

MINUTES OF MEETING OF BOARD OF DIRECTORS
June 2, 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 June 2, 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. Byron Thurmond of BGT; Mr. Reginald Wilson and Ms. Meghan Koett of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District; and Sergeant Roe 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.** There were no public comments.

3. Report By Harris County Constable, Precinct No. 7. Sergeant Roe reported on various significant events that occurred within the District. She also reported that the traffic enforcement has increased.

Sergeant Roe reported on the halfway house for troubled juveniles. Discussion ensued.

4. 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 reviewed the account balances for all funds.

Mr. Hawthorne presented checks 16378-16423 for Board approval.

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

Mr. Hawthorne reviewed Director attendance for the upcoming AWBD summer conference.

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.

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

Mr. Haynes reviewed before and after pictures regarding the Morningside place SWQ feature.

Mr. Haynes reported on trash debris at the Brookside Gardens Apartments Trash Dumpster. President Smalls stated she will contact the manager.

Director Washington inquired about growth at Brunswick Lakes.

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 accept the Detention Facilities report.

6. Trash Services Report. Ms. Leighton was not on the call and there was no trash services report.

7. Security at District Facilities. Mr. Thurmond stated all facilities are currently running with no other issues 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 D*.

Ms. Mata reported that 98.76% of the District's taxes have been collected as of June 2, 2021.

Ms. Mata reviewed the preliminary tax numbers.

Discussion ensued regarding delinquent tax reports.

Upon motion by Director Washington, seconded by Director Watson, 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. 4003 through 4012 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 May 2021, a copy of which is attached hereto as *Exhibit E*.

Director Washington inquired about the large delinquent accounts. Mr. Brown stated he will reach out to the accounts over \$300.00.

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

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 F*.

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 the community outreach meeting has been scheduled for June 10th.

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 is still waiting to receive an updated cost on material.

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

Mr. Kelley reported on service requests, see *Exhibit F*. He stated that he issued a letter of no objection to Stonefield Liquor.

Mr. Kelley reported on additional items related to the District Meeting Building, see *Exhibit F*. President Smalls reported the conference table has arrived and needs to be put together and installed.

Mr. Kelley stated that the lift station evaluation reports will be presented at the next meeting.

Mr. Kelley reported on Water Plant No. 1 Booster Pump Building stating an evaluation will take place soon.

Mr. Kelley stated he is currently working with Harris County regarding the SWQ permit renewal.

Upon motion by Director Washington, seconded by Director Watson, 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 May 5, 2021, May 19, 2021, and May 26, 2021.

Director Washington stated the May 26, 2021 minutes need to be amended to address his question of payment for damaged property.

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 to approve the minutes of May 5, 2021 and May 19, 2021 as presented and May 26, 2021 as amended. Director Babers abstained.

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

13. Adjournment/Future Agenda Items. Discussion ensued regarding the upcoming AWBD conference.

Director Washington requested that the delinquent tax attorney attend the next meeting for discussion and provide an update on delinquent accounts.

Discussion ensued regarding signing of the checks.

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 July 7, 2021.

Shawn Swalle

President, Board of Directors

ATTEST:

Beth Shashinester

Secretary, Board of Directors

