

MINUTES  
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

September 19, 2023

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, on the 19<sup>th</sup> day of September, 2023, 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
Leroy Eaglin	Assistant Secretary

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

Also present at the meeting were Deputy Charles Hill of the Harris County Sheriff's Office ("HCSO"); Miles Fabian and Daniela Moderow of Baxter & Woodman Consulting Engineers, Inc. ("B&W"); Meade Mitchell and Susan Cita of TBG Partners ("TBG"); Vicki Busboom of VLB Bookkeeping Services; Lina Loaiza of Bob Leared Interests; Linda Hubble of Public Finance Group, LLC; Carlous Smith of Si Environmental, LLC ("Si"); Emmanuel Vazquez of Vazquez Electronics, LLC ("Vazquez Electronics"); Hermes Amaya of Custom Scapes & Designs, Inc. ("Custom Scapes"); Tommy Gomez of J3 Electric, LLC ("J3 Electric"); Ryan Adkins of Triton Consulting Group, Inc. ("Triton"); Consuelo Sepulveda Ramirez and Omar Ramirez; and Christina Miller and Aidé Meza of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Villagomez offered any members of the public attending the meeting the opportunity to make a public comment. Ms. Sepulveda Ramirez addressed the Board and requested a water bill adjustment for the current outstanding balance of \$3,036.00, at 14734 Via Del Norte Drive. Ms. Sepulveda Ramirez reported on a recent water leak discovery and repair at her neighbor's residence and stated that the water meter near her property was tampered with and subsequently repaired during the previous month. Mr. Smith reviewed the water customer account history and reported to the Board that the average three-month water usage bill for 14734 Via Del Norte Drive was lower than the current outstanding balance of the account. Following review and discussion, Director Villagomez moved to: (1) grant the water bill adjustment request for the current outstanding balance at 14734 Via Del Norte Drive to reflect the three-month average amount prior to the water leak repair; and (2) direct Si to

coordinate the adjustment with Ms. Sepulveda Ramirez, as discussed. Director Eaglin seconded the motion, which passed unanimously. There being no additional requests for public comment, Director Villagomez moved to the next agenda item.

## MINUTES

The Board considered approving the minutes of the August 15, 2023 (Regular), September 5, 2023 (Greenbelt), and September 11, 2023 (Chelford) meetings. Ms. Miller confirmed there was no quorum at the September 5, 2023 (Greenbelt) or the September 11, 2023 (Chelford) meetings, and therefore there are no minutes for the meetings. Ms. Busboom reported on a mistake in the August 15, 2023, meeting minutes regarding the previous Mission Bend Integrated Water System ("MBIWS") payments. Ms. Busboom presented proposed corrections to the minutes. Following review and discussion, Director Bertrand moved to approve the August 15, 2023 (Regular) minutes, subject to incorporation of the corrections submitted by Ms. Busboom. Director Weppler seconded the motion, which passed unanimously.

## SECURITY SERVICES MATTERS

### REPORT FROM HCSO

The Board reviewed and acknowledged receipt of the August 2023 security services report from the HCSO, a copy of which is attached. Deputy Hill reported on recent criminal activity in and near the District, including property theft at commercial construction sites. Director Bertrand reported on the necessary coverage of the District's new contract officer during overnight hours to deter incidents of property theft during overnight hours.

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

Deputy Hill reported on a recent influx of additional commercial vehicles parking in the District overnight. He stated that the HCSO has continued to tow the vehicles and issue citations during the previous month. Deputy Hill reported that he continues to work with Harris County (the "County") to facilitate the approval of additional "No Parking" signs throughout the District. Director Bertrand stated that she has spoken with Ms. Anna Ortiz, Contract Sergeant, of the HCSO regarding the issue and reported that it would be possible to obtain additional "No Parking" signs if the commercial vehicles obstruct the flow of traffic in neighborhood areas. Director Bertrand urged Board members to report sightings of parked commercial vehicles to the HCSO.

Following review and discussion, the Board concurred unanimously to accept the monthly security report, as presented.

## LIGHTING MAINTENANCE AND REPAIR MATTERS

Mr. Gomez updated the Board on routine lighting and maintenance items at Little Villa Wetland Park ("LVWP") and Magnolia Park. He presented and reviewed a lighting maintenance and repair report from J3 Electric, a copy of which is attached.

