

MINUTES
MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 2

June 18, 2024

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 18th day of June 2024, 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 Bertrand and Director Johnson, thus constituting a quorum.

Also present at the meeting were Deputy Charles Hill of the Harris County Sheriff's Office ("HCSO"); Vicki Busboom of VLB Bookkeeping Services; Daniela Moderow of Baxter & Woodman Consulting Engineers, Inc. ("B&W"); Susan Cita of TBG Partners ("TBG"); Hermes Amaya and David Amaya of Custom Scapes & Designs, Inc. ("Custom Scapes"); Lina Loaiza of Bob Leared Interests; Carlous Smith of Si Environmental, LLC ("Si"); Emmanuel Vazquez of Vazquez Electronics, LLC ("Vazquez Electronics"); Tommy Gomez of J3 Electric, LLC ("J3 Electric"); Sarah Wheeler of Triton Consulting Group, Inc. ("Triton"); 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 May 21, 2024 (Regular), June 4, 2024 (Special), June 4, 2024 (Greenbelt), and June 10, 2024 (Chelford) meetings. Ms. Miller confirmed there was no quorum at the June 4, 2024 (Special), June 4, 2024 (Greenbelt), and June 10, 2024 (Chelford) meetings, and therefore there were no minutes presented. Following review and discussion, Director Wepler moved to approve the

May 21, 2024 (Regular) meeting minutes, as presented. Director Eaglin seconded the motion, which passed unanimously.

SECURITY SERVICES MATTERS

REPORT FROM HCSO

The Board reviewed and acknowledged receipt of the May 2024 security services report from the HCSO, a copy of which is attached. Deputy Hill reported on recent criminal activity in the District, including gun violence incidents and fraud incidents during the previous month. He stated that there has been an increase in the homeless population within, and near, the District and that the Harris County (the "County") Homeless Outreach Team has been contacted regarding the possibility of providing support services to homeless individuals.

UPDATE ON INSTALLATION OF SIGNS PROHIBITING COMMERCIAL VEHICLES FROM PARKING OVERNIGHT

Deputy Hill reported on the ongoing matter of commercial vehicles parking in the District overnight. Deputy Hill stated that towing enforcement initiatives have continued to be conducted. He reported that a boat on a trailer was towed from a prohibited area along Via Del Norte Drive during the previous month.

INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

The Board considered approving an Interlocal Agreement for Law Enforcement Services ("Interlocal Agreement") to renew the security services with the County. Ms. Miller stated that the proposed renewal of the Interlocal Agreement from October 1, 2024, through September 30, 2025, in the amount of \$521,220.00, is for six officers, as previously requested.

Following review and discussion, Director Eaglin moved to: (1) approve the Interlocal Agreement, as presented, in the amount of \$521,220.00, from October 1, 2024, through September 30, 2025, for a total of six officers, and direct that it be filed appropriately and retained in the District's official records; and (2) accept the monthly security report, as presented. Director Wepler seconded the motion, which passed unanimously.

PARK MAINTENANCE MATTERS

Mr. Hermes Amaya introduced Mr. David Amaya to the Board and presented and reviewed a landscape maintenance report from Custom Scapes, a copy of which is attached. The Board reviewed 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 at Terra Del Sol in the amount of \$1,015.00; 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 Mission Bend Greenbelt Trail (the "Trail") in the amount of \$4,392.92.

Mr. Amaya reported that the mowing and maintenance at the detention pond at Empanada Drive has been completed and that the County inspection will be scheduled soon. He then reported that the County has mowed the District's wildflower bed near the detention pond. Ms. Cita stated that the County typically mows the area near the detention pond annually and that the wildflowers will grow in the area following summer rain events. Following review and discussion, the Board concurred unanimously to approve the landscape maintenance report, as presented.

