

MINUTES  
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

December 7, 2021

The Board of Directors (the "Board") of Mission Bend Municipal Utility District No. 2 met in special session, open to the public, at the Clayton Homeowner's Association Clubhouse, 3705 Green Crest Drive, Houston, Texas 77082, outside the boundaries of the District, with supplemental access by teleconference, available to the public, on the 7<sup>th</sup> day of December, 2021, and the roll was called of the members of the Board being present in person or by telephone:

Judy Villagomez	President
Mary Bertrand	Vice President
Susan Land Johnson	Assistant Vice President
Marlene Weppler	Secretary
Brenda S. Whitehead	Assistant Secretary

and all of the above were present by teleconference or in person except Director Bertrand, thus constituting a quorum.

Also attending all or part of the meeting in person or by telephone were those persons listed on the attached attendance sheet.

MISSION BEND GREENBELT ASSOCIATION

The Board attended the Mission Bend Greenbelt Association Board meeting and discussed routine business. No action was taken at this time regarding the Mission Bend Greenbelt Association matters.

There being no further matters to come before the Board, the meeting was adjourned.

  
Secretary, Board of Directors



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MINUTES  
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

December 13, 2021

The Board of Directors (the "Board") of Mission Bend Municipal Utility District No. 2 met in special session, open to the public, at the Chelford City Regional Wastewater Treatment Facility Administration and Maintenance Building, 15027 Alief-Clodine Road, Houston, Texas 77083, outside the boundaries of the District, with supplemental access by teleconference, available to the public, on the 13<sup>th</sup> day of December, 2021, and the roll was called of the members of the Board being present in person or by telephone:

Judy Villagomez	President
Mary Bertrand	Vice President
Susan Land Johnson	Assistant Vice President
Marlene Wepler	Secretary
Brenda S. Whitehead	Assistant Secretary

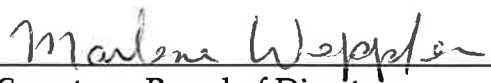
and all of the above were present by teleconference or in person except Director Bertrand, thus constituting a quorum.

Also attending all or part of the meeting in person or by telephone were those persons listed on the attached attendance sheet.

CHELFORD CITY REGIONAL WASTEWATER TREATMENT FACILITY MATTERS

The Board discussed Chelford City Regional Wastewater Treatment Facility matters.

There being no further matters to come before the Board, the meeting was adjourned.

  
Secretary, Board of Directors



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Attendance Sheet..... 1

MINUTES  
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

December 14, 2021

The Board of Directors (the "Board") of Mission Bend Municipal Utility District No. 2 (the "District") met in regular session, open to the public, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas 77027, outside the boundaries of the District, with supplemental access by teleconference available to the public, on the 14<sup>th</sup> day of December, 2021, and the roll was called of the members of the Board being present:

Judy Villagomez	President
Mary Bertrand	Vice President
Susan Land Johnson	Assistant Vice President
Marlene Wepler	Secretary
Brenda S. Whitehead	Assistant Secretary

and all of the above were present, except Director Whitehead, thus constituting a quorum.

Also attending in person were Deputy Charles Hill of the Harris County Sheriff's Office ("HCSO"); Susan Cita of TBG Partners ("TBG"); Vicki Busboom of VLB Bookkeeping Services; Lina Loaiza of Bob Leared Interests; Carlous Smith of Si Environmental, LLC ("Si"); Angie Hartwell of Touchstone District Services ("Touchstone"); Leroy Eaglin, resident of the District; and Christina Miller and Aidé Meza of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board. On the phone was Jacob Floyd of Langford Engineering, Inc. ("LEI").

PUBLIC COMMENTS

Director Villagomez offered any members of the public attending the meeting in person or by telephone the opportunity to make public comment. Mr. Eaglin addressed the Board and stated that he has received ten executed petitions from Altamira residents for the installation of signs prohibiting overnight commercial vehicle parking. The Board acknowledged receipt of the ten executed petitions, thanked Mr. Eaglin for his civic engagement, and concurred unanimously to transmit the executed petitions to the Mission Bend Civic Association, as required for submission to Harris County (the "County"). There being no additional members of the public requesting to make public comment, Director Villagomez moved to the next agenda item.