Mr. Gomez presented and reviewed a proposal from J3 Electric in the amount of \$8,325.00, for the demolition of bollard lights and the replacement and installation of four lights at Magnolia Park. Mr. Gomez presented and reviewed a proposal from J3 Electric in the amount of \$3,750.00, for annual maintenance and replacement of light bulbs, replacement of one photocell, and inspection and cleaning of all light poles due to corrosion and damage at LVWP and Magnolia Park. Mr. Gomez presented and reviewed a proposal from J3 Electric in the amount of \$5,200.00, for the demolition of original equipment and the reinstallation of new solar panels along with a controller, batteries, and light bulbs at the Via Del Norte Drive subdivision entrance. A copy of the proposals is attached to the lighting maintenance and repair report. Ms. Cita reminded the Board of the upcoming construction at Magnolia Park in approximately one year. The Board discussed the timeline for construction at Magnolia Park and determined that the lights should be replaced at this time for safety and aesthetic purposes. The Board then discussed options for the replacement of the lights at Magnolia Park and Mr. Gomez explained the different techniques available for replacement of the lights.

Following review and discussion, Director Bertrand moved to: (1) approve the proposals from J3 Electric, as presented, and direct that they be filed appropriately and retained in the District's official records; and (2) accept the monthly lighting maintenance and repair report, as presented. Director Eaglin seconded the motion, which passed by a vote of 4 for to 1 against and 0 abstentions, with Directors Villagomez, Bertrand, Eaglin, and Weppler voting for the motion, Director Johnson voting against the motion, and no Directors abstaining.

## PARK SURVEILLANCE CAMERA MATTERS

Mr. Vazquez updated the Board on the monitored surveillance camera system at Magnolia Park and LVWP as well as ongoing monthly monitoring by Vazquez Electronics. He presented and reviewed a surveillance camera system report, a copy of which is attached. Mr. Vazquez reported on suspicious activities throughout the previous month, including sightings of homeless individuals loitering and smoking at Magnolia Park throughout normal operating hours and outside of normal operating hours and an instance of a family using a charcoal grill at Magnolia Park during the Labor Day holiday weekend.

Mr. Vazquez presented and reviewed a proposal from Vazquez Electronics in the amount of \$32,650.00, for the installation of additional surveillance cameras at LVWP. Mr. Vazquez additionally presented and reviewed a proposal from Vazquez Electronics

in the amount of \$32,850.00, for the installation of additional surveillance cameras at Magnolia Park. Mr. Vazquez presented and reviewed a proposal from Vazquez Electronics in the amount of \$59,100.00, for the installation of additional surveillance cameras at the Mission Bell neighborhood, including three exits and entrance cameras. Copies of the proposals, with corresponding area maps, are attached to the surveillance camera system report. The Board discussed the possibility of installing signs indicating to the public that surveillance cameras are recording. Mr. Vazquez stated that he will investigate the price for installing signs and prepare a proposal for Board review and consideration at the next regular Board meeting.

Following review and discussion, Director Bertrand moved to: (1) approve the proposals from Vazquez Electronics, as presented, and direct that they be filed appropriately and retained in the District's official records; and (2) accept the surveillance camera system report, as presented. Director Eaglin seconded the motion, which passed by a vote of 4 for to 0 against and 1 abstention, with Directors Villagomez, Bertrand, Eaglin, and Weppler voting for the motion, no Directors voting against the motion, and Director Johnson abstaining.

## FINANCIAL AND BOOKKEEPING MATTERS

### PAYMENT OF THE BILLS AND REVIEW OF INVESTMENTS

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. Ms. Busboom reported on the status of monthly MBIWS payments. Director Villagomez inquired about the final pay application from D.L. Meacham, LP ("D.L. Meacham") for the Mission Bend Trail Improvements ("Trail") project. Ms. Cita stated that D.L. Meacham has not completed certain punch list items at the Trail project site and that a final pay application will not be recommended for approval at this time. She reviewed the estimated timeline for final completion and acceptance of the Trail improvements project.

