

MINUTES
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

November 21, 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 21st day of November 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, except Director Wepler, thus constituting a quorum.

Also present at the meeting were Deputy Charles Hill of the Harris County Sheriff's Office ("HCSO"); Miles Fabian of Baxter & Woodman Consulting Engineers, Inc. ("B&W"); Susan Cita of TBG Partners ("TBG"); Vicki Busboom of VLB Bookkeeping Services; Lina Loaiza of Bob Leared Interests; Carlous Smith and Jared Mayfield 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"); 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. There being no requests for public comment, Director Villagomez moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the October 17, 2023 (Regular), November 7, 2023 (Greenbelt), and November 13, 2023 (Chelford) meetings. Ms. Miller stated that the minutes of the November 14, 2023 (Special) meeting will be presented for review and consideration at the next regular Board meeting. Following review and discussion, Director Bertrand moved to approve the October 17, 2023 (Regular), November 7, 2023 (Greenbelt), and November 13, 2023 (Chelford) minutes, as presented. Director Johnson seconded the motion, which passed unanimously.

SECURITY SERVICES MATTERS

REPORT FROM HCSO

The Board reviewed and acknowledged receipt of the October 2023 security services report from the HCSO, a copy of which is attached. Deputy Hill reported on recent criminal activity, including an increase in property theft within the District. Deputy Hill stated that the HCSO will monitor the District's holiday decorations due to the higher theft rate than previous years. He also reported on an assault at an adult mental health facility in the District which is located along Highway 6 and Via Del Norte Drive. Deputy Hill stated that resource coordination information was provided to the individuals involved in the assault and answered questions from the Board regarding the incident. The Board considered authorizing the HSCSO to alert Harris County (the "County") of the existence of the adult mental health facility in order to ensure compliance of regulatory operating codes.

UPDATE ON INSTALLATION OF SIGNS PROHIBITING COMMERCIAL VEHICLES FROM PARKING OVERNIGHT

Deputy Hill reported on the ongoing issue of commercial vehicles parking in the District overnight. He stated that the HCSO will be conducting another towing enforcement program in the District. The Board submitted an additional fourteen (14) petitions for the County to install signs prohibiting commercial vehicles from parking overnight in the Altamira subdivision. The Board considered authorizing ABHR to transmit the new petitions to the Mission Bend Civic Association, Inc. ("MBCA") for submission to the County to request the installation of additional "No Parking" signs for commercial vehicles.

Following review and discussion, the Board concurred unanimously to: (1) authorize the HSCSO to alert the County of the existence of the adult mental health facility in the District to ensure compliance of regulatory operating codes, as discussed; (2) authorize ABHR to transmit the petitions to the MBCA for submission to the County, as discussed; and (3) accept the monthly security report, as presented.

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 which are being presented 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 Little Villa Wetland Park ("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; monthly maintenance of the Bellaire Boulevard at Alief-Clodine Road median in the amount of \$420.00; and monthly maintenance of the Greenbelt Improvements Trail in the amount of \$4,392.92.

Mr. Amaya presented an invoice from Custom Scapes in the amount of \$680.00, for yard repairs; an invoice in the amount of \$3,850.00, for repair work at Magnolia Park near the water fountain; and an invoice in the amount of \$37,329.00, for landscaping at seven (7) medians along Bellaire Boulevard, including removal of the current plants in the median, establishment of new plants, and modifications to the irrigation systems at the medians.

Director Bertrand inquired about the possibility of the District soliciting a proposal from Custom Scapes to place decorative landscape boulders on medians along Bellaire Boulevard as a deterrence feature between vehicles on the roadway and the newly planted landscaping. Ms. Miller restated that since the medians are not District property, ABHR can inquire with the County for permission to place the decorative boulders at the medians. Ms. Miller reported that a Consent to Encroachment will be required from the County in order to grant the District permission to place the boulders on the medians. The Board considered authorizing ABHR to proceed with negotiations for a Consent to Encroachment with the County.