## MINUTES

The Board considered approving the minutes of the November 16, 2021, regular meeting. Following review and discussion, Director Bertrand moved to approve the November 16, regular meeting minutes, as presented. Director Johnson seconded the motion, which passed unanimously, with all directors voting "yea."

## SECURITY SERVICES MATTERS

### REPORT FROM HCSO

Deputy Hill reported on recent criminal activity in the District, including an increase in theft of vehicle parts and stated that at least one arrest has been made in connection to recent theft reports. Director Wepler inquired about details of the crimes and Deputy Hill clarified the nature of the theft reports. Deputy Hill stated that the towing enforcement program has been able to continue to tow recurring offenders in certain areas. Following discussion, there was no action on this matter.

### UPDATE ON APPROVAL OF SIGNS PROHIBITING COMMERCIAL VEHICLES FROM PARKING OVERNIGHT

Deputy Hill updated the Board on the HCSO's internal efforts to obtain approval from the County for the installation of signs prohibiting commercial vehicles from parking in Altamira overnight. Following discussion, there was no action on this matter.

### INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

The Board discussed the Interlocal Agreement to renew security services with the HCSO. Ms. Miller stated that the proposed Interlocal Agreement from March 1, 2022, through February 28, 2023, has not been received by ABHR from the County. Following discussion, there was no action on this matter.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Busboom presented and reviewed the bookkeeping report, including the investment report, the budget comparison, and the list of checks for the Board's approval. A copy of the bookkeeping report, including the investment report and budget comparison, is attached. Director Johnson inquired about Chelford City Regional Wastewater Treatment Plant ("Chelford") billing matters and Ms. Busboom clarified that billing has been received for the month of December 2021. Following review and discussion, Director Bertrand moved to approve the bookkeeping report, the checks presented for payment, and the investment report. Director Wepler seconded the motion, which passed unanimously, with all directors voting "yea."

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") MID-WINTER CONFERENCE

Ms. Miller reported on the AWBD mid-winter conference in Galveston, Texas from January 28-29, 2022. The Board took no action on this item because it was determined that no Director would be attending the 2022 AWBD mid-winter conference.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Loaiza presented and reviewed the monthly tax report, a copy of which is attached, reflecting that 11.30% of the District's 2021 taxes were collected as of the end of November 2021. Ms. Loaiza reported on check no. 1006 in the amount of \$16,956.26, to LF2 Presidio, LP for a tax value reduction refund. Following review and discussion, Director Bertrand moved to approve the tax report and payment of the checks drawn on the District's tax account, as presented. Director Johnson seconded the motion, which passed unanimously, with all directors voting "yea."

CHELFORD CITY REGIONAL WASTEWATER TREATMENT PLANT MATTERS

Mr. Floyd presented and reviewed a Chelford Service Area Compliance Monitoring report, dated December 2021, for the sampling period of November 2021, a copy of which is attached. He stated that the report reflects three commercial locations within Chelford where total petroleum hydrocarbon ("TPH") levels are higher than the normal range amount. Mr. Floyd stated that all three locations are restaurants and that LEI will continue to monitor the status of the TPH levels at the locations. Following discussion, there was no action on this matter.

OPERATION OF DISTRICT FACILITIES

Mr. Smith presented and reviewed the operations report from Si, a copy of which is attached, including routine and preventative maintenance and repairs in the District. Mr. Smith reported that water accountability was 98.57% in the previous month. Mr. Smith reported on the current connections in the District, water production and distribution repairs, sanitary sewer maintenance, lift station maintenance, and water well maintenance and repairs during the previous month. He stated that commercial water meters and fire hydrants were tested during the previous month.

