

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

April 15, 2024

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 and Shaelynn Moore 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”); Kevin Berry of EEPB (“EEPB”); Tony Bonaventure and Juan Rojas of Precision Utility LLC (“Precision”); Bill Blich of Blich Associates, Inc. (“Blich”); 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**

Ms. Keel inquired as to the reason for the MagnaFlow trucks within the District. Mr. Bonaventure noted that they assisted in a repair related to one of the District’s lift stations. Ms. Keel then inquired which projects previous bond funds were used for. Mr. Rodriguez and Director Gallagher briefly explained what the explained previous bond project funds. Director Gallagher noted that more details regarding this sort of information would be discussed at the upcoming Town Hall meeting later in the day.

**APPROVAL OF MINUTES OF PRIOR BOARD MEETING(S)**

The Board reviewed the minutes of March 18, 2024, regular meeting. After a brief review, Director Wolf noted a correction and moved to approve the minutes, as revised, and Director Stoddard seconded the motion. The motion 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) the Water Plant No. 1- Aeration System; 2) Lift Stations 2, 3 & 12

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

Improvements; 3) Funding Application to TWDB for LCRR; 4) TPDES Permit Renewal; 5) TWDB CWSRF Engineering Feasibility Report; 6) Capital Improvements Plan; 7) Ground Storage Tank at Water Plant No. 1; 8) the Air Quality at Water Plant No. 1.; 9)Water Plant No. 2 Tank Inspections; and 10) Sanitary Sewer Creek Crossing Repair. Mr. Rodriguez stated that the inspection of the tanks at Water Plant No. 2 was due and that the engineer and operator would need to perform the inspections with an hourly budget not to exceed \$8,000. The Board inquired into the timing of such inspection and the possible uses for the water that would need to be drained for the inspection. Mr. Rodriguez then discussed the urgent tree removal needed at a sanitary sewer creek crossing. He requested authorization to (1) perform preliminary engineering and surveying to develop alternative options for the sewer repair at an amount not to exceed \$10,000 and (2) to authorize the tree removal as discussed at an amount not to exceed \$8,000. Both items were discussed in detail among the Board and Mr. Rodriguez. After discussion, Director Stoddard moved to approve items (1) and (2) as presented above. Director Holmes seconded said motion, which passed unanimously. Mr. Zientek then discussed wage rate scales and the necessity to adopt such a wage rate scale. Director Wolf moved, seconded by Director Stoddard, to adopt the federal wage rate scales by resolution. 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 an update on a number of action items contained therein. He noted that the 2023 Consumer Confidence Report ("CCR") draft had been drafted and was under further revision. He noted that the District's jet truck was delivered to a repair shop and they were awaiting results. Mr. Bonaventure then discussed the Texas Water Development Board ("TWDB") Water Loss Audit, noting that the draft had been completed and was under additional review. Director Gallagher then asked about future invoicing and/or reporting options for tracking non-occurring maintenance and operator invoices. There was then a brief discussion of the District's generators and the related auto-dialers. Director Stoddard moved to approve the Operator's Report, including the 2023 CCR and the TWDB Water Loss Audit, both subject to review and comments by the District's consultants and directors. Director Wolf seconded said motion, which carried 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 briefly discussed training materials related to the Neptune360 program. Director Gallagher asked that such materials be provided to the residents if the materials were relevant. Director Wolf moved to approve the Office Report, as presented. Director Stoddard seconded said motion, which passed unanimously.

**APPRAISAL DISTRICT'S TAX ASSESSOR'S REPORT**

Director Gallagher presented the Appraisal District's Tax Assessor's Report, which includes the Delinquent Tax Collections Report, a copy of which is attached as **Exhibit D**. There was Board discussion regarding delinquent tax accounts who have been recommended for water shut off by the

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

Delinquent Tax Attorney. After discussion, Director Stoddard moved to (1) approve the Appraisal District's Tax Assessor's Report, as presented, (2) to authorize the water cut offs as described by the District's Delinquent Tax Attorney, and (3) adopt the resolution authorizing penalty on delinquent real property taxes. Director Wolf seconded the motion and the motion passed unanimously.

**BOOKKEEPER'S REPORT**

Mr. Berry presented and reviewed the Bookkeeper's Report including checks presented for approval, a copy of which is attached as **Exhibit E**. He discussed a proposed invoice submittal calendar. The Board concurred with use of the calendar, as presented. Director Gallagher discussed the options related to real property owned by the District. Directors Wolf and Gallagher would review the property and provide an update at a future meeting. Director Gallagher then discussed the options between continuing their membership with the Association of Water Board Directors ("AWBD"). After much discussion, particularly regarding the benefits of AWBD compared to the Texas Rural Water Association ("TRWA"), it was noted that the Board preferred TRWA but would defer joining due to a timing issue related to billing. The Board concurred with no longer being a AWBD member. Mr. Zientek then discussed the unclaimed property report provided to the Texas Comptroller. After discussion, Director Wolf motioned, seconded by Director Holmes, to approve the Bookkeeper's Report and checks therein, and to authorize the District's consultants to research unclaimed property, provide the necessary notices, and file the report with the Texas Comptroller. The motion passed unanimously.

**DIRECTORS' REPORTS**

Director Wolf discussed additional surplus property of the District that had been sold for approximately \$200. Director Stoddard then provided an update regarding the landscaping contract award and noted that the recommendation was to go with Westwood Shores Lawn Care?. There was brief discussion regarding the proposed terms of the contract. After discussion, Director Stoddard moved to award the landscaping contract to Westwood Shores Lawn and to authorize MZSLLP to finalize the landscaping contract. Director Holmes seconded said motion, which passed unanimously.

Director Stoddard then discussed the possible purchase of emergency bottled water. After discussion regarding purchase options, Director Holmes moved to authorize the purchase of emergency bottled water at a total not to exceed \$1000. Director Wolf seconded said motion, which passed unanimously. Director Atkinson requested authorization to discuss District contracts with the Bookkeeper. The Board concurred in granting such authorization. Director Holmes then provided a brief update regarding alternative water sources, particularly as it relates to the City of Trinity. Director Gallagher then provided a brief update of the Board of Directors Goals and the 2024 District Schedule. Lastly, Director Stoddard noted that he had received several reports from District residents that were happy with the operating services from Precision.

**ATTORNEY'S REPORT**

Mr. Zientek provided the Attorney's Report. He noted that the Marina Village draft

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

conveyance documents were in review. After brief discussion, the Board asked to review the final drafts at the May regular meeting. Mr. Zientek then discussed the Entergy Easement, noting that there were still ongoing negotiations on the easement terms. Lastly, there was brief discussion regarding the upcoming townhall meeting related to the May 4, 2024, District Bond Election.

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

The Board concurred that the next regular Board meeting be set for May 20, 2024, at 9:30 a.m.

**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 2:45 p.m. for consultation with the attorney.

**RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 3:29 p.m. Director Wolf moved to authorize MZS to take all necessary possible actions to mitigate concerns to the District's water supply as it relates to a private well being drilled in the District and to authorize Director Holmes to contact the District's insurer regarding a possible claim related to mold at a residence within the District. Director Atkinson seconded said motion, which passed unanimously.

**ADJOURNMENT**

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

Approved this May 20, 2024.



WESTWOOD SHORES MUNICIPAL  
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