

**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 May 5, 2020 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, Stephanie Nagel, legal assistant of Strawn & Richardson, P.C.; Laney Brown of SiEnviro; Ed Shackelford of AEI; Matthew Kelley of MK Engineering & Consulting; Nadeem Abassi, developer.

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 Smith led those assembled in prayer.
2. **PUBLIC COMMENTS.** There were no public comments.
3. **DETENTION FACILITIES REPORT.** The Board reviewed the pictures of the ponds. President Smalls discussed the “outfall pipe erosion” in the report; Ed Shackelford stated he would inspect and report back to the Board.
4. **TRASH SERVICES REPORT.** No trash collection representative was present.
5. **SECURITY AT DISTRICT FACILITIES.** Byron Thurmond was not present.

6. **TAX ASSESSOR'S REPORT.** Ray Arce was not present. The Board reviewed the tax assessor's report, a copy of which is attached as Exhibit "A". It was noted the District has collected 97.95% of its 2019 taxes, and 99.41% of its 2018 taxes. Following discussion, it was moved by Director Smith seconded by Director Watson to approve the tax assessor's report, which motion carried unanimously, 5-0.

7. **BOOKKEEPER'S REPORT.** President Smalls reviewed the bookkeeper's report, which is attached hereto as Exhibit "B". She presented the checks for approval. Following further discussion, it was moved by Director Smith and seconded by Director Jenkins to approve the bookkeeper's report and the checks and items as presented, which motion carried unanimously, 5-0.

8. **OPERATOR'S REPORT.** Laney Brown presented the operations report, a copy of which is attached as Exhibit "C". He reported there were 2,813 connections, with no permit excursions at the Wastewater Treatment Plant, which was 52.9% utilized. Mr. Brown also discussed the water accountability at 80.79%. He reviewed the delinquent list, accounts to be sent to collections, and the preventative maintenance schedule with the Board. President Smalls asked the operator to prioritize use of the Water Wise Program Groundwater Credits and Certificates.

Laney Brown discussed the repairs of the rented pump at Lift Station #3; he noted the cost of repairs for the pump are less than any insurance deductible. President Smalls stated she still wants to know how old the pump was. Director Smith stated if the District's breaker caused the damage to the rented pump, then the Board should pay the repair costs. Mr. Brown noted the operator is still not terminating accounts for late/nonpayment, in the wake of the COVID-19 Pandemic.

Following further discussion, it was moved by Director Smith and seconded by Director Watson to approve the operations report with the items presented, which motion carried unanimously, 4-0-1 with Director Watson abstaining.

9. CONSUMER CONFIDENCE REPORT. Mr. Brown reviewed the Consumer Confidence Report (CCR) with the Board. Director Watson stated the water from the City of Houston appears to be of poor quality according to the report; he asked if a filter could be added. Ed Shackelford stated a filter would present a high cost of installation and maintenance; he noted the water from the City meets the Federal standards at the delivery point. President Smalls asked for a cost estimate for the filter system. Following discussion, it was moved by Director Smith and seconded by Director Jenkins to approve the Consumer Confidence Report, which motion carried unanimously, 5-0.

10. 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. Mr. Shackelford discussed NPH Phase I and stated he is waiting on revised plans. He discussed NPH Phase II and stated the WGA engineers had submitted revised drawings. He stated they are asked for a direct connection on the fire line, with backflow prevention, and without a surge tank; AEI is reviewing the request.

Mr. Shackelford discussed the ARIA development proposal and noted the Board had approved the feasibility study; he introduced Adeem Abassi. Mr. Abassi asked what the next step is; he asked when the Board would commit capacity for the project. President Smalls stated the District's engineer would get back to Mr. Abassi. Mr. Abassi thanked the Board and left the meeting.

Mr. Shackelford discussed the District Building; he noted all the pavement is in place. He stated he met with Frost Construction and the fire suppression contractor to discuss the location of the equipment; he also met with the Fire Marshall's office. He presented Pay Estimate #4 for Frost Construction in the amount of \$233,611.83; the Board approved payment. He presented Change Order #4, in the amount of \$53,600 (previously approved not to exceed \$56,600); he noted it added 15 days to the construction completion date, which he stated is mid-September. He presented

Change Order #5, which included electrical work in the amount of \$21,028.58, which was approved.

Mr. Shackelford discussed the Monument Sign and stated the Board must execute a Consent to Encroachment for the placement of the sign in the District's own easement; the Board approved execution of the Consent to Encroachment.

Mr. Shackelford discussed the Water Quality Testing and asked for authorization from the Board to work with the operator to implement changes to the additive and dosage. The Board deferred action on this item.

Mr. Shackelford discussed the Wastewater Treatment Plant Waterline and Office and stated the 1-year warranty review period was complete. He offered the Certificate of Acceptance, which the Board approved.

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

11. MK ENGINEER'S REPORT. Matthew Kelley reviewed his report a copy of which is attached hereto as Exhibit "E". He noted the Interlocal Agreement with HCFCD for drainage improvements in Morningside Place is under internal review, and supposedly is in the works, at HCFCD. He reviewed the Morningside Place Pond Rehabilitation Options. Following discussion, it was moved by Director Jenkins and seconded by Director Watson to approve the engineer's report, which motion carried, 5-0.

12. DEVELOPER'S REPORT. There were no developers present.

13. MINUTES. The Board reviewed the minutes of the April 7, 2020 meeting. A motion was made by Director Watson, and seconded by Director Smith, to approve the minutes with revisions discussed, which motion carried 5-0.

The Board reviewed the minutes of the April 21, 2020 meeting. A motion was made by Director Jenkins, and seconded by Director Watson, to approve the minutes with revisions discussed, which motion carried 4-0-1, with Director Smith abstaining.

14. 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 19th day of May, 2020.

Annie Jenkins
Secretary