LIGHTING MAINTENANCE AND REPAIR

The Board discussed lighting maintenance and repair matters. Mr. Gomez presented and reviewed a routine lighting and maintenance report by J3 Electric for items at LVWP and Magnolia Park, a copy of which is attached. Mr. Gomez updated the Board on Director Johnson's previous report of a malfunctioning bollard light at Magnolia Park. He confirmed that the light is still under warranty and that a replacement light will be ordered.

Mr. Gomez presented and reviewed a proposal from J3 Electric in the amount of \$6,850.00, for the fabrication and installation of three steel enclosures for electric panels in the District, as previously discussed; in the amount of \$1,525.00, for the replacement of the electrical panel at LVWP; and in the amount of \$425.00, for the replacement of the bollard light at Magnolia Park. A copy of the proposal is attached to the lighting maintenance and repair report. The Board discussed details of the steel enclosures and Mr. Gomez stated that the enclosures will be welded and cemented to mitigate future tampering of the electric panel.

Following review and discussion, Director Weppler moved to: (1) approve the proposal from J3 Electric in the amount of \$6,850.00, for the fabrication and installation of three steel enclosures for electric panels in the District; in the amount of \$1,525.00, for the replacement of the electrical panel at LVWP; and in the amount of \$425.00, for the replacement of the bollard light at Magnolia Park, as presented, and direct that it be filed appropriately and retained in the District's official records; and (2) approve the lighting and maintenance 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. Mr. Vazquez presented and reviewed a surveillance camera system report, a copy of which is attached. He presented and reviewed a photograph of an individual riding a motorized vehicle at the Trail, a copy of which is attached to the surveillance camera system report. Mr. Vazquez then reported on normal activities by individuals at Magnolia Park during the previous month.

Mr. Vazquez reported on recent high outdoor temperatures and stated that extreme heat can affect camera equipment in the District. Mr. Vazquez presented and reviewed estimate no. S00051 from Vazquez Electronics in the amount of \$3,000.00, for the purchase and installation of fan coolers at the main electrical boxes at Magnolia Park and LVWP. A copy of the estimate is attached to the surveillance camera system report. Director Eaglin confirmed that high temperatures can shorten the lifespan of technical equipment and recommended the Board consider approving the proposal, as presented.

Following review and discussion, Director Eaglin moved to: (1) approve estimate no. S00051 from Vazquez Electronics in the amount of \$3,000.00, for the purchase and installation of fan coolers at the main electrical boxes at Magnolia Park and LVWP, as presented, and direct that it be filed appropriately and retained in the District's official records; and (2) approve the surveillance camera system report, as presented. Director Wepler 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 Eaglin moved to approve the bookkeeping report, the checks presented for payment, and the investment report, as presented. Director Wepler seconded the motion, which passed unanimously.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT WINTER CONFERENCE

The Board discussed the AWBD summer conference and eligible expenses. The Board considered authorizing attendance for any interested Directors at the AWBD winter conference in Austin, Texas from January 24-25, 2025. Following review and discussion, Director Wepler moved to authorize eligible per diems and reimbursements to the Directors who attended the summer conference and to authorize

Board members to attend the winter AWBD conference, as discussed. 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 98.0% of the District’s 2023 taxes were collected as of the end of May 2024. Ms. Loaiza reviewed the bills presented for payment including overpayment refunds and adjustments from the previous month. Following review and discussion, Director Eaglin moved to approve the tax report and payment of the checks drawn on the District’s tax account, including overpayment and value adjustment refunds, as presented. Director Weppler seconded the motion, which passed unanimously.

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

The Board considered authorizing the District’s delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, LLP (“Perdue Brandon”), to proceed with the collection of delinquent taxes owed to the District as of July 1, 2024. Following review and discussion, Director Eaglin moved to authorize Perdue Brandon to proceed with the collection of delinquent taxes outstanding as of July 1, 2023. Director Weppler seconded the motion, which passed unanimously.

