

MINUTES OF MEETING OF BOARD OF DIRECTORS  
May 5, 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 May 5, 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. Arturo Cornejo 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. Byron Thurmond of BGT; Ms. Christie Leighton of Best Trash; Mr. Reginald Wilson and Ms. Meghan Koett of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District; and Ms. Victoria Lastee, District resident.

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 Smith opened the meeting with a prayer.
2. **Public Comments.** Ms. Lastee inquired about litigation within the District.

**3. Review Bookkeeper's Report and authorize payment of bills.** Mr. Cornejo 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. Cornejo presented checks 16318-16364 for Board approval.

Mr. Cornejo reported the AWWA conference registration fees have been paid.

Mr. Cornejo reported that the next debt service payment will be a principal and interest payment due October 1, 2021.

Mr. Cornejo reported the AWBD conference will be held in person and virtually and that all Directors are currently registered.

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. 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 C*. Mr. Haynes reported on the March maintenance at Brunswick Meadows, Brunswick Lakes, Morningside Place, Brunswick Lakes Channel, Morningside View, and the STP pond.

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 Detention Facilities report.

**5. Trash Services Report.** Ms. Leighton reported a few residents called to set up services.

Director Washington discussed issues with trash pick-up. Ms. Leighton stated pick-up is back to the regular schedule.

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 Trash Services report.

**6. Security at District Facilities.** Mr. Thurmond reported there are three cameras down at Water Plant No. 2 due to ants. Mr. Thurmond stated the District will need to engage an exterminator for environmental friendly extermination so that water is not contaminated.

He stated all facilities are currently running with no other issues at this time.

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 security report.

**7. 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 D*.

Ms. Mata reported that 98.54% of the District's taxes have been collected as of May 5, 2021.

Ms. Mata reviewed delinquent accounts in the District, a copy of the report attached hereto as *Exhibit E*.

Director Washington inquired about delinquent taxpayer who owe a large amount. Ms. Mata stated that the delinquent tax attorney will distribute delinquent letters to residents and provides a status of the accounts in the delinquent tax attorney report, a copy of which is attached hereto as *Exhibit F*.

Upon motion by Director Smith, seconded by Director Washington, 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. 3985 through 4002 and one 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.

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

Mr. Brown reported on an issue with the Water Plant No. 2 generator. He stated a new computer board has been installed and it is currently running with no issues.

Mr. Brown reported on the delinquent accounts stating penalties will be on next month's report.

Mr. Brown reviewed the Consumer Confidence Report, a copy of which is attached hereto as *Exhibit H*.

Upon motion by Director Babers, seconded by Director Washington after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report and to accept the Consumer Confidence Report.

**9. 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 I*.

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. He stated he is currently working on setting up a meeting with HCFCD. Discussion ensued. The Board agreed upon a meeting date of May 26, 2021.

Mr. Kelley reported the cost for Envirogrid has increased by \$100,000.00 over the last year. President Smalls requested a comparison between Envirogrid and Flexamat material. Mr. Kelley said he will provide additional information at the next meeting.

Mr. Kelley reported there is no update at this time regarding the Old Dominion Feasibility Study.

Mr. Kelley reported on service requests, see *Exhibit I*. He stated that he issued a letter of no rejection to Gatti's Pizza.

Mr. Kelley reviewed a proposal from Frost Construction for the shower replacement, a copy of which is attached hereto as *Exhibit J*. President Smalls stated there were a lot of issues regarding the construction work from the original contractors and that bidders were made aware that the building was being bid as is. Extensive discussion ensued.

Mr. Kelley reported on additional items related to the District Meeting Building, see *Exhibit I*.

Mr. Kelley reported on Water Plant No. 1 Booster Pump Building. He asked the Board for authorization to coordinate with PPV Consulting to complete a structural evaluation.

Mr. Kelley reported on the perimeter fence around the District Meeting Building. He said he recommends welding the fence over using mechanical fasteners.

Mr. Kelley reported on the storm water quality permit renewal.

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 Engineer's Report, to authorize Mr. Kelley to contact PPV Consulting to complete a Structural Evaluation, and to authorize Mr. Kelley to speak with Harris County to change the SWQ Feature.

**10. Approve Minutes.** Consideration was given to the approval of the minutes of the meetings of April 7, 2021 and April 21, 2021. Upon motion by Director Smith, seconded by Director Washington, after full discussion and the question being put to the Board, the Board voted 4-0 to approve the minutes of April 7, 2021 and April 21, 2021 as presented. Director Babers abstained.

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

**12. Adjournment/Future Agenda Items.** President Smalls discussed the potential to open the District building to the public in July.

Director Babers discussed consideration of using Uber Eats for lunch at future virtual meetings.

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 June 2, 2021.

*Shayn Small*

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President, Board of Directors

ATTEST:

*Keith Sheehy*

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Secretary, Board of Directors

