

MINUTES OF MEETING OF BOARD OF DIRECTORS
February 3, 2021

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 89

The Board of Directors (the “Board”) of Harris County Water Control & Improvement District No. 89 (the “District”) convened in regular session on February 3, 2021, at 11:30 a.m. via teleconference and video conference pursuant to Section 551.125, Texas Gov’t Code as modified by the temporary suspension of certain provisions thereof pursuant to guidelines issued by the Texas Attorney General and approved by the Governor for use during the COVID-19 statewide disaster. A roll call was taken of the persons present:

Sharyn Smalls, President
Paige Smith, Vice President
Arthur Washington, Secretary
A.K. Babers, Assistant Secretary
Byron Keith Watson, Sr., Investment Officer

All members of the Board were present, thus constituting a quorum. Ms. Isabel Mata of Wheeler & Associates (“Wheeler”), tax assessor and collector for the District; Mr. Darrell Hawthorne of Municipal Accounts & Consulting, L.P. (“MAC”), bookkeeper for the District; Mr. Laney Brown of Si Environmental, LLC (“Si”), operator of the District’s facilities; Mr. Matthew Kelley of MK Engineering (“MK”), engineer for the District; Mr. Ryan Haynes of Environmental Allies; Mr. Reginald Wilson and Ms. Meghan Koett of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District; Mr. Byron Thurmond of BGT; and Sargent Meeks with Harris County Constable, Precinct No. 7.

Pursuant to Section 551.054, Texas Gov’t Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on the District’s website within the time limits prescribed by law. A certificate of such posting is attached hereto as Exhibit A. The agenda packet was posted on the website as items became available in compliance with the guidelines issued by the Texas Attorney General.

Call to Order. Mr. Wilson called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. Mr. Wilson then set out guidelines for the conduct of the meeting. He asked each speaker to identify themselves before speaking. He then turned the meeting over to the President.

- 1. Opening Prayer.** Director Washington opened the meeting with a prayer.
- 2. Public Comments.** Sargent Meek stated there is nothing to report regarding security in the District but is available to answer any questions.

President Smalls inquired about a shooting that took place within the District. Sargent Meek stated that he does not have direct contact with the deputies who were present at the shooting. He stated that the supervisor that was at the scene did not pass off any information. President Smalls request that the supervisor in charge contact her with the details and expressed displeasure at the District contract being split up

3. Review Bookkeeper's Report and authorize payment of bills. Mr. Hawthorne presented to and reviewed with the Board the Bookkeeper's Report, the Investment Report, and the Operating Budget, copies of which are attached hereto as *Exhibit B*.

Mr. Hawthorne reminded the Board about the upcoming AWBD summer conference. He stated at this time the registration date is to be determined.

Mr. Hawthorne presented and reviewed the proposed budget for fiscal year ending March 31, 2022, a copy of which is attached hereto as *Exhibit C*. President Smalls stated she wants all of the Directors to review and provide feedback and comments.

Upon motion by Director Washington, seconded by Director Smith, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Bookkeeper's Report, to authorize payment of the checks in the report and for the purposes listed therein, and to approve the Investment Report.

4. Adopt budget for fiscal year ending March 31, 2022. The budget was reviewed during the bookkeeper's report and will be adopted at the March meeting.

5. Detention Facilities Report. Mr. Haynes presented to and reviewed with the Board the Detention Facilities Report, a copy of which is attached hereto as *Exhibit D*. Mr. Haynes reported on the January maintenance at Brunswick Meadows, Brunswick Lakes, Morningside Place, Brunswick Lakes Channel, Morning View, and the STP pond.

Upon motion by Director Washington, seconded by Director Smith, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Detention Facilities report.

6. Trash Services Report. This item was tabled for Ms. Leighton was not on the call.

7. Security at District Facilities. Mr. Thurmond stated that everything is operating smoothly at all plants. He stated there is a camera getting eroded by sewage and will give an update on the camera at the second monthly meeting.

Director Watson joined the call at this time.

8. Review report by Tax Assessor and Collector's Report and authorize payment of certain bills. Ms. Mata presented to and reviewed with the Board the Tax Assessor and Collector's Report, a copy of which is attached hereto as *Exhibit E*.