CHELFORD CITY REGIONAL WASTEWATER TREATMENT PLANT (“CHELFORD”) MATTERS

The Board briefly discussed Chelford matters, including the wastewater service capacity request from West Harris County Municipal Utility District No. 4 (“WHC MUD 4”). Ms. Miller reported that WHC MUD 4 has offered to purchase approximately 160,000 gallons per day of wastewater treatment plant capacity from the District and/or Harris County Municipal Utility District No. 120 (“HC MUD 120”) in the amount of \$1,800,000.00, to be paid to the District and/or HC MUD 120 in ten annual installments of \$180,000.00. The Board discussed aspects of a proposed Purchase and Sale Agreement for Wastewater Treatment Plant Capacity, including its structure, the District’s share of proceeds, and HC MUD 120’s willingness to proceed. Following discussion, there was no action on this matter.

WEST HARRIS COUNTY REGIONAL WATER AUTHORITY (“WHCRWA”) MATTERS

The Board discussed WHCRWA matters, including the preliminary engineering work for the chloramine conversion project necessary for the District to receive surface water. Ms. Moderow reported that the preliminary engineering work is underway. She stated that the timeline for surface water delivery is estimated for June 2026 and that

B&W continues to coordinate with 5Engineering on the meter location for both water plants. 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. Mr. Smith reported that water accountability was 95.80% 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 Villagomez inquired about details of a main line repair along Vista Camino Drive, including the size of the rebar utilized for the restoration work at the project site. Mr. Smith confirmed the size of the rebar and Director Villagomez directed Si to utilize smaller rebar for future concrete restoration projects.

The Board discussed the status of the water leak that was discovered during the District's facilities tour on April 13, 2024. Mr. Smith confirmed that the water leak repair has been completed.

Mr. Smith reported on necessary repairs to the pump motor at water well no. 1. He presented and reviewed a proposal from C&C Water Services, LLC ("C&C") in the amount of \$13,000.00, for mobilization, removal of the pump motor, televising of the water well, and evaluation of the necessary repairs to the pump motor. A copy of the proposal is attached to the operator's report.

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.

Following review and discussion, and based upon the operator's recommendation, Director Eaglin moved to: (1) approve the proposal from C&C in the amount of \$13,000.00, for mobilization at water well no. 1, removal of the pump motor, televising of the water well, and evaluation of the necessary repairs to the pump motor, as presented, and direct that it 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.

INTERLOCAL AGREEMENT WITH HARRIS-GALVESTON SUBSIDENCE DISTRICT FOR WATER CONSERVATION SCHOOL PROGRAM

The Board considered approving an Interlocal Agreement with the Harris-Galveston Subsidence District for 100 sponsorships for the Water Conservation School Program at Petrosky Elementary School for the 2024-2025 school year in the amount of \$38.00, per sponsorship. Following review and discussion, Director Eaglin moved to approve the Interlocal Agreement for the Water Conservation School Program for 100 sponsorships in the amount of \$38.00, per sponsorship, and direct that it be filed appropriately and retained in the District's official records. Director Wepler 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 stated that the natural gas generator was delivered to water plant no. 2 on June 5, 2024. She confirmed that the contractor has installed the generator, the enclosure, and the sidewalk at the project site. Ms. Moderow restated that the anticipated delivery date for the generator at water plant no. 1 is September 20, 2024.

Ms. Moderow presented and recommended for approval Pay Estimate No. 3 from Long & Son, Inc. in the amount of \$31,747.50. She confirmed that this amount represents partial payment for the removal and disposal of the diesel generator, fuel tank, concrete spill containment, concrete foundation, electrical modifications associated with the existing building and natural gas service allowance at water plant no. 2. Ms. Moderow stated that the work appears to have been completed in conformance with plans and specifications. Director Villagomez inquired about the total contract amount for the generator project, including mobilization and labor. Ms. Moderow stated that the total approved base bid contract amount was \$1,718,392.00, including the generators.

SANITARY SEWER CLEANING AND TELEVISIONING PROJECT

The Board discussed the District-wide sanitary sewer cleaning and televising project. Ms. Moderow stated that B&W is working on the evaluation of the sanitary sewer sections that have been televised in Phases I through VII.