### AMEND BUDGET FOR FISCAL YEAR END SEPTEMBER 30, 2023

Ms. Busboom presented and reviewed a proposed amended budget for the District's fiscal year end September 30, 2023, a copy of which is attached to the bookkeeper's report. Ms. Busboom reviewed the amended line items, including actual revenues and expenditures for the current fiscal year.

### ADOPT BUDGET FOR FISCAL YEAR END SEPTEMBER 30, 2024

Ms. Busboom presented and reviewed a revised draft budget for the District's fiscal year end September 30, 2024, a copy of which is attached to the

bookkeeper's report. Ms. Busboom reviewed details of certain revisions to engineering and capital outlay line items for the next fiscal year.

Following review and discussion, Director Bertrand moved to: (1) approve the bookkeeping report, the checks presented for payment, and the investment report, as presented; (2) adopt the amended budget for the District's fiscal year end September 30, 2023, as presented and direct that a copy of the amended budget be filed appropriately and retained in the District's official records; and (3) adopt the revised budget for fiscal year end September 30, 2024, as presented, and direct that a copy of the budget be filed appropriately and retained in the District's official records. Director Weppler seconded the motion, which passed unanimously.

AUTHORIZE AUDITOR TO CONDUCT AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2023

The Board reviewed an audit continuance letter from McCall Gibson Swedlund Barfoot PLLC ("McCall Gibson"), a copy of which is attached, regarding preparation of the audit for the fiscal year end September 30, 2023. Following review and discussion, Director Bertrand moved to authorize McCall Gibson to conduct the District's audit for the fiscal year end September 30, 2023, for an estimated fee of \$21,500.00, to \$23,500.00. Director Johnson seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING THE AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKER/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

The Board considered adopting a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions (the "List"). Following review and discussion, Director Bertrand moved to adopt the Resolution Establishing the Authorized Depository Institutions and Adopting the List and direct that it be filed appropriately and retained in the District's official records. Director Weppler seconded the motion, which passed unanimously.

RESOLUTION REGARDING ANNUAL REVIEW OF INVESTMENT POLICY

The Board considered adopting a Resolution Regarding Annual Review of Investment Policy, which provides that the Board conducted its annual review of the District's investment policy and confirms that the November 21, 2017, investment policy remains in effect. Following review and discussion, Director Bertrand moved to adopt the Resolution Regarding Annual Review of Investment Policy and direct that it be filed appropriately and retained in the District's official records. Director Eaglin seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Loaiza presented and reviewed the monthly tax report, a copy of which is attached, reflecting that 98.8% of the District's 2022 taxes were collected as of the end of August 2023. Ms. Loaiza reviewed the bills presented for payment including overpayment refunds and adjustments from the previous month. 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 Eaglin seconded the motion, which passed unanimously.

## DISCUSS 2023 TAX RATE, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

The Board discussed the District's 2023 tax rate. Ms. Hubble presented and reviewed a tax rate analysis reflecting the recommendation for the District to levy a 2023 water, sewer, and drainage debt service tax rate of \$0.2150, per \$100 of assessed valuation and an operations and maintenance tax rate of \$0.3377, per \$100 of assessed valuation. A copy of the 2023 tax rate recommendation is attached. Ms. Hubble discussed the two-step process for setting the District's tax rate. Following review and discussion, Director Bertrand moved to: (1) set the public hearing date for October 17, 2023; and (2) authorize the tax assessor/collector to publish notice of the District's meeting on October 17, 2023, to hold a hearing and consider setting the proposed 2023 total tax rate in an amount not to exceed \$0.5527, per \$100 of assessed valuation, with \$0.2150, allocated for debt service on water, sewer, and drainage bonds, and \$0.3377, allocated for operations and maintenance. Director Eaglin seconded the motion, which passed unanimously.

## RESOLUTION NOMINATING CANDIDATE FOR BOARD OF DIRECTOR ELECTION FOR HARRIS CENTRAL APPRAISAL DISTRICT ("HCAD")

The Board reviewed a letter from HCAD regarding the nomination of a candidate for the Board of Directors for HCAD, a copy of which is attached. The Board considered adopting a Resolution Nominating a Candidate for a Position on the Board of Directors of HCAD. The Board reviewed a letter from HCAD regarding the increase of the 2024 HCAD budget reflecting an increase of 2.98% from the previous year's budget, a copy of which is attached. Following discussion, the Board concurred to take no action on this matter.

