

WESTWOOD SHORES MUNICIPAL UTILITY DISTRICT
Minutes of Special Meeting of Board of Directors

December 18, 2023

The Board of Directors (the “Board”) of Westwood Shores Municipal Utility District (the “District”) met in regular session, open to the public, at 100 Westwood Drive East, Trinity, Texas 75862, a designated meeting place inside the boundaries of the District and the roll was called of the members of the Board as follows:

Joan Gallagher	President
Robert Stoddard	Vice President
John Wolf	Secretary
Jim Atkinson	Asst. Secretary
Bryan Holmes	Director

All the above were present, thus constituting a quorum.

Also present at the meeting were Rico Rodriguez of Civil Grade Engineers (“Civil Grade”); Joshua Zientek and Daniel Scruggs of Mitchell, Zientek & Scruggs, LLP (“MZSLLP”); Pam McKay of Westwood Shores Municipal Utility District (“WSMUD”); Kandy Pfeffer of Elite Bookkeeping; Tony Bonaventure and Juan Rojas of Precision Utility LLC (“Precision”); and various members of the public.

CALL THE MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Director Gallagher called the meeting to order, and Director Atkinson led a recitation of the Pledge of Allegiance.

PUBLIC COMMENTS

Director Gallagher opened the meeting for public comments. Ms. Goodman asked a question related to obtaining grants to which Director Gallagher explained the District’s plans to pursue funding. Mr. Biesemeyer expressed a concern related to an odor from the District’s facilities. Mr. Rodriguez explained potential causes and recommended continued investigation. Ms. Savage inquired into water sources for the District.

APPROVAL OF MINUTES OF PRIOR BOARD MEETING(S)

The Board reviewed the minutes of November 20, 2023, board meeting. After a brief discussion, Director Atkinson moved to approve the minutes, as presented. Director Stoddard seconded the motion which passed unanimously.

ENGINEER’S REPORT

Mr. Rodriguez presented the Engineer’s Report, a copy of which is attached as **Exhibit A**. He provided an update on: 1) Water Plant No. 1 – Aeration System; 2) CCTV of Sanitary Sewer Pipes; 3) Lift Stations 2, 3, & 12 Improvements; 4) Wastewater Treatment Plant; 5) TWDB CWSRF

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Engineering Feasibility Report; 6) Capital Improvement Plan; 7) Disposal of old disinfectant chemical waste; 8) Water Plant No. 1 - GST Supply Line Connection Feasibility; and 9) Wastewater Treatment Plant Outfall No. 2.

After discussion related to the items contained within the Engineer's Report, Director Wolf moved, and Director Atkinson seconded, to approve the Engineer's Report and Pay Application No. 5 related to the Water Plant No. 1 - Aeration System in the amount of \$20,790 and adopt a resolution accepting contracting work and request for release of final payment. The motion passed unanimously.

OPERATOR'S REPORT

Mr. Bonaventure presented the Operator's Report, a copy of which is attached as **Exhibit B**. He provided details related to each item noted in the written report. After consideration of the state of the Wastewater Treatment Plant paddle wheels, Director Stoddard moved, and Director Atkinson seconded, to authorize repair and/or replacement of both paddle wheels. The motion passed unanimously. Next, Mr. Bonaventure explained the need to obtain documentation related to the jet machine and the board considered the District's need of the jet machine in the future. The Board then review two (2) TCEQ Notices of Violation. Mr. Bonaventure noted that the older of the two was being handled by the TCEQ and should be corrected while the newer was just received and would be handled appropriately. Director Gallagher then asked about Precision's invoicing, specifically, invoice dates and additional charges above the contract amount. Director Wolf then moved, and Director Stoddard seconded, to approve the Engineer's Report. The motion passed unanimously.

OFFICE REPORT

Ms. McKay presented the Office Report, a copy of which is attached as **Exhibit C**. She provided an update on the billing revenue, delinquencies, taps completed, customer services requests, cut offs, and office expenses. She presented an written appeal from Marina Village RV Park asking to waive late fees. After a review of the billing history and comments from the public recommending that fees not be waived, Director Stoddard moved, and Director Atkinson seconded, to deny the request to waive late fees. The motion passed four to one (4-1) with Director Holmes opposed. Next, a written appeal was presented from a customer due to high usage. After review of the request, Director Gallagher moved, and Director Wolf seconded, to deny the request. The motion passed unanimously. Lastly, the Board reviewed and concurred to approve the 2024 holiday schedule, including a revision related to Labor Day.

APPRAISAL DISTRICT'S TAX ASSESSOR'S REPORT

Ms. Pfeffer presented the report from the appraisal district tax office, a copy of which is attached as **Exhibit D**. Director Atkinson moved to approve the Appraisal District's Tax Assessor's report and Director Wolf seconded the motion. The motion passed unanimously.

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BOOKKEEPER'S REPORT

Ms. Pfeffer presented and reviewed the Bookkeeper's Report including checks presented for approval, a copy of which is attached as **Exhibit E**. The Board considered the TWDB escrow release process potential effects of the transition between bookkeepers. After an explanation from Mr. Rodriguez, Director Wolf moved, and Director Stoddard seconded, to approve two (2) checks for the lift station project in the amount of approximately \$86,000 for items already approved. The motion passed unanimously. It was noted that these two (2) checks were not included in the written Bookkeeper's Report. The Board then concurred that Ms. Pfeffer would prepare W2s/1099s for the District. Director Stoddard exited the meeting at this time. After this, Mr. Zientek explained difficulty in preparing a time and materials agreement for Ms. Pfeffer to assist the new District bookkeeper. The Board concurred that no written contract would be necessary subject to approval by EEPB and Ms. Pfeffer. Ms. Pfeffer agreed that no written agreement would be necessary.

DIRECTORS' REPORTS

Director Stoddard returned to the meeting. Next, the District's committees provided updates on the various tasks which are in progress. The Board considered the process by which old District records are tracked and destroyed. There was then an update on selection of a landscaping proposal. Director Wolf mentioned the potential benefit of hiring a part-time repair man/landscaper for the District. Lastly, Director Gallagher requested that Director Atkinson revise his list of District agreements/contracts to include terms and dates.

ATTORNEY'S REPORT

Mr. Zientek noted that there is no update on the POA property communications. Next, he explained the requirement to file the Eminent Domain Report. Director Stoddard moved, and Director Atkinson seconded, to authorize MZSLLP to complete the required filing. The motion passed unanimously. Next, Director Gallagher advised that Marina Village is continuing to search for records related to the conveyance of facilities. Lastly, Mr. Zientek explained that Entergy requested an easement near District facilities. The Board concurred to grant the easement subject to final revisions of the District's consultants.

DISCUSS PENDING MATTERS FOR FUTURE AGENDAS, INCLUDING SCHEDULING OF THE NEXT MEETING DATE

The Board concurred that the next regular board meeting would be January 16, 2024.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, ET. SEQ.

The Board entered Executive Session pursuant to Texas Government Code Section 551.071 at 11:25 a.m. for consultation with the attorney.

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RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 11:42 a.m. No action was taken.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned.

Approved this February 19, 2024.



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UTILITY DISTRICT

/s/John Wolf
Secretary, Board of Directors

LIST OF EXHIBITS

- Exhibit A - Engineer's Report
- Exhibit B - Operator's Report
- Exhibit C - Office Report
- Exhibit D - Appraisal District's Tax Assessor's Report
- Exhibit E - Bookkeeper's Report