She stated that B&W will categorize the necessary improvements into levels of priority and present a recommendation at the regular July 2024 Board meeting.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ")
VARIANCE REQUESTS FOR WATER WELL NO. 1 AND WATER WELL NO. 2

Ms. Moderow updated the Board on the previously discussed TCEQ variance requests related to water plant violations from 2021 and 2022. She reported that the TCEQ has granted a temporary variance document, pending submission of additional water samples, with a final variance expected. Ms. Moderow noted that B&W is working with Si to collect the necessary samples requested by the TCEQ.

WATER PLANT NO. 1 GROUND STORAGE TANK ("GST")
REHABILITATION

Ms. Moderow discussed the future rehabilitation of the GST at water plant no. 1. She reported that B&W is preparing the plans and specifications and that contract documents for the project are anticipated to be completed soon. She stated that B&W plans to advertise for bids for the project in August 2024.

STORM WATER QUALITY ("SWQ") INSPECTIONS AND PERMITTING FOR
TERRA DEL SOL

Ms. Moderow discussed SWQ inspections and permitting at Terra Del Sol. She stated that B&W will begin quarterly detention pond inspections following completion of the detention pond rehabilitation project by Custom Scapes. Ms. Moderow confirmed that B&W has begun preparing the SWQ permit transfer and renewal. She stated that the County requires a letter indicating the District agrees to provide the necessary ongoing maintenance and management plan, a copy of which is attached to the engineer's report. Ms. Moderow requested the Board consider authorizing execution of the letter, as presented.

REQUESTS FOR SERVICE OR UTILITY COMMITMENT LETTERS

Ms. Moderow updated the Board on the request for a capacity commitment letter for a proposed auto sales business development located at 14606 Presidio Square. She stated that B&W has reviewed the plans submitted by the developer and issued a plan review letter on April 22, 2024. She confirmed that B&W is awaiting the revised plans from the developer.

Following review and discussion, and based upon the engineer's recommendation, Director Weppeler moved to: (1) approve Pay Estimate No. 3 in the amount of \$31,747.50, for the permanent generators project to serve the District; (2) authorize execution of the letter indicating the District agrees to provide the necessary

ongoing maintenance and management plan, as required by the County, for SWQ inspections and permitting at Terra Del Sol; and (3) 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 IMPROVEMENTS

Ms. Moderow confirmed that B&W has received the base file from TBG for the Phase III improvements project and is working on preliminary engineering for the detention and drainage for park improvements. She stated that B&W has submitted a records request for historical as-built drawings of the detention pond to confirm whether there is spare capacity in the existing detention pond.

Ms. Moderow updated the Board on the permanent access to Magnolia Park project. She stated that B&W is preparing the construction plan set to submit to Harris County Flood Control District ("HCFCD") for review and approval. Ms. Moderow confirmed that B&W will solicit bids for the project after HCFCD approval.

Ms. Cita updated the Board on the Phase III improvements project. She stated that schematic design refinement is underway, as previously presented and discussed.

TRAIL IMPROVEMENTS PROJECT

Ms. Moderow 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. She stated that B&W is approximately 90% complete with design plans at this time and that TBG is preparing trail landscaping sheets. Ms. Moderow stated that once the design plans are complete, B&W will submit the plans for approval by the County.

Ms. Cita reported on the review of the west side Trail improvements project and construction plans. She stated that construction documentation and coordination with B&W is underway. Ms. Cita discussed plans for a future water line extension project to provide irrigation to the west side Trail project. She presented and reviewed a "Coming Soon" sign graphic for Board review, a copy of which is attached to the parks and recreational facilities report. The Board discussed details of the sign graphic, considered authorizing TBG to

update the engineer's company logo, and obtain pricing for production and installation for review and consideration at the next regular Board meeting.

LVWP IMPROVEMENTS

Ms. Cita stated there are no action items at this time.