## CHELFORD CITY REGIONAL WASTEWATER TREATMENT PLANT ("CHELFORD") MATTERS, INCLUDING APPROVE PLANT BUDGET FOR THE FISCAL YEAR END SEPTEMBER 30, 2024

The Board briefly discussed Chelford meeting matters, including the adopted Chelford budget for the fiscal year end September 30, 2024, a copy of which is attached.

Ms. Miller reported on other Chelford participants' discussions regarding the budget and the Board discussed the adopted budget. Following review and discussion, Director Bertrand moved to approve the adopted Chelford budget for the fiscal year end September 30, 2024, and direct that it be filed appropriately and retained in the District's official records. Director Johnson seconded the motion, which passed unanimously.

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

The Board discussed WHCRWA matters. Ms. Miller presented and reviewed an update letter regarding Stage I Drought Conditions issued by the WHCRWA, a copy of which is attached. Ms. Miller presented and reviewed a Stage II Drought Conditions letter issued by the WHCRWA, a copy of which is attached. The Board discussed certain precautions to conserve water in the District. Ms. Miller presented and reviewed a Notice of Anticipated Fees from the WHCRWA stating that there will be no annual fee increase on January 1, 2024, a copy of which is attached. 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 98.09% in the previous month. Mr. Smith reported on the current connections in the District, water production and distribution repairs, tap line repairs, sanitary sewer maintenance, lift station maintenance, fire hydrant replacement and maintenance, water meter repairs and replacements, and water well maintenance and repairs during the previous month.

Mr. Smith presented and reviewed a proposal from Si in the amount of \$28,225.00, for repairs at booster pump no. 3 at lift station no. 1 in the District, plus an additional \$1,800.00, for estimated labor for the repair project. Mr. Smith presented and reviewed a proposal from Southern Flowmeter, Inc., as a subcontractor to Si, in the amount of \$7,468.00, for repairs to the water specialties propeller meter at wastewater treatment plant no. 1 in the District. Copies of the proposals are attached to the operator's report. The Board discussed details of the proposed repairs.

#### 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 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 discussed details of high usage water accounts, including residential and commercial accounts.

#### DROUGHT CONTINGENCY PLAN MATTERS

There was no additional discussion on this matter.

Following review and discussion, and based upon the operator's recommendation, Director Bertrand moved to: (1) approve the proposals from Si, as presented, and direct that they be filed appropriately and retained in the District's official records; (2) approve the operations report, as presented; and (3) authorize termination of delinquent accounts in accordance with the District's Rate Order and direct that the delinquent customer list be filed appropriately and retained in the District's official records. Director Wepler seconded the motion, which passed unanimously.

#### AMENDED RATE ORDER

Ms. Miller presented and reviewed proposed changes to the District's Amended Rate Order which reflect a revised water leak abatement policy. The Board discussed the necessity of the revised water leak abatement policy for water conservation purposes. Following review and discussion, and based upon the engineer's and operator's recommendations, Director Bertrand moved to adopt the District's Amended Rate Order, as presented, and direct that it be filed appropriately and retained in the District's official records. Director Eaglin seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Ms. Moderow presented and reviewed an engineering report from B&W, a copy of which is attached.

#### PERMANENT GENERATOR PROJECT

The Board discussed the status of construction of the permanent generators for the District. Ms. Moderow reported that contract documents for Long & Son, Inc. are being distributed for signatures. She presented and reviewed a construction phase work order from B&W in the amount of \$93,050.00, for water plant improvements in connection with the installation of two natural gas generators at water plants in the District.



## SANITARY SEWER CLEANING AND TELEVISIONING PROJECT

The Board discussed the District-wide sanitary sewer cleaning and televising project. Ms. Moderow reported that B&W is working on the contract compliance review and stated that once compliance review is finalized, B&W will proceed with the pre-construction meeting with Hydroclear Services, LLC.

## RECOATING OF GROUND STORAGE TANK ("GST") NO. 1 AND GST NO. 2 AT WATER PLANT NO. 2

The Board discussed the recoating project to serve GST no. 1 and GST no. 2 at water plant no. 2. Ms. Moderow stated that the project is complete, and that B&W has issued a Certificate of Completion and a Certificate of Acceptance for review, approval, and signature by the Board. She stated that the one-year warranty period ends on August 24, 2024.

