

MINUTES OF MEETING OF BOARD OF DIRECTORS

November 17, 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 November 17, 2021, at 11:30 a.m. at 3455 Fellows Rd, Houston, TX 77047 and via teleconference. A roll call was taken of the persons present:

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

All members of the Board were present, thus constituting a quorum. Also attending all or parts of the meeting were Mr. Matthew Kelley of MK Engineering (“MK”), engineer for the District; Mr. Carlos Smith and Mr. Laney Brown, of Si Environmental, LLC (“Si”), operator of the District’s facilities; Mr. Reginald Wilson and Ms. Meghan Koett of Norton Rose Fulbright US LLP (“NRF”), attorneys for the District; Mr. Jon Paul Dixon with Baird Gilroy & Dixon; Mr. Mark Burton with Municipal Accounts, bookkeeper for the District; and Ms. Linda Carter, Building Manager for the District.

In accordance with notice posted pursuant to law, copies of certificates of posting of which are attached hereto as Exhibit “A,” the following business was transacted:

**Call to Order.** Mr. Wilson called the meeting to order.

**1. Opening Prayer.** Director Washington opened the meeting with a prayer.

**2. Authorize teleconference meeting; Board finding of existence of emergency or public necessity making the convening at one location of a quorum of the government body difficult or impossible and permitting a meeting by teleconference pursuant to Section 551.125 of the Texas Open Meetings Act.** Upon motion by Director Watson, seconded by Director Washington, after full discussion and the question being put to the Board, the Board voted unanimously to find the existence of an emergency or public necessity, i.e., Delta variant of COVID-19, making the convening at one location of a quorum of the government body difficult or impossible and permitting a meeting by teleconference pursuant to Section 551.125 of the Texas Open Meetings Act.

**3. Public Comments.** President Smalls reported on a delinquent resident with a water termination issue. Mr. Smith stated that the delinquent account balance is \$472.61 with \$295.87 of which being the past due amount. Mr. Smith stated the resident is requesting to pay an initial \$150 to have water services turned back on and then is requesting a payment plan. Discussion ensued. Upon motion by Director Babers, seconded by Director Washington, after full discussion and having had the question put to the Board, the Board voted unanimously to (i) accept payment of \$150 to turn water services back on, (ii) provide a leak adjustment for the total amount owed,

(iii) set up a payment plan for 3 months, and (iv) turn off water and pay in full should the delinquent resident be late on a payment.

**4. Review Operator's Report and authorize necessary repairs.** Mr. Smith stated he has no formal report for this meeting.

Mr. Smith reported that flushing began on Friday and lasted through Tuesday this week and the fire hydrants are now closed. He stated he is currently keeping record of calls received regarding water quality.

Ms. Smith stated orange rings will be placed on the hydrants to signify is has been flushed. President Smalls suggested adding an additional indicator, such as a small plaque to make it more well known to the public. Mr. Smith stated he will look in to it and report back.

Mr. Kelley reported that introducing heavy amount of chlorine in the system will treat the well water but not at the source. He stated that the analyzers will look at the city water once it comes through the plant and adjust to what the ideal conditions are.

President Smalls stated the generator at the District administration building has been running for days with no issues.

Director Babers inquired about the tree issue with a resident in the District. Mr. Smith stated the landscape supervisor made a visit and the tree appears to be stable with posts.

Upon motion by Director Babers, seconded by Director Watson, after full discussion and having had the question put to the Board, the Board voted unanimously to approve the Operator's Report.

**5. Review Engineer's Report and take any necessary actions.** Mr. Kelley presented and reviewed the engineer's report, a copy of which is attached hereto as *Exhibit B*.

Mr. Kelley stated he is currently finalizing the interlocal agreement for the Morningside Place storm sewer improvements.

Mr. Kelley stated he is still awaiting a response from Old Dominion Freight Line.

Mr. Kelley stated he is currently working on preliminary information for the bond application report for 2021 and that the number have not been finalized at this time.

Mr. Kelley reported on the Subsidence District and City of Houston water usage. He reviewed current and ultimate demand as well as current costs. Mr. Kelley also reviewed the City of Houston Water Supply contract estimated costs. Extensive discussion ensued. Mr. Wilson recommended the Board choose an amount soon for the District is currently using credits with the Subsidence District. Upon motion by Director Watson, seconded by Director Washington, after full discussion and having had the question put to the Board, the Board voted unanimously to proceed with a request of 565,000 daily gallons from the City of Houston.

Mr. Kelley reviewed information regarding water supply analyzers. He stated the price quote of \$60,000 each is for equipment only. He stated at this time he recommends moving forward with chloramine analyzers and not phosphate.

Mr. Dixon presented information regarding the SCADA system. He reviewed what a SCADA system is and what it can do stating it could help with analyzing water usage. Mr. Dixon reported that water and wastewater SCADA systems operate indecently, but the information can be viewed all in one location. Mr. Dixon reviewed the potential costs and timeframes for completion for installation at each water plant. Discussion ensued. Upon motion by Director Washington, seconded by Director Smith, after full discussion and having had the question put to the Board, the Board voted unanimously to move forward with the SCADA systems for both water plants. President Smalls requested to see a cost estimate for both plants.

**6. Review Supplemental Bookkeeper's Report and take any necessary action.** The Board reviewed a copy of the supplemental bookkeeper's report, a copy of which is attached hereto as *Exhibit C*.

Mr. Burton stated that due to staffing challenges all industries are facing, Municipal Accounts is making the decision to resign from the District. He stated he will make it an easy transition with the new bookkeeping company. Mr. Burton stated that all accounts will remain open, access authorization is all that will change. Director Watson thanked Mr. Burton for his time and assistance throughout the period of time.

President Smalls requested additional details on Uber Eat purchase from Director Babers prior to reimbursement.

Director Babers reported he has not received fees of office for the October 20<sup>th</sup> meeting and will contact the bookkeeper.

Upon motion by Director Washington, seconded by Director Smith, after full discussion and having had the question put to the Board, the Board voted unanimously to approve the supplemental bookkeeper's report.

**7. Discuss General Manager Report and take any necessary action.** President Smalls presented and reviewed a copy of the General Manager's Report, a copy of which is attached hereto as *Exhibit D*.

President Smalls reported on various topics regarding the District Building, see *Exhibit D*. She discussed decorating the exterior of the building for the holidays to include lights along the roofline and poles surrounding the building. President Smalls stated she has a proposal in the amount of \$4,300 which includes ownership of the lights. She stated at this time she does not have comparable estimates due to timing. Upon motion by Director Watson, seconded by Director Washington, after full discussion and having had the question put to the Board, the Board voted unanimously to accept the proposal in the amount of \$4,300 for installation of lights around the District Building for the holidays.

Ms. Carter introduced herself as the District Building Manager and spoke on her past work experience.

Upon motion by Director Watson, seconded by Director Washington, after full discussion and having had the question put to the Board, the Board voted 4-0 to approve the General Manager's report. President Smalls abstained.

**8. Discuss solar energy initiative and take any necessary action.** This item was tabled and be discussed at next month's meeting.

9. **Committee Progress Reports.** Director Washington discussed clearing the fence line.

10. **Review Consultant Contracts and take any necessary action.** Mr. Wilson requested for Board authorization to move forward with vetting Bookkeeper's and receive proposals to bring the Board. The Board agreed to allow legal to proceed.

11. **Adjournment/Future Agenda Items.** It was discussed that December meeting dates will be December 1<sup>st</sup> and December 15<sup>th</sup> at 11:30 a.m.

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 December 1, 2021.

  
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President, Board of Directors

ATTEST:

  
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Secretary, Board of Directors