UPDATE ON REPAIR OF WELL MOTOR AT WATER PLANT NO. 2

Mr. Smith updated the Board on the repair of the water well motor at the District's water well no. 2 at water plant no. 2.

UPDATE ON TELEVISIONING OF GROUND STORAGE TANK AT WATER PLANT NO. 1

Mr. Floyd updated the Board on the ground storage tank no. 1 at water plant no. 1. He stated that the sand at the bottom of the ground storage tank was cleared out by Alsay Water, Inc. ("Alsay") during the previous month.

UPDATE ON REPAINTING OF FIRE HYDRANTS

Mr. Smith updated the Board on the pressure washing and repainting of 212 fire hydrants throughout the District, as previously authorized by the Board. He stated that the pressure washing and repainting work is underway.

HEARING REGARDING TERMINATION OF WATER AND SEWER SERVICE

Mr. Smith presented and reviewed a list of delinquent customers to the Directors and reported the residents on the termination list were delinquent in payment of their water and sewer bills and were given written notification, in accordance with the District's Rate Order, prior to the meeting of the opportunity to appear before the Board of Directors to explain, contest, or correct their bills and to show why utility services should not be terminated for reason of non-payment. Mr. Smith reviewed the timeline of the delinquencies, including the date of notice letters, door hangers, and scheduled terminations. The Board restated their intention to defer termination during the holiday season. Director Wepler inquired about certain delinquent commercial accounts, including delinquent charges for an irrigation meter and an apartment complex. Mr. Smith stated that the delinquent account holder for the commercial irrigation meter has requested that the Board grant an adjustment due to a recently repaired leak and that the apartment complex has made a payment towards the delinquent water statement.

Following review and discussion, and based upon the operator's recommendation, Director Wepler moved to: (1) approve the operations report, as presented; and (2) defer termination of delinquent accounts in accordance with the District's Rate Order, to be reviewed at a later date following the holiday season, and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Bertrand seconded the motion, which passed unanimously, with all directors voting "yea."

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY ("WHCRWA") MATTERS

Ms. Miller reported on WHCRWA matters including the previously discussed fee increase which will be effective January 1, 2022.



## ENGINEERING MATTERS

Mr. Floyd presented and reviewed the engineering report, a copy of which is attached.

### UPDATE ON STAND-BY GENERATOR

Mr. Floyd stated there were no updates to the stand-by generator lease agreement with NTS Rentals, LLC.

### AUTHORIZE DESIGN OF PERMANENT GENERATORS

Mr. Floyd updated the Board on the status of design of the permanent generators for the District. He stated that design is underway and that plans will be submitted for agency review upon completion of the plans and specifications.

### 14550 BEECHNUT ROAD

Mr. Floyd reported on the property at 14550 Beechnut Road. He stated that the property owner is expanding to add office buildings to the property. Mr. Floyd stated that LEI has reviewed the revised construction plans, per the District's Amended Rate Order, and has provided comments to the property owner. A copy of the letter to the property owner is attached to the engineer's report.

### UPDATE ON SANITARY SEWER CLEANING AND TELEVISIONING PROJECT

Mr. Floyd updated the Board on the District-wide sanitary sewer cleaning and televising project. He stated that LEI and Si will review the final videos from Phase I of the project for any major problems and will report back to the Board.

### UPDATE ON WATER WELL NO. 1

Mr. Floyd restated that Alsay has cleared out the sand at the bottom of the ground storage tank at water well no. 1 during the previous month. He stated that the ground storage tank is approximately 25 years old, and that certain equipment is beginning to fail due to normal wear and tear. He presented and reviewed photographs of the water well inspection findings conducted by Alsay and recommended the Board consider authorizing a mechanical cleaning of the well, as presented in the line-item cost estimate in the amount of \$18,000.00, a copy of which is attached to the engineer's report. Mr. Floyd clarified that the equipment failure has not affected the quality of the District's water. Director Bertrand inquired about the timing of the water well equipment inspection and directed LEI to finalize the District's 5-Year Assessment Plan, as previously discussed. Mr. Floyd stated that LEI has reviewed past annual reports of water

well inspections and reported that no deficiencies had been identified in the past. Mr. Floyd stated that LEI will evaluate and finalize the District's 5-Year Assessment Plan.

