

## SPRING WEST MUNICIPAL UTILITY DISTRICT

### NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested members of the public that the Board of Directors of the above captioned District will hold a regular meeting at **1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas**, said address being an office and meeting place of the District. Said meeting will also be conducted **via videoconference and telephone conference call** pursuant to Texas Government Code, Sections 551.125 and 551.127, as amended, respectively. **To join the meeting by videoconference, please go to <https://meet.goto.com/872229741>**. If joining from a Chrome browser, no additional steps are necessary. For Safari, Edge, and other web browsers, you will need to take additional download steps for mobile- or desktop-based use. **To join the meeting by telephone conference call, the phone number is +1 (571) 317-3112 and the access code is 872-229-741**. **All members of the public may participate in the meeting via videoconference or telephone conference call.**

The meeting will be held on **Wednesday, October 9, 2024, at 8:30 a.m.**

The Board shall consider and discuss the following matters and take any action appropriate with respect to such matters:

1. Comments from the public;
2. Review and approval of the minutes of the special Board of Director meeting held September 6, 2024, regular Board of Directors meeting held September 11, 2024, and special meeting held September 20, 2024;
3. Appointment of new director to fill vacancy on Board of Directors, including the following matters:
  - a. Acceptance of Qualification Statement, Bond, Oath of Office, Affidavit of Current Director, and Election Not to Disclose Certain Information;
  - b. Election of officers of Board of Directors;
  - c. Approval of District Registration Form relative to election of Directors;
  - d. Authorize preparation and maintenance of a local government officers list in connection with conflict of interest disclosure requirements;
  - e. Discuss training requirements Memorandum pursuant to the Texas Open Meetings Act and the Texas Public Information Act, and the procedures for compliance with same;
  - f. Discuss conflicts disclosure statement reporting requirements Memorandum;
4. Bookkeeper's Report, including financial and monthly investment reports, and authorizing the payment of invoices presented;
5. Status of compliance by the District with Texas Government Code, Chapter 2265, relative to energy reporting and authorize any action in connection therewith
6. Annual review of Amended Order Establishing Policy for Investment of District Funds and Appointing Investment Officer, and adoption of Resolution and amended Order in connection therewith;
7. Tax Assessor/Collector's Report, including authorizing the payment of invoices presented; status of delinquent taxes and installment payment agreements; authorize moving of accounts to uncollectible roll

8. Delinquent Tax Collections Attorney's Report, including authorizing foreclosure proceedings, installment agreements, and the filing of proofs of claim as necessary;
9. Conduct a public hearing regarding the adoption of the District's 2024 tax rate;
10. Levy the District's 2024 debt service and maintenance tax rate; and the adoption of an Order in connection therewith;
11. Approval and execution of an Amended District Information Form in connection with levy of 2024 tax rate;
12. Operator's Report, including:
  - a) Appeals of District charges;
  - b) Referral of accounts for collection and approve write-off of uncollectible accounts;
  - c) Authorizing the repair and maintenance of District facilities, including review of proposal(s) for repair or replacement of motorized gate valve for Spring Plaza Stormwater Pumping Station; report on status of replacement of breaker for Booster Pump No. 1 at Water Plant No. 1;
  - d) Status of billing and collection of operations and maintenance costs related to Spring Plaza Regional Detention Pond and Storm Water Pump Station and Spring Pines Detention Pond; authorize any action necessary in connection therewith;
  - e) Discussion regarding status of compliance with backflow prevention device testing requirements, including status of repairs by Inframark of same; authorize termination of services if necessary; and
  - f) Review of proposal for power wash of fence at Hannover Springs Lift Station Site;
13. Review and consider approval of Off Cinco's proposal for messaging services; authorize acceptance of TEC Form 1295 and any necessary action in connection therewith;
14. Status of Storm Water Quality Permits ("SWQP") including: (i) monthly inspections and maintenance of stormwater quality features and (ii) authorize Storm Water Solutions ("SWS") to prepare and submit applications for renewal of said SWQPs as necessary;
15. Drainage and Detention Facilities Maintenance Report by Storm Maintenance & Monitoring, Inc. ("SM&M"), including report on status of repairs to Spring Pines Detention Pond; consider any proposals for additional maintenance and/or repair of District facilities; including proposals for (i) removal of rock filter dam at Spring Plaza Detention Pond, (ii) cleaning of spillway at Louetta Woods Detention Pond; and (iii) cleaning and desilting of pilot channels in all District detention ponds;
16. Discussion regarding existing and potential tax-exempt multi-family developments within the District; review calculation of Non-Taxable Entity charges related to the acquisition of Harlow Spring Cypress Apartments located at 2539 Spring Cypress Road by Lakeside Place PFC; authorize any actions necessary in connection therewith;
17. Review and approval of Amended and Restated Construction and Maintenance Agreement between the District and Hannover Forest Homeowners Association;

