

MINUTES OF MEETING OF BOARD OF DIRECTORS  
May 4, 2022

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 4, 2022, 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  
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 and of Wheeler & Associates (“Wheeler”), tax assessor and collector for the District; Mr. Carlous Smith and 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; Ms. Kaity Malek of Norton Rose Fulbright US LLP (“NRF”), Paralegal for the District; Ms. Kandy Pfeffer of Elite Bookkeeping LLC, bookkeeper for the District; Ms. Linda Carter, Building Manager for the District; Mr. Stephen Hamilton of Environmental Allies; Mr. Byron Thurmond, of BGT; Deputy Rodriguez and Deputy Adrena, of Harris County Constables Office.

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.** President Smalls called the meeting to order.

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

**2. Public Comments.** Ms. Carter reported that the District will be holding an event, the Health Fair Goals 2022, on June 4, 2022 from 10:00 am until 3:00 pm at the District’s administration building. She stated that there will be various businesses present at the event to support the community as well as food, a firetruck and a giveaway for the first 100 people in attendance.

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

Director Washington inquired about desilting at Brunswick Meadows. Mr. Hamilton stated that he will look into the condition of the channel and if it will need to be desilted. He further stated that will bring a proposal to do the entire area, but feels it can wait a few months.

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 approve the detention facilities report.

**4. Trash Services Report.** There was nothing to report.

**5. Security at District Facilities.** Deputy Rodriguez discussed with the Board the major incident that happened in an apartment complex within the District a few weeks ago.

Deputy Rodriguez reported on the recent break-ins throughout the District.

Director Washington inquired about possible issues of drug activity within the District parks. Both deputies stated that to their knowledge there was no activity in the parks.

Upon motion by Director Smith, seconded by Director Babers, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Constables Report.

Mr. Thurmond reported on the District's security cameras. Discussion ensued regarding the cost, quality and warranty of replacement cameras. 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 security report.

**6. 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 presented six checks and two wires for Board approval.

Ms. Mata reported that 98.4% of the District's taxes have been collected as of April 30, 2022.

Upon motion by Director Smith, 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 and to authorize payment of checks from the Tax Account in the amounts, to the persons, and for the purposes described in the Tax Assessor and Collector's Report.

**7. Review Bookkeeper's Report and Investment Report and authorize payment of bills.** Ms. Pfeffer 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.

Ms. Pfeffer provided a summary of all accounts.

Ms. Pfeffer presented checks for Board approval, she stated that there was one additional check written for an emergency plumbing issue at the District's administration building. Discussion ensued regarding the plumbing repair.

Ms. Pfeffer reviewed the investment report.

Ms. Pfeffer reviewed the District's budget. Discussion ensued.

Ms. Pfeffer reported that she received 3 invoices from Municipal regarding an outstanding balance. Extensive discussion ensued regarding the reasons for the balance with the Board requesting justification.

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.

**8. Review and approve Operations Report and authorize repairs.** Mr. Smith presented to and reviewed with the Board the Operations Report, a copy of which is attached hereto as Exhibit F.

Mr. Smith reported that the District's accountability for the month is 99.07%.

Mr. Smith reported that the secondary meters at the Water Plant #1 and #2 are ready to be installed. Discussion ensued on the collection of the data.

Director Smalls inquired about the recurring maintenance report, stating that she would like to add a column showing the upcoming dates of maintenance for easy reference.

Mr. Smith presented to and reviewed with the Board the two bids for the pulling of the well motor project, see Exhibit F. He stated that the bid from Alsay is his suggestion due to previously working with them and their bid was lower than the other company. Discussion ensued regarding both bids.

Mr. Smith presented to and reviewed with the Board the bids for the refurbishments, see Exhibit F. He stated that there is a bid for the junction box coating and refurbishment, a bid for redirecting the force mains to the junction box, and manhole refurbishments. Discussion ensued regarding Si offering to cover the cost for one of the manholes and discussing the remaining bids.

Mr. Smith reviewed with the Board the quotes for fencing at the Water Plant, see Exhibit F.

The Board extensively discussed the accountability issues with Magnaflow's access to the WWTP.

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 (1) approve the Operations Report, (2) approve the bids for the refurbishments of the Manholes, junction box refurbishments and the redirecting; (3) approve the quote for the Water Plant gates and moving forward with repairs; (4) approve the bid from Alsay once there is verification of the work being done includes the tear down inspection and reports along with the original quote.

Director Smith left the meeting at this time.

**9. Approve Consumer Confidence Report.** This item was approved at the last 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, stating that MK is waiting on the revised interlocal agreement. He further stated that he will be meeting with HCFCF tomorrow to discuss the agreement.

Mr. Kelley reported on the lift station rehab project stating once approval is received from the various agencies he will approach the Board for authorization to advertise bid.

Mr. Kelley stated he is working on the preliminary information for the bond application report. He stated that at the last meeting he discussed setting a deadline for response from the NPH that ended today. As of yet, he has not received anything from them. Discussion ensued regarding taking NPH off of the bond and the CIP project summary.

Mr. Kelley reported on various items regarding the District meeting building, see Exhibit G. Mr. Kelley discussed with the Board filing the building projects on the maintenance bond, due to inadequate work from the contractors.

Mr. Kelley reported on the Subsidence District and City of Houston usage. He stated that the Newport MUD's attorney instructed them not to proceed with the GRA. Mr. Kelley reported that the City of Houston has agreed to attend the meeting with the District regarding the subsidence district usage. Discussion ensued.

Mr. Kelley reported on the District surface water meters, stating that Si is working on the installation at both plants.

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 approve the Engineer's Report and adding the items as discussed to the maintenance bond.

**11. Approve Minutes of March 2, 2022 and March 16, 2022.** The Board extensively discussed the March 2, 2022 minutes. It was the consensus of the Board to table this set of minutes until the May 18<sup>th</sup> meeting to allow the Board as a whole to be present for discussion.

Director Babers left the meeting at this time.

The proposed minutes of the March 16, 2022 meeting, previously distributed to the Board, were submitted for consideration and approval. 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 minutes of the March 16, 2022 regular meeting, as presented.


**12. Review Consultant Contracts and take any necessary action.** This item was tabled.

**13. Adjournment/Future Agenda Items.** There was nothing to report.

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 1, 2022.



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President, Board of Directors

ATTEST:



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Secretary, Board of Directors