Following review and discussion, Director Bertrand moved to: (1) approve the engineer's report, as presented; and (2) authorize LEI to coordinate with Alsay to perform the mechanical cleaning of water well no. 1 in the amount of \$18,000.00, as discussed. Director Wepler seconded the motion, which passed unanimously, with all directors voting "yea."

#### APPROVE EMERGENCY RESPONSE PLAN AND FILING OF CERTIFICATION OF SAME WITH THE ENVIRONMENTAL PROTECTION AGENCY ("EPA")

Ms. Miller reported on certain certification obligations that the District must meet under the America's Water Infrastructure Act of 2018 (the "Act"). She stated that, pursuant to the Act, the District must certify to the EPA that its community water system has completed an Emergency Response Plan (the "Plan"). Mr. Floyd discussed the District's Plan. Following review and discussion, Director Bertrand moved to approve the Plan, authorize the filing of the certification of the Plan with the EPA, and direct that the Plan be filed, confidentially, in the District's official records and that the confirmation of certification be filed in the District's official records. Director Wepler seconded the motion, which passed unanimously, with all directors voting "yea."

#### UPDATE REGARDING BOND APPLICATION NO. 10

Mr. Floyd updated the Board on preparation of bond application no. 10. Mr. Floyd stated that the previously approved application is being finalized. Ms. Miller updated the Board on the anticipated timeline for submission to the Texas Commission on Environmental Quality ahead of the District's next regular Board meeting. Following discussion, no action was taken on this agenda item.

#### PARK AND RECREATIONAL FACILITY MATTERS

Ms. Cita presented a report regarding the District's parks and recreational facilities, a copy of which is attached.

#### MAGNOLIA PARK MAINTENANCE

Ms. Cita reported on pressure washing at Altamira. She stated there are no new invoices for approval this month.

Ms. Cita reported on Altamira subdivision entrance enhancements at Via Del Norte. She stated that D.L. Meacham, LP ("D.L. Meacham") has installed the concrete sidewalk and that Custom Scapes will be installing the landscaping this week, pending favorable weather conditions.

Ms. Cita reported on the Mission Bell Drive and Estrada Drive subdivision entrances. She stated that the landscaping has been completed by Custom Scapes and that TBG will continue to monitor the plantings throughout the winter season.

Ms. Cita updated the Board on lighting maintenance and repairs by Express Electrical Services, Inc. ("Express Electrical"). She stated that Express Electrical has repaired the cut wiring and conducted general electrical repairs at the Mission Bell entry. She requested the Board approve invoice no. 3809 in the amount of \$1,934.75, for the wiring damage repairs at Magnolia Park. Ms. Cita also requested the Board approve invoice no. 3810 in the amount of \$216.25, for general electrical repairs at the Mission Bell entry.

Ms. Cita reported on the general landscape maintenance invoices for Magnolia Park from Custom Scapes that have been authorized for payment by the Board. She presented and reviewed invoice no. 2535 for monthly District landscape maintenance in the amount of \$7,023.75, invoice no. 2536 for monthly maintenance and mowing of Reserve E in Terra Del Sol, Section 7 in the amount of \$600.00, and invoice no. 2537 for facility mowing in the amount of \$434.00, copies of which are attached to the parks and recreational facilities report.

Ms. Cita stated that no additional maintenance estimates or invoices have been submitted for Magnolia Park.