Ms. Mata reported that 92.24% of the District's taxes have been collected as of February 3, 2021.

Upon motion by Director Washington, seconded by Director Babers, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Tax

Assessor and Collector's Report, to authorize payment of check nos. 3935 through 3944 and two wire transfers from the Tax Account in the amounts, to the persons, and for the purposes described in the Tax Assessor and Collector's Report.

9. Review and approve Operations Report and authorize repairs. Mr. Brown presented to and reviewed with the Board the Operations Report for the month of January 2021, a copy of which is attached hereto as *Exhibit F*.

Mr. Brown reported on the recurring maintenance at water plants nos. 1 and 2, the wastewater treatment facility no. 1, the lift stations, and the pump station no. 1.

Mr. Brown reported that there were no violations at the waste water treatment plant.

Mr. Brown reviewed the delinquent accounts and the scheduled maintenance report with the Board.

Upon motion by Director Washington, seconded by Director Smith, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report and to approve execution on the delinquent list.

Director Washington inquired about the location and installation of the signs. Mr. Brown said the signs have not been installed due to waiting for the poles. Director Watson inquired about Mr. Brown presenting a map with location of the signs marked so the Board may review the location of each sign. Mr. Brown stated he will work on a map and present at the next meeting.

10. Review Engineer's Report. Mr. Kelley presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit G*.

Mr. Kelley reported on the Morningside Place storm sewer improvements with Harris County Flood Control District, the Morning side Place Section One pond rehabilitation options, and the emergency outfall to Cullen Boulevard. President Smalls stated she received a call from Precinct 1 and they said it is still on their radar and they are continuing to follow up with Harris County Flood Control.

Mr. Kelley stated that a capacity commitment letter has been drafted for board review for the Starbucks.

Mr. Kelley discussed the building of a hotel requesting 31 connections. Mr. Kelley stated this is more than what was anticipated for the area of development. Mr. Kelley recommends completing a feasibility study should the District want to pursue. President Smalls stated she will have a response by the next monthly meeting.

Mr. Kelley reported on the District Meeting Building, see *Exhibit G*. He stated that the fire and safety inspection has been completed and the District is free to occupy and use the building. Mr. Kelley stated the District needs to apply for an operational permit.

Upon motion by Director Watson, seconded by Director Smith, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report.

11. Approve Minutes. Consideration was given to the approval of the minutes of the meetings of January 6, 2021, January 20, 2021, and January 27, 2021. Upon motion by Director Washington, seconded by Director Watson, after full discussion and the question being put to the Board, the Board voted 4-0, with Director Babers abstaining, to approve the minutes as presented.

12. Review staff position descriptions and take any necessary action. President Smalls stated she did not receive any comments from Directors on the job descriptions prior to this discussion.

Director Babers expressed his concerns about approving the job description for the building manager without having a salary listed.

Upon motion by Director Watson, seconded by Director Smith, after full discussion and the question being put to the Board, the Board voted 4-0, with Director Babers abstaining, to Approve the job descriptions contingent upon revisions made by the General Manager.

13. Review Consultant Contracts and take any necessary action. This agenda item was tabled for this meeting.

14. Adjournment/Future Agenda Items. President Smalls stated she wants to have the Board members report on the progress of their committees at the second monthly meeting.

Director Watson stated the AWWA is meeting in person in Austin, Texas March 29 through April 1st. Director Watson also stated he is working on a retirement program and will provide more information once received.

Director Babers stated that Mr. Allen DeJonge with Infinity Services reached out regarding District website management. Director Babers stated that Mr. DeJonge looked at the website and provided compliance tips. Mr. Wilson stated that there are certain requirements that legislature passed in 2019 for the District websites. Mr. Wilson stated he will provide the requirements to President Smalls and Director Smith.

Director Babers stated he would like to see a cost estimate for trash bins from Best Trash.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED.

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The foregoing minutes were passed and approved by the Board of Directors on March 3, 2021.

Shayne Small

President, Board of Directors

ATTEST:

Beth Sheehy

Secretary, Board of Directors

