

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

July 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 75 Cottonwood, 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”); Josh Zientek and Frank Mitchell 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”); 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**

Mr. Herndon addressed the Board about his previously contested bill from a leak near the water meter at his residence. Precision is investigating into the issue and the Board will consider a credit not to exceed \$700 if the issue is the District’s responsibility. Ms. Keel presented a photo of a potential sewage leak runoff area that has been posted to Facebook. She also noted a concern related to a manhole which was paved over.

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

The Board reviewed the minutes of the June 17, 2024, regular meeting. After a brief review and noted revisions, Director Wolf 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) Lift Stations 2 and 12 Improvements; 2) Sanitary Sewer Creek Crossing Repair; 3) Funding Application to the Texas Water Development Board (“TWDB”) for the

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Lead and Copper Rule Revisions (“LCRR”); 4) the Wastewater Treatment Plant Discharge Permit; 5) the TWDB CWSRF Engineering Feasibility Report; 6) Air Quality at Water Plant No. 1; 7) Future Bond Application(s). Mr. Rodriguez noted that the lift stations 2 and 12 are about 85% complete and the contractor has submitted Pay Estimate No. 1 for \$200,622.30. Mr. Rodriguez then gave an update on the air quality monitoring. There were two exceedances over thirty days. He presented options for air monitoring automatic adjustment devices or a manual operation procedure. There was then some discussion about future bond issuances and the process by which bonds are sold. Director Stoddard moved to approve the Engineers Report, the approval of Pay Estimate No. 1 in the amount of \$200,622.30, and to continue with manual air quality monitoring. Director Atkinson seconded the motion and the motion passed unanimously.

**OPERATOR’S REPORT**

Mr. Bonaventure presented the Operator’s Report, a copy of which is attached as **Exhibit B**. Director Gallagher noted that there was a hurricane report update that was prepared by Precision. Mr. Bonaventure stated that there were additional issues that have arisen since the report was prepared and noted that the report would be updated. Director Stoddard commented on water accountability, and there were some additional comments from the public regarding leaks and water loss. Mr. Bonaventure updated the Board on the pending action items explaining that Well #1 is back to running at 100gal./minute and the District was on generator power for a week. Well #2 is dropping off in production and TRWSC is supplying water to fill the storage tank(s). Lastly, he advised that there was a water main break which was being investigated. Director Gallagher asked that additional communication be sent out regarding the water shortages and rationing information. Director Stoddard moved to approve the Operator’s Report. Director Wolf seconded the motion and the motion passed unanimously. Director Wolf asked for a status report on the fire hydrant repairs. Mr. Rojas noted that the isolation valves near the hydrants are broken, and they could not turn them off to fix them yet.

**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. Ms. McKay noted more customers have signed up for alerts. Director Gallagher discussed the need for a Wi-Fi hotspot to be able to send out communications during an emergency. She also noted that she is waiting to hear back from the website vendor. Director Atkinson asked about a letter from a customer; Mr. Bonaventure advised that Precision is researching the issue. Director Stoddard moved to approve placing one of the districts I-phones back on a plan to be used as a hotspot. Director Wolf seconded the motion and the motion 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**. Director Gallagher gave an update on the collections report. She does not have any updates from the

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delinquent tax attorney. Director Stoddard moved to approve the Appraisal District's Tax Assessor's Report. Director Wolf seconded the motion and the motion passed unanimously.

**BOOKKEEPER'S REPORT**

Mr. Berry presented and reviewed the Bookkeeper's Report including checks for approval, a copy of which is attached as **Exhibit E**. There were no unusual expenses or activity to report other than an ACH from QuickBooks payroll that was reversed. Director Gallagher made several comments on the budget and noted the positive financial direction. There was a discussion about additional insurance coverage for employees that Director Holmes and Director Gallagher will review. Director Wolf moved to approve the Bookkeeper's Report, the checks presented for payment, and for Director Gallagher and Director Holmes to oversee the insurance coverage issues. Director Stoddard seconded the motion and the motion passed unanimously.

**DIRECTORS' REPORTS**

Director Gallagher gave an update on the process for applying for FEMA funds. The Board then considered the status of the proposed landscape contract. Mr. Zientek explained that there were concerns related to the negotiated mowing schedule and payment amount(s). Directors Wolf and Stoddard explained that the District negotiated, originally, for two (2) mowings per month and that this should be sufficient. Mr. Karnes explained that additional mowings may be necessary depending on rainfall and that he should be compensated for additional mowings. After significant discussion, Director Holmes moved to approve an agreement beginning July 1, 2024, with a growing season of March through October (8 months) at a cost of \$3,375 for 3 mowings per month and \$2500 per month for November through February for two (2) mowings with a contract duration of one-year initial term with normal breach/cure cancelation provisions and then 30 days notice to terminate thereafter out after initial term. Any additional mowings or services shall be approved through construction committee prior to commencing. Director Gallagher seconded the motion and the motion passed 4-0-1 with Director Stoddard abstaining. Director Gallagher noted no update on the proposed agreement with the City of Trinity. The District provided the forms needed to the Trinity VFD for insurance purposes. Director Stoddard gave an update on the 4<sup>th</sup> of July event and noted the District's participation in the event. There was discussion about loaning the jet machine to the POA. After Director Atkinson advised that the District had a draft rental agreement and Mr. Zientek requested a copy for review, Director Stoddard moved to allow the construction committee to approve a rental contract with the POA to use the jet machine to clean out culverts, subject to review by MZSLLP. Director Atkinson seconded the motion and the motion passed unanimously.

Director Stoddard stepped out temporarily during the landscape discussion and returned for the vote.

**ATTORNEY'S REPORT**

Mr. Zientek noted that he would discuss updates on the PUC suit and Marina Village issues in executive session. He then gave an update on the public information act requested and the responses sent. Mr. Zientek then gave an update on the upcoming election and explained the items

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included in the supplemental agenda. Director Gallagher moved, and Director Wolf seconded, to approve the items included in the supplemental agenda. The motion passed unanimously.

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

The Board noted that the next regular Board meeting is set for August 19, 2024, at 9:30 a.m. Director Stoddard noted that the TRWSC is raising their rates.

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

The Board entered Executive Session pursuant to Texas Government Code Sections 551.071 at 12:00 for consultation with attorney.

**RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 12:15 p.m. Director Stoddard moved to authorize hiring of Expergy and to have Mr. Zientek inform MVR that the District has reviewed its records and not found any records responsive to the request to inspect documents conveying facilities from MVR to the District. Director Wolf seconded the motion and the motion passed unanimously.

**ADJOURNMENT**

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

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Approved this August 19, 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