

**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 special session, open to the public, at its meeting place outside the boundaries of the District on November 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 except Director Smith; Director Watson arrived late.

Also present were Chris Richardson, attorney, Stephanie Nagel, Legal Assistant of Strawn & Richardson, P.C.; Carlous Smith of SiEnviro; Ed Shackelford of AEI Engineering; Matthew Kelley of MK Engineering & Consulting; developer Ernesto Quintanilla; and Ali McDonald of SIG-McDonald & Wessendorf.

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.** Ernesto Quintanilla addressed the Board regarding the ongoing construction at the strip center and the placement of a Popeye's restaurant. He acknowledged that construction had started before the review of the plans had been completed. He stated the plans had been submitted in September and he had not heard anything. Mr.

Shackelford stated AEI has the plans and the developer had deposited the review fee. He stated the operator may need to open some of the walls to check for cross connections. He stated he could complete the review of the plans by the end of next week. President Smalls stated the developer must cease and desist construction and follow up with AEI. She stated the operator must inspect the connections, and it is a serious matter. She reiterated the construction must stop until the plans are reviewed and the proper inspections are completed.

2. RENEWAL OF INSURANCE. Ali McDonald of SIG-McDonald & Wessendorf presented the proposal for renewal of the District's insurance coverage. She presented an updated premium sheet and explained the premiums. The Board discussed the coverages and premiums with Ms. McDonald. Following discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the renewal of insurance, which motion passed 3-0.

3. SECURITY REPORT. The Board tabled this item.

4. DETENTION FACILITIES REPORT. There was no written report from Environmental Allies.

5. DISTRICT FACILITY SECURITY. The Board tabled this item.

6. OPERATOR'S REPORT. Carlos Smith presented no written report. President Smalls noted SiEnviro had followed up with assistance for the customer who reportedly injured her leg in a meter box.

7. AEI ENGINEER'S REPORT. Ed Shackelford presented the engineer's report for AEI, attached hereto as Exhibit "A". Mr. Shackelford discussed the Capital Projects Plan, which had been updated to include the completion of the STP Office and Waterline. He discussed the NPH Southpoint Phase I Project and the updated capacity commitment request. He stated he would likely update the volume, which looks to be 1500 gallons over the previous; he stated he would ask them for more information. He discussed the development of the Popeye's Restaurant

and the ARIA Development; President Smalls asked Mr. Shackelford not to proceed with the feasibility study for the ARIA apartments. Mr. Shackelford discussed NPH Phase II Lift Station and the STP Office and Waterline projects. He discussed the District Building and stated he would be accepting bids the next day. He presented Change Order No. 1 from TRW Houston in the amount of \$14,925 for the steel framing for the partition wall in the Building.

Mr. Shackelford discussed the Water Well No. 1 Rehabilitation and stated the super-chlorination is complete. The Board discussed the fact that they had never come to an agreement to pay for half of the cost with the contractor after bacteria were found in the water. President Smalls stated it is unacceptable that the District is now in a worse condition than before the work was done.

Following discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the Engineer's Report, along with items discussed, which motion passed 3-0.

8. MK ENGINEER'S REPORT. Matthew Kelly presented the engineer's report for MK, attached hereto as Exhibit "B". He discussed the Storm Sewer Improvements project in Morningside Place, and stated the District would likely enter into an Interlocal Agreement with HCFCD. He discussed the Morningside Place Section 1 Pond Rehabilitation options.

Mr. Kelly stated he had submitted the request to the TCEQ for release of escrowed funds in connection with the 8.5 acre section of the Brunswick Lakes Detention Pond, and is awaiting approval. Director Smalls asked Mr. Richardson to discuss the email he received from the developers Klein and Moughon regarding title to the pond. Mr. Richardson explained the developers' lawyer had sent an email asking if the Board would accept deeds without warranties for the entire pond acreage, if the title company would provide title insurance. President Smalls instructed the attorney to inform the developers that the Board would not accept deeds without

warranties, and the developers would not receive reimbursement without producing clean title to the entire pond acreage, conveyed with warranty deeds.

Mr. Kelley stated that the TCEQ recommends the exterior of potable water storage tanks be evaluated annually and the interiors evaluated every five years, and if requested, MK Engineering would perform the evaluations. The Board took no action at this time.

Following discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the Engineer's Report, along with items discussed, which motion passed 3-0.

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

A motion was made by Director Washington, and seconded by Director Jenkins, to approve the Supplemental Bookkeeping report, along with the items discussed, which motion carried unanimously, 3-0.

10. MINUTES. The Board tabled this item.

Director Watson entered the meeting at this time.

11. ADJOURNMENT/ FUTURE AGENDA ITEMS. The Board discussed the limitation on public comment, to be stated on the agendas for District meetings. Director Watson stated he would be amenable to a three minute limitation per individual.

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 3rd day of December, 2019.




Secretary