

**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 July 21, 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, and Stephanie Nagel, Legal Assistant of Strawn & Richardson, P.C.; Ed Shackelford of AEI Engineering; Matthew Kelley of MK Engineering; Ryan Lovell of NPH, developer, and T. Miller of WGA, his engineer; DeShaundra Walker of Brunswick Meadows HOA; Paige Smith of Brunswick Lakes 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.** DeShaundra Walker of Brunswick Meadows HOA discussed the HOA's agreement with NPH, regarding maintenance of the detention pond in her neighborhood. President Smalls stated the community would like NPH to reconsider, and to increase, its percentage of contribution for maintenance of the pond and pump, based upon the size of NPH's developments, which drain into the pond. Ryan Lovell and T. Miller engaged the Board and the representatives of the community in an extended discussion of the calculation of the

percentages of contribution, for the pond and pump maintenance costs. With assistance from President Smalls, and after an extended discussion, Ryan Lovell and DeShaundra Walker agreed that NPH's share for maintenance costs for the pond should increase from 28.1% to 43%, with the Brunswick Meadows HOA's share decreasing from 71.9% to 57%; and NPH's share of the pump maintenance costs should increase from 37.2% to 43%, with the HOA's share decreasing from 62.8% to 57%. Ryan Lovell asked if the rest of the agreement was good; it was noted that the HOA Board is reviewing the agreement.

3. APROVAL OF AUDIT FOR FISCAL YEAR ENDED MARCH 31, 2020.

The Board reviewed the draft Audit for the fiscal year ended March 31, 2020. He stated the Audit provided a "clean", or unmodified opinion. Following a discussion, it was moved by Director Smith and seconded by Director Washington to approve the Audit for the fiscal year ended March 31, 2020, subject to any changes, which motion passed unanimously, 5-0.

4. OPERATOR'S REPORT. Laney Brown presented no written report. He stated the contractor for MagnaFlow is working on the gate at the Wastewater Treatment Plant; a temporary gate is in place. The Board took no action.

5. INTERLOCAL AGREEMENT WITH H.G.S.D. - WATER WISE. The Board discussed the Interlocal Agreement with Harris-Galveston Subsidence District for participation in the Water Wise Program, to sponsor educational materials for students at Law Elementary School. The Board noted the school year may be delayed or cancelled due to the COVID-19 Pandemic. The Board decided not to participate in the program, this year.

6. 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.

Mr. Shackelford discussed the NPH Southpoint Phase I Project. He noted the developer has completed all revisions to the plans. He asked the Board for authority to release the capacity commitment letter for Phase I, and for authority to release the "no objection" letter to the plans,

both of which are needed so that NPH can submit their plans to Harris County for review. The Board granted authority for both items.

Mr. Shackelford discussed the Southpoint Phase II Project and stated the capacity commitment letter had been signed; he asked for authority to release the letter, which the Board granted.

Mr. Shackelford discussed the ARIA proposed development; he noted the capacity commitment letter had been delivered to ARIA for signature but had not yet been returned.

Mr. Shackelford discussed the District Building and stated the fence contract is 100% installed with the fence panels; he reviewed the status of construction.

Mr. Shackelford discussed the Mitigation Project and noted no Pay Request had been received.

Mr. Shackelford discussed the Notices of Violations from Harris County and stated AEI had delivered the as-built drawings for the STP Expansion in 2017, but now Harris County wants him to “update” the data into the new Harris County software system. He stated they have not been able to locate any Elevation and As-Built Certificates for the Water Plant #1 Ground Storage Tank; he stated AEI will survey and submit the necessary data.

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 5-0.

7. MK ENGINEER’S REPORT. Matthew Kelly reviewed his report for MK Engineering. He discussed the Morningside Place Storm Sewer Improvement Project and stated he is still reviewing the draft Interlocal Agreement from HCFCD. He stated HCFCD need a right of entry for geotechnical borings; when he receives the document he will forward it to the attorney for review. He stated he has not yet received the 50% submittal of plans from HCFCD. Mr. Kelley also discussed the Morningside Place Pond Rehabilitation options, and noted the annual inspection of the pond is on hold, pending receipt of the HCFCD plans.

Following discussion, it was moved by Director Smith and seconded by Director Washington to approve the MK Engineering Report, along with items discussed, which motion passed 5-0.

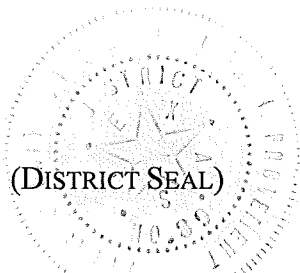
8. SUPPLEMENTAL BOOKKEEPING REPORT. The Board considered the supplemental bookkeeping report, attached hereto as Exhibit "B", and the checks for approval.

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

9. MINUTES. The Board considered the minutes of the meeting of July 7, 2020. Following a discussion, it was moved by Director Smith and seconded by Director Washington that the meeting minutes be approved, which motion carried unanimously, 5-0.

10. 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 4th day of August, 2020.



wcid89/ag&min/minutes/2020.07.21

Annie Jenkins
Secretary