

**MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS**

THE STATE OF TEXAS §

COUNTY OF HARRIS §

HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 89 §

The Board of Directors of Harris County Water Control & Improvement District No. 89 met in regular session, open to the public, at its meeting place outside the boundaries of the District on March 19, 2019, whereupon, the roll of the members of the Board of Directors was called, to-wit:

Sharyn Smalls	President
Michael Smith	Vice President
Annie Jenkins	Secretary
Arthur Washington	Assistant Secretary
Byron K. Watson, Sr.	Investment Officer

All members of the Board were present, with Director Watson arriving late.

Also present were Chris Richardson of Strawn & Richardson, P.C.; Laney Brown of SiEnviro; Byron Thurmond of BGT; Matthew Kelley of AEI; Officer Rivera of the Constable's Office; Paige Smith, President of the Brunswick Place HOA.

WHEREUPON, the meeting was called to order by the President, and evidence was presented that public notice of the meeting had been given in compliance with the law.

- 1. OPENING PRAYER.** Director Washington led those assembled in prayer.
- 2. PUBLIC COMMENTS.** Paige Smith stated the Brunswick Place HOA has a new meeting time at 7:00 p.m. on the 2nd Tuesday of each month, at Jones Memorial UMC.
- 3. SECURITY REPORT.** Officer Rivera presented the security report and discussed the incidents in the report. He discussed recent robberies at the Circle K and stated there is a suspect who has been arrested out-of-State and is being brought back.

4. **MINUTES.** The Board reviewed the minutes of the March 4, 2019 meeting. A motion was made by Director Smith, and seconded by Director Jenkins, to approve the minutes with revisions discussed, which motion carried unanimously, 4-0-1 with Director Washington abstaining.

5. **DETENTION FACILITIES REPORT.** President Smalls stated she had received an email from a neighbor, who told her the Environmental Allies employees were throwing clippings and debris into the detention pond. Laney Brown presented pictures, and discussed the aerators and the rusty control boxes, which he said could either be repaired or replaced. The Board discussed and approved the replacement of both of the control boxes at that location.

6. **DISTRICT FACILITY SECURITY.** Byron Thurmond described his efforts to address the ant infestations at the District's facilities. He stated all security cameras are in good working order.

7. **OPERATOR'S REPORT.** Laney Brown presented no written report. There were no action items. He stated Water Well No. 1 at Water Plant No. 1 is down; he stated the well pump motor is being pulled and dismantled and the casing will be televised and evaluated. He stated there was no interruption of service to the customers. Director Watson described areas in the District where he believed more signs should be placed, and he stated he would follow up.

8. **ENGINEER'S REPORT.** Matthew Kelley reviewed the engineer's report, a copy of which is attached hereto as Exhibit "A". He discussed the progress on District projects, including the Capital Projects Plan. He asked for authority to begin the design for the emergency power at the Lift Station, which the Board approved. He discussed NPH Southpoint Phase II Detention Pond; he stated the project is 95% complete. He discussed the Lift Station for the NPH project. He discussed the Water Well No. 2 negotiations with the TCEQ and stated he would be

submitting an Application for Exception for the Sanitary Control Easement. Mr. Kelley discussed the Wastewater Treatment Plant Office and Waterline and stated the project is substantially complete. Mr. Kelley discussed the District Building Project. Mr. Kelley discussed the Morningside Place Pond Rehabilitation and stated the pond would be evaluated in April.

Following further discussion, it was moved by Director Smith and seconded by Director Washington to approve the engineer's report along with the items presented, which motion carried unanimously, 5-0.

**9. CONSIDER APPROVAL OF TENDER AND SUBSTITUTION AGREEMENT AND SURETY'S CHOICE OF CONTRACTOR.** The Board discussed the status of negotiations with the Surety for the terminated contractor for construction of the District building. The Board noted the Surety had not responded to the Board's counter offer to the Tender and Substitution Agreement. It was moved by Director Watson and seconded by Director Smith to grant full authority to President Smalls to sign the Tender and Substitution Agreement, settle for an amount above the Tender and Substitution Agreement, or authorize filing a lawsuit against the Surety, if needed; the motion passed unanimously, 5-0.

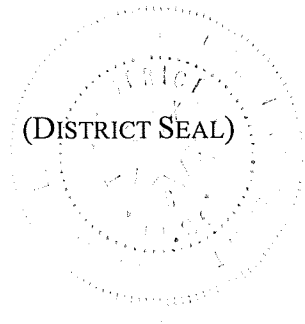
**10. SUPPLEMENTAL BOOKKEEPING REPORT.** The Board considered the supplemental bookkeeping report, attached hereto as Exhibit "B", and the checks for approval.

A motion was made by Director Smith, and seconded by Director Jenkins, to approve the Supplemental Bookkeeping report, along with the items discussed, which motion carried unanimously, 5-0.

**11. BUDGET FOR FISCAL YEAR ENDING MARCH 31, 2020.** The Board reviewed the draft budget and noted certain adjustments. A motion was made by Director Smith, and seconded by Director Jenkins, to approve the budget with the adjustments as discussed, which motion carried unanimously, 5-0.

12. **ADJOURNMENT/ FUTURE AGENDA ITEMS.** There being no further business to come before the Board, it was moved and seconded that the meeting be adjourned, which motion carried unanimously.

PASSED, ADOPTED and APPROVED this 2<sup>nd</sup> day of April, 2019.



Annie Jenkins  
Secretary