

**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 November 5, 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.

Also present were Chris Richardson attorney, and Stephanie Nagel, Legal Assistant of Strawn & Richardson, P.C.; Laney Brown and Carlous Smith of SiEnviro; Nancy Blackwell and Ed Shackelford of AEI; Matthew Kelley of MK Engineering; Cory Burton of Municipal Accounts & Consulting; Sara Valladeres of Environmental Allies; Ray Arce of Wheeler & Associates; Dan McDonald of SIG-McDonald & Wessendorf; and Byron Thurmond of BGT.

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 Jenkins led those assembled in prayer.
- 2. PUBLIC COMMENTS.** There were no comments from the public.
- 3. RENEWAL OF INSURANCE.** Dan McDonald of SIG-McDonald & Wessendorf presented the proposal for renewal of the District's insurance coverage. He noted there

was a decrease in the quoted premium, due to the agreement by the carrier to reduce the premium amount on the unfinished District Building. The Board discussed the coverages and premiums with Mr. McDonald; Director Smith asked about pollution coverage and Mr. McDonald stated it covers cleanup costs. President Smalls asked for a specific number on the Storm Water Pump on Maybrook Hollow Lane. The Board asked for an updated premium sheet, without markups, and took no action on the insurance proposal.

**4. MINUTES.** The Board reviewed the minutes of the October 15, 2019 meeting. A motion was made by Director Washington, and seconded by Director Jenkins, to approve the minutes with revisions discussed, which motion carried 4-0-1 with Director Smith abstaining.

**5. DETENTION FACILITIES REPORT.** Sara Valladeres presented the detention pond maintenance report, and reviewed the pictures of the ponds with the Board. Director Smith stated the “crossing” area near Mega Energy Drive and Brunswick Drive has not been cut. Ms. Valladeres stated the plan is to get the beam mower onto the site, and to go from there.

**6. TRASH SERVICES REPORT.** The Board tabled this item.

**7. SECURITY AT DISTRICT FACILITIES.** Byron Thurmond described an issue at the District facilities; he stated the cameras have been restored.

**8. TAX ASSESSOR’S REPORT.** Ray Arce presented the tax assessor’s report, a copy of which is attached as Exhibit “A”. He reported the District has collected 0.71% of its 2019 taxes, and 99.43% of its 2018 taxes. He reviewed the checks on the tax account for the Board’s approval.

Following further discussion, it was moved by Director Smith and seconded by Director Washington to approve the tax assessor’s report, which motion carried unanimously, 5-0.

**9. BOOKKEEPER’S REPORT.** Cory Burton presented the bookkeeper’s report, which is attached hereto as Exhibit “B”. He presented the checks for approval. He reviewed the

capital projects fund breakdown, the FDIC insurance and pledged securities, the budget comparison and the debt service requirements.

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

**10. OPERATOR'S REPORT.** Laney Brown presented the operations report, a copy of which is attached as Exhibit "C". He reported there were 2,808 connections, with no permit excursions at the Wastewater Treatment Plant, which was 57.1% utilized. Mr. Brown also discussed the water accountability at 94.34%. He reviewed the delinquent list, accounts to be sent to collections, and the preventative maintenance schedule with the Board.

Mr. Brown discussed the cracked sidewalk at 3431 Victorian Manor Lane, and stated it is not the result of the District's line or manhole nearby, but rather the result of ground settlement. President Smalls stated the attorney should respond to AK Babers regarding sidewalk problems being caused by erosion, and that being an issue for HOA maintenance; the District found no deficiencies in the sanitary sewer system.

Following further discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the operations report with the items presented, which motion carried unanimously, 5-0.

**11. AEI ENGINEER'S REPORT.** Ed Shackelford presented the engineer's report for AEI, a copy of which is attached hereto as Exhibit "D". Mr. Shackelford discussed the progress on District projects, including the Capital Projects Plan. He discussed NPH Southpoint Phase II Detention Pond, and the NPH Phase II Lift Station. He also discussed the waterline and office at the Wastewater Treatment Plant. He discussed Water Well No. 2 and the TCEQ Approval; he stated water sampling is underway.

Mr. Shackelford discussed the District Building; he noted the project had been advertised on Oct. 13th and Oct. 20th, and he would prepare an addendum with a new bid date of November 20th. He presented a payment of \$11,336.96 to Houston Cabinets for approval.

Mr. Shackelford discussed the Rehabilitation of Water Well No. 1 and stated the well had been flushed and super-chlorination is complete.

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

**12. MK ENGINEER'S REPORT.** Matthew Kelley presented the engineering report for MK, attached hereto as Exhibit "E". Mr. Kelley discussed the Morningside Place Storm Sewer Improvements and the Morningside Place Pond Rehabilitation projects. He also discussed the Request for Release of Escrowed Funds, which he stated had been submitted to the TCEQ for approval. He also discussed the Water Plant Evaluations, which he stated should be done every Five years; he stated MK Engineering can do them as authorized, which the board did not authorize at this time.

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

**13. AUTHORIZE ANNUAL EMINENT DOMAIN FILING.** Chris Richardson explained the District is required to file paperwork annually to maintain its status as an entity with the power of condemnation. A motion was made by Director Smith, seconded by Director Washington to authorize the annual eminent domain filing, which motion carried, 5-0.

**14. DEVELOPER'S REPORT.** Tee Miller of WGA Engineering and Jose Lopez of NPH addressed and updated the Board regarding the next phase of the NPH commercial development in the District. Mr. Lopez stated the development will actually use about 60% of the

capacity which was originally requested. He also stated NPH is asking for a renewed capacity commitment letter.

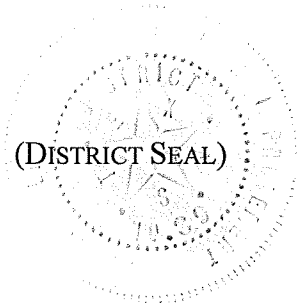
Ernesto Quintanilla of Anchor Construction and Jimmy Wachaa (of the Popeye's franchisee) addressed the Board regarding a Popeye's in the strip center on the East end of Scott Street. President Smalls asked why the developers only come up with fast food fried chicken and she asked if there was an issue with the demographic make-up of the District being African-American which has its fair share of healthy eaters and vegetarians. She asked if a La Madeleine could be placed at the site since that is one of their franchises. Mr. Wachaa stated that decision is made by the corporate owners of the franchises; site location for particular restaurants is either approved or it is not. Mr. Quintanilla stated plans have been submitted, but Mr. Shackelford stated the developer does not yet have approved plans. Director Smith asked to meet at the site and stated construction appears to be moving forward already. Mr. Wachaa stated he would do whatever is needed to comply.

Nadeem Abassi and Aaslan Nazarali of Aria Development addressed the Board and requested service for an apartment complex at the corner of Beltway 8 and Cullen, in the District. Mr. Abassi stated he would be adding approximately \$30 Million in value to the District's tax rolls. He stated the construction would be done in two phases, with about half of the 300 total units in each phase. President Smalls stated the first step for any construction is to submit the amount of water capacity being requested and asked Mr. Abassi to coordinate with the engineer. He stated he would forward the numbers for capacity for both phases; he stated it would take 16-18 months for construction of each phase, after permitting is accomplished.

**15. ADJOURNMENT/ FUTURE AGENDA ITEMS.** Director Washington discussed limiting the amount of time each member of the public can spend speak during public comment in District meetings. Director Watson asked for an agenda item to discuss and vote on the matter of limiting time for public comment.

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 3<sup>rd</sup> day of December, 2019.



Annie Jenkins  
Secretary

wcid89/ag&min/minutes/2019.11.05