18. Engineer's Report, including:
  - a) Authorizing the design and/or advertisement for bids for the construction of facilities within the District, and approving of related stormwater plans, including:
    - (i) Review and approval of any Storm Water Pollution Prevention Plans or Storm Water Quality Management Plans related to construction within or on behalf of District, and the execution of any documentation in connection therewith;
    - (ii) Repair of main outfall pipe at the Hannover Village Regional Detention Pond (Meadowhill Regional Municipal Utility District); and
    - (iii) WP No. 1 Motor Control Center Update;
  - b) Authorizing the award of construction contracts or concurrence of award of contracts for the construction of facilities within the District, approval of any related storm water permits, and authorize acceptance of TEC Form 1295, including:
    - (i) Water Plant No. 1 ("WP No. 1") Improvements;
    - (ii) Ground Storage Tank Rehabilitation as Water Plant No. 2; and
    - (iii) Coating repairs at Wastewater Treatment Plant ("WWTP");
  - c) Status of construction of facilities to serve land within the District, including the approval of any change orders or pay estimates and authorize the acceptance of TEC Form 1295, including:
    - (i) Contract between Starbucks Coffee Company and Bull-G Construction, LLC for Off-Site Water and Sanitary Sewer Extensions to Serve Existing Starbucks Located at 1731 Spring Cypress Road; and
    - (ii) Contract with Faith Utilities, LLC for Relocation and Extension of Water Line along Holzwarth Road;
  - d) Acceptance of site and/or easement conveyances for facilities constructed or to be constructed for the District, acceptance of facilities for operation and maintenance purposes, and/or approval of consent to encroachment agreement;
  - e) Review of District's updated water and wastewater capacity allocation chart;
  - f) Discussion regarding Spring Pines Detention Pond, including status of plans for construction of walking trail and landscaping improvements in accordance with approved plans;
  - g) Report on status of communications with Texas Department of Transportation, certain landowners and Wright Solutions regarding need to replace drainage outfall pipes tied into Drainage Channel located between F.M. 2920 and Spring Cypress Road;
  - h) Discussion regarding miscellaneous engineering items, including status of plan reviews for proposed developments within the District; authorize any actions necessary in connection therewith;
  - i) Status of Application to the TCEQ for renewal of the waste discharge permit for the District's WWTP; and
  - j) Status of preparation of update of Emergency Preparedness Plan in connection with replacement of emergency generator at WP No. 1;
19. Status of proposed annexations, including:
  - a) Annexation of approximate 0.61-acre tract (Lots 26, 27, and 28) located at 20615 Sleepy Hollow Lane (Mario and Dora Otto);
  - b) Annexation of 27.7-acres located at the southwest corner of Spring Stuebner Road and Holzwarth Road (DPEG Panjwani, LLC and/or related entities);