#### PEDESTRIAN BRIDGE PROJECT (THE "BRIDGE")

Mr. Floyd reported on the Bridge replacement project. He presented and recommended for approval Proposal No. 4 from D.L. Meacham in the amount of \$27,020.00, to modify the bridge arches and paint the bridge panels. The Board discussed the additional work proposed, including the modifications to the bridge arches and the price difference between the original brown and the galvanized metallic colors. Mr. Floyd stated that there is no price difference between the original brown and the galvanized metallic colors. Director Johnson expressed her preference towards the original brown color and Director Villagomez, Director Wepler, and Director Bertrand expressed their preference towards the galvanized metallic color. Director Villagomez inquired about the timeline for completion of the bridge arches and paint modifications, as discussed. Mr. Floyd stated LEI will coordinate with D.L. Meacham for a completion timeline. Mr. Floyd presented and recommended for approval invoice no. 102132C from Aviles Engineering Corporation ("Aviles") in the amount of \$2,691.20, for construction materials testing and inspection services completed through October 31, 2021, and confirmed that the invoice does not include any of the additional testing that was approved separately from the original project contract.

Following review and discussion, and based upon the engineer's recommendation, Director Bertrand moved to: (1) approve Proposal No. 4 in the amount of \$27,020.00, from D.L. Meacham, to modify the bridge arches and paint the bridge panels a galvanized metallic color, as discussed; and (2) approve invoice no. 102132C, from Aviles, in the amount of \$2,691.20, for construction materials testing and inspection services. Director Weppler seconded the motion, which passed by a vote of 3 for to 1 against, with Directors Weppler, Villagomez, and Bertrand voting for the motion and Director Johnson voting against the motion.

Ms. Cita stated that TBG will continue to coordinate with LEI on construction contract matters, as needed. The Board discussed bridge naming options and Ms. Cita presented and reviewed a plaque example from the Willow Fork Drainage District, a copy of which is attached to the parks and recreational facilities report. Director Villagomez inquired about the different options for welding or bolting a plaque to the bridge arches which reads "The Bertrand Bridge." Ms. Cita clarified that welding or bolting the plaque are viable options. Director Villagomez requested that any Board member opposed to the naming of the bridge express their opposition. Director Johnson expressed her belief that each Board member participated equally in the inception, design, and construction of the bridge project. Director Villagomez and Director Bertrand expressed their disaccord with Director Johnson. Following review and discussion, Director Villagomez moved to direct TBG to proceed with creating renderings for plaque options for "The Bertrand Bridge" and to solicit proposals for creating and installing the plaque to be presented at the next regular Board meeting for review and consideration. Director Weppler seconded the motion, which passed by a vote of 3 for to 1 against, with Directors Weppler, Villagomez, and Bertrand voting for the motion and Director Johnson voting against the motion.

#### MISSION BEND GREENBELT TRAIL IMPROVEMENTS PROJECT (THE "TRAIL")

Ms. Cita reported on the Trail project. Ms. Cita stated that ongoing work includes the installation of the bridge and Bellaire Boulevard plazas, installation of the trellis, irrigation, and wildflower bed preparations. She stated that the delivery of the back ordered bricks is currently scheduled for this week and that the masonry work should be completed by December 20, 2021, pending favorable weather conditions. She presented and recommended for approval Pay Application No. 9 from D.L. Meacham in the amount of \$60,936.22.

#### LITTLE VILLA WETLAND PARK IMPROVEMENTS

Ms. Cita reported on the commercial screening landscape and irrigation project at Little Villa Wetland Park. She stated that design documents are on hold, pending Board approval.

Ms. Cita updated the Board on the irrigation system maintenance review and irrigation controller issues. She stated that there are no new updates.

Ms. Cita reported on the general landscape maintenance invoice for Little Villa Wetland Park from Custom Scapes that has been authorized for payment by the Board. She presented and reviewed invoice no. 2538 for monthly maintenance at Little Villa Wetland Park in the amount of \$3,320.00.

Ms. Cita stated that no additional maintenance estimates or invoices have been submitted for Little Villa Wetland Park.