Following review and discussion, Director Bertrand moved to: (1) authorize ABHR to proceed with negotiations for a Consent to Encroachment with the County for decorative landscape boulders on medians along Bellaire Boulevard, as discussed; and (2) approve the park maintenance invoices in conjunction with the bookkeeping report, as presented. Director Eaglin seconded the motion, which passed unanimously.

LIGHTING MAINTENANCE AND REPAIR

Mr. Gomez updated the Board on routine lighting and maintenance items at 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 \$17,000.00, for the installation of two (2) twenty foot (20') light poles for solar power systems to provide power to holiday decorations, a copy of which is attached to the lighting maintenance and repair report. The Board inquired about the possibility of installing additional light connections along medians for holiday decoration purposes. Mr. Gomez explained the process for installing such power connections.

Director Johnson reported on malfunctioning sensors and lights at Magnolia Park. Mr. Gomez stated that certain photocells required replacement and expressed his belief that the cause of the malfunction was a power surge on the electric line. Mr.

Gomez confirmed that the power surge occurred in October 2023 and that the malfunction has been repaired.

Following review and discussion, Director Bertrand moved to: (1) approve the proposal in the amount of \$17,000.00, for the installation of two (2) twenty foot (20') light poles for solar power systems to provide power to holiday decorations, as presented, and direct that it 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 unanimously.

DISTRICT 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 sightings of individuals loitering and smoking at Magnolia Park throughout normal operating hours and outside of normal operating hours. Mr. Vazquez reported on individuals loitering as well as overnight parking of commercial vehicles at LVWP.

Mr. Vazquez presented and reviewed a proposal from Vazquez Electronics in the amount of \$20,100.00, for a new camera at the Magnolia Park main entrance pole, a copy of which is attached to the surveillance camera system report. He stated that the proposal includes necessary electrical work by J3 Electric. Director Villagomez inquired about the possibility of rotating the direction of the existing camera near the Magnolia Park entrance. Director Johnson inquired about the exact location of the new proposed camera. Mr. Vazquez clarified the location of the new proposed camera, the direction of the existing camera, and stated that the existing camera is too far from the entrance to capture clear images. The Board discussed ownership of adjacent property near the main entrance of Magnolia Park and directed TBG to investigate the possibility of placing the new camera closer to the entrance.

Following review and discussion, Director Bertrand moved to: (1) approve the proposal in the amount of \$20,100.00, for a new camera at the Magnolia Park main entrance pole, subject to confirmation by TBG that the property belongs to the District, and direct that it 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 unanimously.

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. Following review and discussion, Director Bertrand moved to approve the bookkeeping report, the checks presented for payment, and the investment report, as presented. Director Johnson 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 0.1% of the District's 2023 taxes were collected as of the end of October 2023. Ms. Loaiza reviewed the bills presented for payment including overpayment refunds and adjustments from the previous month. She reported on check no. 1208 in the amount of \$25,595.57, to LF2 Presidio, LP due to a value adjustment by the County. Following review and discussion, Director Bertrand moved to approve the tax report and payment of the checks drawn on the District's tax account, including check no. 1208, as presented. Director Eaglin seconded the motion, which passed unanimously.

RESOLUTION CASTING BALLOT FOR THE ELECTION OF A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS CENTRAL APPRAISAL DISTRICT ("HCAD")

Ms. Miller presented and reviewed a Resolution Casting Ballot for the Election of a Person to the Board of Directors of HCAD. Following review and discussion, no action was taken on this matter.

CHELFORD CITY REGIONAL WASTEWATER TREATMENT PLANT ("CHELFORD") MATTERS

Ms. Miller updated the Board on the continued interest by West Harris County Municipal Utility District No. 4 ("WHC MUD 4") to enter into negotiations for the purchase of excess water and wastewater capacity from the District. Mr. Fabian confirmed that the District has adequate excess capacity to sell to WHC MUD 4. The Board then considered approving future negotiations with WHC MUD 4. Following discussion, the Board concurred unanimously to direct B&W and ABHR to continue with negotiations for the purchase of excess water and wastewater capacity by WHC MUD 4, as discussed.