- c) Annexation of 2.0-acre tract located at 2525 F.M. 2920 (Prose Foster Venture, LP); and
  - d) Annexation of approximate 16.2-acre tract located west of Holzwarth Road and north of the District (SRPF D/Holzwarth Industrial, L.P.)
- consider approval of Petitions for Addition of Land to the District, Petitions for Consent to Include Additional Land in District, and other documentation necessary in connection with same; authorize any actions necessary in connection therewith;
20. Issuance of utility commitments, and authorize the acceptance of TEC Forms 1295, including:
- a) Status of Utility Commitment to MMK&S, Ltd. d/b/a Houston Garden Center for water and sanitary sewer service to serve approximate 4.80-acre property located at 21107 I-45 North Freeway;
  - b) Status of Utility Commitment to 3743-47 UP Spring No. 2 LLC for water and sanitary sewer service to serve 0.5069-acre tract at 1731 Spring Cypress Road (Starbucks); and
  - c) Status of Utility Commitment to Iglesia Intimidad Con Dios for water and sanitary sewer service to serve 10.86-acre tract located at 2931 F.M. 2920;
  - d) Status of Utility Commitment to Foster Road Collaborative, LLC for water and sanitary sewer capacity to serve proposed development of an eye care facility at 21309 Foster Road;
  - e) Status of Utility Commitment to Justin Thurmon for water and sanitary sewer capacity to serve proposed redevelopment of commercial property located at 20923 Holzwarth Drive;
  - f) Status of Utility Commitment to Black Tie Collision for water and sanitary sewer capacity to serve property along F.M. 2920;
  - g) Status of Utility Commitment to SRPF D/Holzwarth Industrial, L.P (Stream Realty Partners) for water and sanitary sewer capacity to service 16.2-acre annexation tract located west of Holzwarth Road and north of the District;
  - h) Status of Utility Commitment to Panjwani Energy Properties, LLC for water and sanitary sewer capacity to serve 5.523 acres to be annexed into the District;
  - i) Status of Utility Commitment to DPEG Holzwarth, L.P. for water and sanitary sewer capacity to serve 14.22 acres to be annexed into the District;
  - j) Status of Utility Commitment to HEB Grocery Company, L.P. for water and sanitary sewer capacity to serve proposed Bojangles Restaurant to be constructed on approximate 1.24-acre pad site within HEB 2920 Subdivision along F.M. 2920 within the District; and
  - k) Status of Utility Commitment to AIKG LLC for water and sanitary sewer capacity to service proposed indoor amusement and recreation facility to be constructed on approximate 8.279-acre northwest of I-45 and Spring Cypress Road;
21. Developers' Reports, including request for Utility Development Agreements; authorize any actions necessary in connection therewith, including:
- a) Approval of Utility Development Agreement with DPEG Panjwani, LLC; and
  - b) Approval of Utility Development Agreement with SRPF D/Holzwarth Industrial, L.P.;
22. Status of activities of the North Harris County Regional Water Authority ("NHCRWA"); authorize any action necessary in connection therewith;

23. Review of monthly activity report for September 2024 received from Harris County Precinct 4 Constable's Office;
24. Attorney's Report, including:
  - a) Status of communications with R. Construction Company, First Continental Casualty Company, and Costello, Inc. regarding deficiencies in construction of sanitary sewer line; authorize any action necessary in connection therewith;
  - b) Approval of Water Supply and Sanitary Sewer Contract with RLC Jenna 18, LLC and RLC Justin 18, LLC in connection with service to Mobil/7-Eleven gas station and convenience store located at 1969 Spring Cypress Road;
  - c) Status of Amended and Restated Agreement for Shared Detention Facilities with Meadowhill Regional Municipal Utility District relative to Hannover Village Regional Detention Pond; authorize any actions necessary in connection therewith;
25. Discussion regarding proposals for Operations Services; authorize any actions necessary and appropriate in connection therewith;
26. Convene Closed Session pursuant to Open Meetings Act, Section 551.071, Texas Government Code for consultation with the District's attorney regarding pending or threatened litigation or matters protected by attorney-client privilege, and Section 551.072, Texas Government Code to discuss acquisition of real property interests; reconvene in Open Session and authorize any action resulting from matters discussed in Closed Session; and
27. Matters for possible placement on future agendas.



SCHWARTZ, PAGE & HARDING, L.L.P.

By: Abraham I. Rubinsky  
 Abraham I. Rubinsky  
 Attorneys for the District

***Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact the District's attorney at (713) 623-4531 at least three business days prior to the meeting so that appropriate arrangements can be made.***