Following review and discussion, and based upon the landscape architect's recommendation, Director Bertrand moved to: (1) approve the parks and recreational facilities report, as presented; (2) approve invoice no. 3809 in the amount of \$1,934.75, for the wiring damage repairs at Magnolia Park by Express Electrical; (3) approve invoice no. 3810 in the amount of \$216.25, for general electrical repairs at the Mission Bell entry by Express Electrical; (4) approve the general landscape, maintenance, and repair invoices for Magnolia Park by Custom Scapes that were authorized for payment by the Board, as presented; (5) approve Pay Application No. 9 in the amount of \$60,936.22, from D.L. Meacham for the Trail improvements project; and (6) approve the general landscape, maintenance, and repair invoice for Little Villa Wetland Park by Custom Scapes that was authorized for payment by the Board, as presented. Director Weppler seconded the motion, which passed unanimously, with all directors voting "yea."

## DISTRICT TECHNOLOGY MATTERS

### UPDATE ON THE DISTRICT'S WEBSITE

Ms. Hartwell presented and reviewed a website communications report for the previous month, a copy of which is attached. She reported on news posts, website statistics, resident inquiries, open items, and action items from the previous month. Ms. Hartwell stated that website statistics are increasing and provided an update on the separate Parks page. Following discussion, no action was taken on this agenda item.

### UPDATE ON WEBSITE ROLLOUT AND ADVERTISEMENT OF WEBSITE

The Board discussed the website announcement yard signs which were placed throughout the District in the previous month.

UPDATE ON IMPLEMENTATION OF THE EMERGENCY MESSAGING SYSTEM

Ms. Hartwell updated the Board on the implementation of emergency messaging services in the District. She stated that Si has provided a list of District resident contact phone numbers and email addresses. Ms. Hartwell stated that Touchstone will transmit a new opt out message to District residents. Following discussion, there was no action on this matter.

RESOLUTION ESTABLISHING ADDRESSES AND METHODS FOR TEXAS PUBLIC INFORMATION ACT REQUESTS

Ms. Miller reviewed with the Board a memorandum regarding designating addresses and methods for receipt of requests for public information under the Texas Public Information Act ("TPIA Requests"), a copy of which is attached. The Board considered designating a mailing address and an email address and approving other methods for receipt of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. Following review and discussion, Director Bertrand moved to: (1) adopt the Resolution Establishing Addresses and Methods for Texas Public Information Act Requests (the "Resolution") to (a) designate the address of the District's official office as the mailing address and mis002@txdistricts.info as the email address for receipt of TPIA Requests to the District, (b) approve electronic submission through the District's website, <https://www.missionbendmud2.com/>, as methods for submittal of TPIA Requests to the District, and (c) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government Code, and posted continuously on the District's Internet website; and (2) direct the Resolution to be filed appropriately and retained in the District's official records. Director Wepler seconded the motion, which passed unanimously, with all directors voting "yea."

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER; DISCUSS EMINENT DOMAIN AUTHORITY AND HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 V. HIDALGO COUNTY WATER IRRIGATION DISTRICT NO. 1

Ms. Miller reported that ABHR has filed the District's Eminent Domain Authority Annual Report for 2021 with the Comptroller of the State of Texas, pursuant to Senate Bill 1812. Ms. Miller updated the Board on an ongoing case related to the use of eminent domain authority by a governmental entity against another governmental entity, *Hidalgo County Water Improvement District No. 3 v. Hidalgo County Water Irrigation District No. 1*. Following discussion, there was no action on this matter.

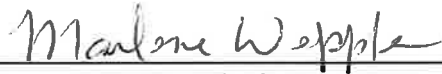
BOARD PERFORMANCE REVIEW OF CONSULTANT CONTRACTS

There was no further discussion on consultant contract matters.

MEETING SCHEDULE AND PLANNING MATTERS

The Board discussed the next regular Board meeting on January 18, 2022, at 6:00 p.m. at ABHR with supplemental access via teleconference for consultants and members of the public.

There being no further matters to come before the Board, the meeting was adjourned.

  
Secretary, Board of Directors



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