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

The Board briefly discussed WHCRWA matters. Ms. Miller presented and reviewed a Notice of Withdrawal of Stage I Drought Conditions issued by the WHCRWA, a copy of which is attached. Following review and 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 98.97% 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.

Director Bertrand reported on a water meter placement issue at 6807 Menlo Drive. She stated that the water meter requires repairs and Mr. Smith confirmed that a work order will be created by Si to investigate the water meter at 6807 Menlo Drive in the District.

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.

Director Villagomez requested the Board consider deferring all scheduled terminations of water and sewer services during the months of November 2023 and December 2023 in anticipation of the holiday season. Mr. Smith confirmed that Si can defer all terminations of water and sewer services during the holiday season and that the next disconnections can be scheduled for January 2024.

DROUGHT CONTINGENCY PLAN MATTERS

There was no discussion on this matter.

Director Eaglin reported on a private lift station at Star Pipe Product Ltd. ("Star Pipe") and expressed his belief that the lift station should be scheduled for a cleaning by Si. He stated that the condition of the lift station was mentioned during the previous Chelford meeting. Mr. Smith confirmed that Si has cleaned Star Pipe's private lift station in the past and will make contact with the appropriate representative at Star Pipe in order to schedule a sample collection, and subsequent cleaning, if necessary.

Following review and discussion, and based upon the operator's recommendation, Director Bertrand moved to: (1) approve the operations report, as presented; and (2) defer all terminations of delinquent accounts during the months of November 2023 and December 2023 in anticipation of the holiday season, as discussed. Director Eaglin seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Fabian 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. Mr. Fabian reported that a Notice to Proceed was issued to Long & Son, Inc. ("Long & Son") on October 23, 2023, a copy of which is attached to the engineer's report. He stated that generator submittals for both water plants have been reviewed and approved by the electrical engineer and that Long & Son has not mobilized yet.

SANITARY SEWER CLEANING AND TELEVISIONING PROJECT

The Board discussed the District-wide sanitary sewer cleaning and televising project. Mr. Fabian reported that a Notice to Proceed was issued to Hydroclear Services, LLC ("Hydroclear") on October 30, 2023, a copy of which is attached to the engineer's report. He stated that Hydroclear mobilized on Monday, November 13, 2023, and is currently onsite performing cleaning and televising along Rio Bonito Drive and Tres Lagunas Drive.

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

Mr. Fabian updated the Board on the phosphate addition at water well no. 1 at water plant no. 1. He reported that a notice of construction completion was transmitted to the Texas Commission on Environmental Quality on November 16, 2023, as required. Mr. Fabian confirmed that this project is complete.

UPDATE TO DISTRICT OVERALL UTILITY MAP

Mr. Fabian reported there are no new updates to the overall utility map.

FUTURE CAPITAL IMPROVEMENTS PLAN ("CIP") PROJECTS

Mr. Fabian reported there are no new updates to the District's draft 30-year CIP.

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 the developer has indicated they are not moving forward with a laundromat at this time.

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 the revised plans have been approved by the County, B&W received the revised plans on November 16, 2023, and they are currently under review.

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 the property was recently sold in October 2023 to a different entity that plans on converting the commercial location to an auto sales business. Mr. Fabian stated that B&W has received a deposit check from the new property owner for plan review. He requested authorization to proceed with a utility commitment letter to be presented for review and consideration at the next regular Board meeting.

Mr. Fabian updated the Board on the previous inquiry submitted by Director Bertrand regarding maintenance of the right-of-way area at a commercial building located at 14634 Bellaire Boulevard. He reported that B&W requested a right-of-way maintenance check by the County's Community Assistance Department. Director Bertrand stated that the property owners have performed maintenance at the location during the previous month.

