

**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 June 2, 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, with President Smalls arriving late.

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; George Gibson, litigation counsel; Paige Smith, President of 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 Watson 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. Following discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the report, which motion carried unanimously, 4-0.
- 4. TRASH SERVICES REPORT.** No trash collection representative was present.

5. SECURITY AT DISTRICT FACILITIES. Byron Thurmond was not present. Director Washington stated he had spoken with Mr. Thurmond and all security cameras are operating.

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 98.13% of its 2019 taxes, and 99.51% of its 2018 taxes. Following discussion, it was moved by Director Watson seconded by Director Washington to approve the tax assessor's report, which motion carried unanimously, 4-0.

7. BOOKKEEPER'S REPORT. The bookkeeper was not present. The Board reviewed the bookkeeper's report, which is attached hereto as Exhibit "B", and the checks for approval. Director Watson discussed upcoming Public Funds Investment Act training, and encouraged the Board to attend.

Following further discussion, it was moved by Director Washington and seconded by Director Jenkins to approve the bookkeeper's report and the checks and items as presented, which motion carried unanimously, 4-0.

President Smalls entered the meeting at this time.

8. EXECUTIVE SESSION. The Board met in executive session with General Counsel Chris Richardson, and with Litigation Counsel George Gibson, to discuss ongoing litigation. The Board of Directors entered the closed session at 12:15 p.m. and returned to open session at 1:30 p.m.

9. OPERATOR'S REPORT. Laney Brown presented the operations report, a copy of which is attached as Exhibit "C". He reported there were 2,814 connections, with no permit excursions at the Wastewater Treatment Plant, which was 51.3% utilized. Mr. Brown also discussed the water accountability at 90.81%. He reviewed the delinquent list, accounts to be sent to collections, and the preventative maintenance schedule with the Board.

Following further discussion, it was moved by Director Washington and seconded by Director Smith to approve the operations report with the items presented, 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 is holding the capacity commitment letter. He discussed NPH Phase II and stated the revised plans have been received from WGA (engineers for the developer). He noted NPH has not yet initiated discussion with Brunswick Meadows HOA regarding the pro-rata shares of the detention pond maintenance costs. President Smalls asked to have representatives of NPH and the HOA attend the Board meeting, to help them arrive at an agreement.

Mr. Shackelford discussed the ARIA development proposal and noted President Smalls is reviewing the capacity commitment letter.

Mr. Shackelford discussed the District Building; he noted the insulation and additional framing are each 95% complete. He stated the District Building as a whole is about 50% complete. He presented Pay Estimate #5 for Frost Construction in the amount of \$254,190.60; the Board approved payment. He presented Change Order #7, in the amount of \$10,927.46, regarding fencing, and the Board approved payment. He discussed Change Order #6 for hurricane shutters; the Board asked for a price on hurricane glass instead, and Mr. Shackelford said he would provide an estimate. The Board did not approve Change Order #6.

Mr. Shackelford noted the Storm Water Quality Permit Renewal had been issued by Harris County for the Morningside Place Pond.

Following discussion, it was moved by Director Washington and seconded by Director Smith 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 now being reviewed by the District's attorney and by the Board President. He stated he requested a design schedule from HCFCD. He reviewed the Morningside Place Pond Rehabilitation Options.

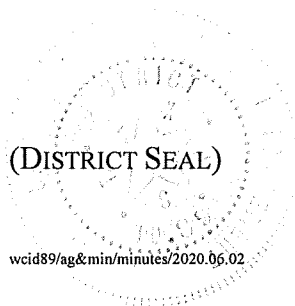
Following discussion, it was moved by Director Smith and seconded by Director Jenkins to approve the engineer's report, which motion carried, 5-0.

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

13. **MINUTES.** The Board reviewed the minutes of the May 19, 2020 meeting. A motion was made by Director Watson, and seconded by Director Jenkins, to approve the minutes with revisions discussed, which motion carried 5-0.

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 16th day of June, 2020.



Annie Jenkins
Secretary