PRESSURE WASHING IN THE DISTRICT

Ms. Cita stated there are no action items at this time.

MEDIAN IMPROVEMENTS

Ms. Cita provided an update on vehicular damage prevention to medians in the District. Ms. Cita reported that TBG is developing schematic detailing and will present plans to the Harris County Precinct No. 4 ("HCP4") for possible partnership and grant opportunities through the 2024 Places for People Call for Projects.

Following review and discussion, and based upon the landscape architect's recommendation, Director Eaglin moved to: (1) authorize TBG to update the engineer's company logo on the "Coming Soon" sign graphic for the west side Trail project and obtain pricing for production and installation for review and consideration at the next regular Board meeting; and (2) approve the parks and recreational facilities report, as presented. Director Wepler seconded the motion, which passed unanimously.

HCP4 MATTERS

PLACES FOR PEOPLE CALL FOR PROJECTS 2023

The Board discussed the award of two grants to the District for the 2023 Places for People Call for Projects by HCP4. Ms. Miller reported that there are no new updates at this time and that the Interlocal Agreements from HCP4 are being prepared. Following discussion, there was no action on this matter.

PLACES FOR PEOPLE CALL FOR PROJECTS 2024

The Board discussed applications for 2024 grants for the Places for People Call for Projects by HCP4. Ms. Cita recommended submitting applications for capital improvement projects, including LVWP Improvements, Magnolia Park Improvements, District Median Improvements, and Trail Lighting Improvements for the 2024 grant program.

Ms. Miller presented and reviewed Resolutions of Funding Commitment for the LVWP Improvements project, the Magnolia Park Improvements project,

the District Median Improvements project, and the Trail Lighting Improvements project (collectively, the "Resolutions"). The Board considered adopting the Resolutions for submission to HCP4 with the grant applications by the deadline of June 28, 2024. Ms. Cita added that the applications also require that (i) each project be included in the District's capital improvement plan; and (ii) that the bookkeeper provide a letter evidencing that the District has adequate funding to complete its share of the funding commitment, if selected.

Following review and discussion, and based upon the engineer and landscape architect's recommendations, Director Wepler moved to: (1) adopt the Resolutions, subject to finalization; (2) approve addition of each project to the District's Capital Improvement Plan; (3) authorize the bookkeeper to prepare the required funding letters; (4) authorize submission of the Resolutions and grant program applications to HCP4 for review and consideration ahead of the June 28, 2024, deadline; and (5) direct that the Resolutions and grant program applications be filed appropriately and retained in the District's official records. Director Eaglin seconded the motion, which passed unanimously.

INVENTORY AND INTERLOCAL AGREEMENT FOR PUBLIC INFRASTRUCTURE MAINTENANCE

Ms. Cita restated that TBG is compiling an inventory of the District's current irrigation systems and landscaping in HCP4's right-of-way and medians. Following discussion, there was no action on this matter.

DISTRICT TECHNOLOGY MATTERS

Ms. Wheeler presented and reviewed a communications report from Triton, a copy of which is attached. Ms. Wheeler reported that a news post regarding hurricane preparedness was published this week in anticipation of the inclement weather and that additional information can be published, if necessary. Ms. Wheeler reminded the Board of the option to transmit emergency alerts to District residents at any time. Following discussion, the Board concurred unanimously to accept the communications report from Triton, as presented.

TEXAS PUBLIC INFORMATION ACT ("TPIA") TRAINING

Ms. Miller discussed the TPIA and noted that the Texas Legislature has made it explicit that officers and employees of governmental entities are temporary custodians of public information. Ms. Miller presented and reviewed a memorandum regarding the Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board to receive TPIA training as soon as possible and to forward their certificate of completion

to ABHR for inclusion in the District's permanent records. A copy of the memorandum is attached. Following review and 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 regular meeting on Tuesday, July 16, 2024, at 6:00 p.m. at the offices of ABHR.

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

Marlene Weppeler
Secretary, Board of Directors



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