Following review and discussion, and based upon the engineer's recommendation, Director Bertrand moved to: (1) authorize ABHR and B&W to proceed with a utility commitment letter for the new proposed auto sales business at Presidio Square, as discussed; and (2) accept the engineer's 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 updated the Board on the Phase III improvements project. Ms. Cita reported that TBG is performing schematic design for the project, including coordination of the design of functional use restrooms and a new pavilion at

Magnolia Park near the Mission Bend Greenbelt Trail ("Trail") and existing sanitary sewer line easements.

Mr. Fabian updated the Board on the request to Chelford for permanent access to Magnolia Park by the District. He presented and reviewed a Preliminary Opinion of Probable Cost for the Magnolia Park access project in the amount of \$210,000.00, a copy of which is attached to the engineer's report. The Board also reviewed the aerial diagrams for three (3) options provided by B&W and considered authorizing B&W to present the recommended option to the Chelford Board of Directors. Mr. Fabian stated he will send the aerial diagram to Chelford's engineer to be presented at their regular December meeting. Director Johnson inquired about the estimated time for completion of construction and Ms. Cita estimated that construction may last approximately nine (9) to twelve (12) months.

TRAIL IMPROVEMENTS PROJECT

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 has received the additional topography files and that they were transmitted to TBG, as required.

Ms. Cita updated the Board on the west side Trail improvements project. She stated that construction documentation and coordination with B&W is underway.

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. 4 in the amount of \$25,548.75, submitted by HD Outdoor Designs, LLC ("HD Outdoor"). She stated that HD Outdoor is currently working on punch list items and that a final walk-through will be conducted in mid-December 2023.

Ms. Cita updated the Board on the visible dent in the brick fence at Mission Bell Drive. Ms. Cita stated that TBG will solicit a proposal from HD Outdoor for the necessary repairs to the brick fence and present a proposal at the next regular Board meeting.

Following review and discussion, and based upon the landscape architect's recommendation, Director Bertrand moved to: (1) authorize B&W to present the recommended proposed permanent access option to Magnolia Park by the District to the Chelford Board of Directors, as discussed; (2) approve Pay Application No. 4 in the amount of \$25,548.75, for the western park boundary fence at LVWP from HD Outdoor; (3) authorize TBG to solicit a proposal from HD Outdoor for the necessary repairs to the

brick fence at Mission Bell Drive, as discussed; and (4) approve the parks and recreational facilities report, as presented. Director Eaglin seconded the motion, which passed unanimously.

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

The Board discussed the award of two grants to the District for the Places for People Call for Projects by the County’s Precinct No. 4. Mr. Fabian and Ms. Cita stated that there are no updates regarding the Mission Bend Greenbelt West Side Trail and Trail Drainage Improvements projects and that the District is awaiting receipt of the Interlocal Agreements from the County. Following discussion, there was no action on this matter.

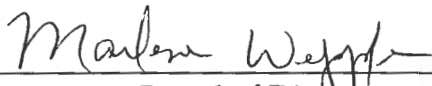
DISTRICT TECHNOLOGY MATTERS

The Board reviewed a communications report from Triton Consulting Group, Inc., a copy of which is attached. Following discussion, there was no action on this matter.

MEETING SCHEDULE AND PLANNING MATTERS

The Board discussed the next regular Board meeting and concurred to hold the next meeting on Tuesday, December 19, 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

	Minutes
	<u>Page</u>
Security services report from the HCSO	2
Landscape maintenance report.....	2
Lighting maintenance and repair report	3
Surveillance camera system report.....	4
Bookkeeper’s report.....	5
Tax report.....	5
Notice of withdrawal of Stage I drought conditions	5
Operations report.....	6
Engineer’s report.....	7
Parks and recreational facilities report	8
Communications report	10