Ms. Moderow presented and requested for approval Pay Estimate No. 5 and Final from CFG Industries, LLC in the amount of \$126,012.50, for partial payment for storm water pollution prevention program devices, removal and replacement of gate valves, coating of the booster pump motor, and repair and recoating of GST no. 1 and 2.

## PHOSPHATE ADDITION AT WATER WELL NO. 1 AT WATER PLANT NO. 1

Ms. Moderow updated the Board on the phosphate addition at water well no. 1 at water plant no. 1. She reported that the construction work for the phosphate addition has been completed and that water plant no. 1 is back online. Ms. Moderow stated that B&W is currently coordinating with Si to ensure compliance with all requirements prior to sending a notice of construction completion letter to the Texas Commission on Environmental Quality.

## UPDATE TO DISTRICT OVERALL UTILITY MAP

Mr. Fabian updated the Board on the necessary revisions to the District's overall utility map. He stated that the updated overall water and sewer map has been sent to Si for review. Mr. Fabian reported that B&W is currently researching record drawings to finalize the updates and that a copy of the updated map is attached to the engineer's report.

Mr. Fabian presented and reviewed an amended work order from B&W in the amount of \$16,000.00, for updates to the District's overall water and sanitary sewer maps, per the requested changes from Si.

## FUTURE CAPITAL IMPROVEMENTS PLAN ("CIP") PROJECTS

The Board discussed projects on the draft 30-year CIP. Mr. Fabian stated that, based upon the water plant no. 1 GST evaluation report, B&W has revised the schedule for the GST no. 1 rehabilitation project. He recommended commencement of the engineering work during the summer of 2024 in preparation for construction to take place next winter. A copy of the revised CIP is attached to the engineer's report.

## REQUESTS FOR SERVICE OR UTILITY COMMITMENT LETTERS

Mr. Fabian updated the Board on the request for a capacity commitment letter from a commercial tenant in the Sugarwell Plaza development at 14248 Bellaire Boulevard in the District. He stated that B&W has not received a deposit or the plumbing plans for the interior build-out.

Mr. Fabian updated the Board on the request for a capacity commitment letter from a Buddhist congregation temple located at 6709 Howell Sugar Land Road outside the boundaries of the District. He stated that B&W has issued a plan review letter with comments for the owner to address.

Mr. Fabian updated the Board on the request for a capacity commitment letter for a proposed 40-unit motel located at 14602 Presidio Square. He stated that B&W is working on drafting a Utility Commitment Letter Agreement for the proposed development, outlining all conditions that must be met by the development to receive water and sewer service. He stated that B&W will coordinate with ABHR for review.

Following review and discussion, and based upon the engineer's recommendation, Director Bertrand moved to: (1) approve the construction phase work order from B&W in the amount of \$93,050.00, for water plant improvements in connection with the installation of two natural gas generators at water plants in the District; (2) approve the Certificate of Completion and Certificate of Acceptance for the recoating project to serve GST no. 1 and GST no. 2 at water plant no. 2; (3) approve Pay Estimate No. 5 and Final in the amount of \$126,012.50, for the recoating project to serve GST no. 1 and GST no. 2 at water plant no. 2; (4) approve the amended work order from B&W in the amount of \$16,000.00, for updates to the District's overall water and sanitary sewer utility maps; and (5) accept the engineer's report, as presented. Director Eaglin seconded the motion, which passed unanimously.

## PARK MAINTENANCE MATTERS

Mr. Amaya presented and reviewed a landscape maintenance report from Custom Scapes, a copy of which is attached. Mr. Amaya reported on the general landscape maintenance invoices for Magnolia Park that have been authorized for

payment by the Board, including facility mowing in the amount of \$520.80; maintenance and mowing of Reserve E in Terra Del Sol, Section 7 in the amount of \$720.00; monthly maintenance at LVWP in the amount of \$3,984.00; monthly maintenance at Magnolia Park in the amount of \$7,432.50; monthly maintenance of the Alief-Clodine Road right-of-way in the amount of \$576.00; and monthly maintenance of the Bellaire Boulevard at Alief-Clodine Road median in the amount of \$420.00. Mr. Amaya presented an invoice for pruning of trees and tree branches, in accordance with guidelines provided by Vazquez Electronics, to ensure clear lines of sight for the cameras at Magnolia Park in the amount of \$980.00, and an invoice for irrigation valve replacement at LVWP in the amount of \$780.00.

