to repair the area.

Upon motion by Director Fritsche, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board authorized obtaining a quote from Storm Water Solutions and the appointment of a committee to authorize the quote not to exceed \$10,000.

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.

Director Galindo then exited the meeting.

8. New Business.

a. Review Investment Policy. Mr. Petrov stated that reviewing the Investment Policy was an annual requirement of the Texas Public Funds Investment Act, but that no changes were being proposed at this time.

Upon motion by Director Ghinelli, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved the Order Reviewing Investment Policy with no proposed changes.

9. Old Business.

a. Repair of service driveway at Water Plant. No updates at this time.

b. Cypresswood Apartments and Houston Housing Authority.

Mr. Petrov distributed a draft violation letter and reviewed and discussed with the Board.

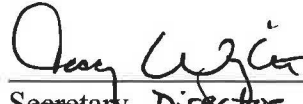
c. Dunn and Miller Properties. Mr. Petrov reported that the closing of the Dunn property has been completed and the easements recorded.

d. Audit Committee. No updates at this time.

10. Executive Session. None

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

**PASSED AND APPROVED** on the 19th day of November, 2024.



Secretary Director  
Board of Directors

**EXHIBITS:**

- A - Bookkeeper's Report, Investment Report, Energy Report
- B - Tax Assessor Collector Report
- C-1 - Order Setting Rate and Levying Tax for 2024
- C-2 - Order Appointing Tax Assessor-Collector
- C-3 - Resolution Concerning Tax Collection Procedures
- C-4 - Amended and Restated District Information Form
- D - Operations Report
- E - Engineer's Report

**Minutes recorded by Marisa Roberts  
Johnson Petrov LLP  
Regular Session October 15, 2024**

**[DISTRICT SEAL]**