Mr. Amaya presented and reviewed estimate no. 1642 from Custom Scapes in the amount of \$3,850.00, for trimming of all the large oak trees and elimination of dead tree branches. Mr. Amaya presented and reviewed estimate no. 1643 from Custom Scapes in the amount of \$678.00, for irrigation replacements at Bellaire Boulevard, Tres Lagunas, and LVWP. Copies of the estimates are attached to the landscape maintenance report.

Director Bertrand inquired about the current maintenance of medians along Bellaire Boulevard and directed Custom Scapes to prepare proposals for landscaping at the medians, as discussed. Mr. Amaya confirmed that Custom Scapes will submit proposals for Board review and consideration at the next regular Board meeting. The Board discussed the possibility of trimming and maintaining shrubs behind LVWP and determined that the shrubs are not on District property, are the responsibility of the adjacent condominiums' homeowner's association, and should not be added to the Custom Scapes Service Agreement for regular maintenance. Mr. Amaya discussed drainage issues for standing water at LVWP and stated that Custom Scapes will prepare a proposal for Board review and consideration at the next regular Board meeting.

Following review and discussion, Director Bertrand moved to: (1) approve the estimates from Custom Scapes, as presented, and direct that they be filed appropriately and retained in the District's official records; and (2) approve the park maintenance invoices in conjunction with the bookkeeping report, as presented. Director Eaglin seconded the motion, which passed unanimously.

#### PARK AND RECREATIONAL FACILITY MATTERS

Ms. Cita presented and reviewed 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 within the District. She stated there are no new power washing items to report at this time. Director Johnson

reported on sightings of graffiti in the District. She directed Ms. Cita to request a proposal for the removal of graffiti from Katy Pressure Washing Pros. for Board review and consideration at the next regular Board meeting.

Ms. Cita updated the Board on the Phase III improvements project. Ms. Cita reported that TBG is performing schematic design for the project.

Mr. Mitchell presented and reviewed a qualifications package from Studio RED Architects ("Studio RED") for design of functional use restrooms and a new pavilion at Magnolia Park near the Trail and existing sanitary sewer line easements, a copy of which is attached. Mr. Mitchell presented and reviewed a proposal for professional design services from Studio RED, acting as a subconsultant to TBG, in an amount not to exceed \$15,000.00, for planning and design services, a copy of which is attached to the qualifications package. The Board discussed the necessity of public restrooms at Magnolia Park. Director Bertrand expressed safety concerns over attracting additional homeless individuals to the area if the District constructs public restrooms. Ms. Cita stated that the proposal being presented today from Studio RED is only for the schematic design of possible upgrades at the park. Mr. Mitchell stated that the restroom option can be modified, or excluded, per the Board's request. The Board discussed the possibility of installing additional signage at the neighborhood entrance to Magnolia Park for the benefit of residents.

Mr. Fabian updated the Board on the request for permanent access options to Magnolia Park. He stated that, after further discussion with TBG regarding Chelford facility access to Magnolia Park, B&W now recommends pursuing access to the park along the east side of the plant, as shown on the map exhibit attached to the engineer's report. Mr. Fabian stated that B&W is working on a cost estimate for the proposed access path. The Board discussed possible locking mechanisms for security gates at the future access path. Ms. Cita recommended the Board consider adding surveillance cameras along the path. Mr. Vazquez stated that Vazquez Electronics can provide a proposal for future surveillance cameras for Board review and consideration at a future regular Board meeting.

#### TRAIL IMPROVEMENTS PROJECT

Ms. Cita updated the Board on the Trail improvements project. Ms. Cita presented and recommended for approval Pay Application No. 26 in the amount of \$7,513.20, for monthly Trail maintenance, submitted by D.L. Meacham. She presented and recommended approval of Change Order No. 8 to the contract with D.L. Meacham for the Trail improvements project and to decrease the contract in the amount of \$30,776.00, for hand watering not needed by D.L. Meacham. The Board determined that Change Order No. 8 is beneficial to the

District. Ms. Cita stated that the irrigation maintenance walkthrough was performed on September 6, 2023, along with Custom Scapes and D.L. Meacham. She stated that several punchlist items were noted to be corrected prior to a final acceptance walk. Ms. Cita stated that a sidewalk replacement item will be included in the final walkthrough.

Ms. Cita updated the Board on the west side Trail improvements project. She stated that design development and coordination with B&W is underway. Mr. Fabian updated the Board on the civil engineering plans for the alignment option connecting to the Alief-Clodine Road sidewalk via an easement from Alief Independent School District. He stated that B&W is working to re-engage a surveyor to obtain an additional topographic survey for the selected alignment connecting the trail to the existing middle school sidewalk. Mr. Fabian reported that the project schedule is attached to the engineer's report.

### LVWP IMPROVEMENTS

Ms. Cita updated the Board on the western park boundary fence at LVWP. Ms. Cita presented and recommended for approval Pay Application No. 2 in the amount of \$42,615.00, submitted by HD Outdoor Designs, LLC ("HD Outdoor"). She stated that HD Outdoor began to stage the construction materials site along the brick fence and reported that HD Outdoor will resod the turf upon completion of the project. Ms. Cita also stated that HD Outdoor damaged an AT&T fiber optic conduit line which was repaired during the previous month.

Mr. Fabian updated the Board on the status of the Consent to Encroachments and License Agreement (the "Consent to Encroachment") between the District and the International Church of the Foursquare Gospel (the "Church"). He stated that TBG has requested the Church's signature on the Consent to Encroachment, but that the document has not been executed yet.

Following review and discussion, and based upon the landscape architect's recommendation, Director Bertrand moved to: (1) approve the proposal for professional design services from Studio RED, through TBG, in an amount not to exceed \$15,000.00, for planning and design service for the Phase III improvements project at Magnolia Park; (2) approve Pay Application No. 26 in the amount of \$7,513.20, for monthly Trail maintenance from D.L. Meacham; (3) approve Change Order No. 8 in the amount of \$30,776.00, as a decrease to the contract with D.L. Meacham for the Trail improvements project, based upon the Board's finding that the Change Order is beneficial to the District and the landscape architect's recommendation; (4) approve Pay Application No. 2 in the amount of \$42,615.00, for the western park boundary fence at LVWP; and (5) approve the parks and recreational facilities report, as presented. Director Johnson seconded the motion, which passed unanimously.

HARRIS COUNTY PRECINCT NO. 4 PLACES FOR PEOPLE CALL FOR PROJECTS

The Board discussed the recent award of two grants to the District for the Places for People Call for Projects by the County’s Precinct No. 4. Mr. Fabian stated that the Mission Bend Greenbelt West Side Trail and Trail Drainage Improvements projects have been selected for partial Harris County Precinct No. 4 partial funding. He stated that B&W and TBG are currently waiting to receive more information regarding any necessary contracts and agreements prior to beginning design work. Ms. Cita stated that TBG attended the press release ceremony for the program on September 6, 2023, at Memorial Park. The Board discussed details of the projects. Following discussion, there was no action on this matter.

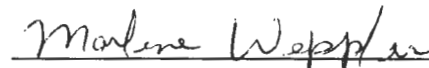
DISTRICT TECHNOLOGY MATTERS

The Board discussed updates to the website hosting and monitoring services package. Mr. Adkins presented and reviewed a communications report from Triton, a copy of which is attached. He reported that there was one website inquiry during the previous month. Mr. Adkins stated that Triton can prepare a dedicated Parks and Amenities page and map on the District’s website for the benefit of residents. Following review and discussion, Director Bertrand moved to: (1) direct Triton to prepare a dedicated Parks and Amenities page and map on the District’s website, as discussed, at their regular hourly rate; and (2) accept the communications report, as presented. Director Weppler seconded the motion, which passed unanimously.

MEETING SCHEDULE AND PLANNING MATTERS

Director Bertrand encouraged the Board to attend the next regular Mission Bend Community Association meeting. The Board discussed the next regular Board meeting date and concurred to hold the next meeting on Tuesday, October 17, 2023, at 6:00 p.m. at ABHR.

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

  
Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

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