

MINUTES  
WILLOW FORK DRAINAGE DISTRICT

July 8, 2021

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met by regular session, open to the public, on the 8<sup>th</sup> day of July, at the offices of LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy Texas 77449, outside the boundaries of the District, and the roll was called of the members of the Board:

Wendy Duncan	President
Dan Smith	Vice President
John Savage	Secretary
Gregg Nady	Assistant Vice President
Joe Robinson	Assistant Secretary

and all of the above were present either in person or by telephone, except Director Smith, thus constituting a quorum.

Also attending the meeting were: Robert Stowe, member of the public; Glen Jarrett of TBG Partners ("TBG"); Katie May of Inframark Water & Infrastructure Services ("Inframark"); Jerry Schroeder of Champions Hydro-Lawn ("Champions"); Craig Kalkomey of LJA Engineering; Fran Matuska of F. Matuska, Inc.; Yvonne Arceneaux, District Park Manager; and Harry H. Thompson and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM DISTRICT RESIDENTS

Mr. Stowe requested to receive the consultant meeting reports prior to the Board meetings.

APPROVE MINUTES

The Board reviewed the minutes of the June 10, 2021, meeting. Director Nady moved to approve the minutes. Director Robinson seconded the motion, which passed.

UPDATE ON COVID 19 MATTERS

Mr. Thompson stated no action was needed on this item. The Board discussed other possible meeting locations.

## UPDATE ON FEMA CLAIM

Ms. May updated the Board on total reimbursement received for the Diversion Channel project from the Federal Emergency Management Agency ("FEMA") and the status of projects pending approval for funding.

## MAINTENANCE OF STORM SEWER LINES

Ms. May reported the status of storm line maintenance during the months of June 2021 and requested authorization to lamp and inspect lines under the Kelliwood links for root intrusion and/or other obstructions. Following discussion, Director Duncan moved to authorize inspection of lines for an amount not to exceed \$1,000, as discussed, subject to approval by Director Smith. Director Nady seconded the motion, which passed unanimously.

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

The Board discussed the AWBD summer conference and considered authorizing attendance at the winter conference. After discussion, Director Duncan moved to approve reimbursement of all eligible expenses for Directors who attended the summer conference, which the District's bookkeeper confirmed are in compliance with the District's Travel Reimbursement Guidelines, and to authorize attendance of any interested Directors at the winter conference. Director Nady seconded the motion, which carried unanimously.

## BOOKKEEPER'S REPORT

Ms. Matuska reviewed the bookkeeper's report and the quarterly investment report, copies of which are attached. After review and discussion, Director Robinson moved to approve the bookkeeper's report and payment of the bills, including handwritten check no. 5135 in the amount of \$3,300 to Katy Magazine. Director Savage seconded the motion, which passed unanimously.

## APPROVE DEPOSITORY PLEDGE AGREEMENT

Mr. Thompson presented and reviewed a Depository Pledge Agreement between the District and Central Bank. Following review and discussion, Director Nady moved to (1) approve a Depository Pledge Agreement between the District and Central Bank and direct that the Agreement be filed appropriately and retained in the District's official records; and (2) authorize the District bookkeeper to transfer funds when appropriate and authorize the execution of any necessary agreements related to same. Director Savage seconded the motion, which passed unanimously.

No action was taken to adopt a Resolution Establishing Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions.

#### TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Matuska presented the County tax collection report.

Mr. Thompson presented and reviewed a Summary of the 10/20 year write off of property taxes per Texas Property Tax Code Section 33.05 "Limitation on Collection of Taxes".

Following review and discussion Director Nady moved to authorize execution of the Summary of the 10/20 year write off of property taxes per Texas Property Tax Code Section 33.05 "Limitation on Collection of Taxes" and direct that it be filed appropriately and retained in the District's official records. Director Savage seconded the motion, which carried unanimously.

#### RESOLUTION NOMINATING WATER DISTRICT CANDIDATE FOR BOARD OF DIRECTORS OF FORT BEND CENTRAL APPRAISAL DISTRICT

The Board considered nominating a water district candidate for the Board of Directors of the Fort Bend Central Appraisal District but took no action.

#### OPERATOR'S REPORT, INCLUDING AUTHORIZING DITCH MAINTENANCE,

Mr. Schroeder reviewed the operator's report, a copy of which is attached, and reviewed the status of the ditches and channels, as well as certain trails. Discussion ensued regarding maintenance needed at the bridge on Peek Road before Westheimer Parkway.

#### ENGINEER'S REPORT

Mr. Kalkomey reviewed the engineer's report, a copy of which is attached.

Mr. Kalkomey updated the Board regarding the reorganization of the Fort Bend County Flood Management Association into the Fort Bend County Economic Development Council ("FBEDC") to align efforts to address area and industry concerns with changes to the National Flood Insurance Program and Risk Rating 2.0. Discussion ensued regarding the possibility of the District rejoining the FBEDC.

Mr. Kalkomey reported that the contractor is working with Best Trash to resolve repair of an access road to Best Trash's property in order to close out the District's contract for desilting of the final 8,200 linear feet of the Diversion Channel.

Mr. Kalkomey discussed the status of the District's application for funding to excavate and relocate 4,675,000 cubic yards of material within the Barker Dam and Reservoir and said that there is a final memorandum of understanding needed and pending from the City of Houston scheduled for approval by the City of Houston on its July 28, 2021 City Council meeting agenda.

Mr. Kalkomey reported that the contracts for the Westheimer Parkway Underpass did not include painting of the guardrail and said that the cost to apply galvanized paint to the guardrail is \$37,887.44 to paint. Following discussion, the Board concurred to leave the guardrail unpainted.

Mr. Kalkomey reviewed proposed Task Order No. 12 for design of the Fry Road Underpass and noted higher costs than previously discussed with the Board due to additional reviews by the Harris County Flood Control District on the geotechnical report and drainage study required for the project. Following review and discussion, the Board concurred to defer action on the proposed task orders until ongoing surveys are complete. Discussion ensued regarding malfunctioning flashing lights and Mr. Kalkomey said he would report the lights out to Fort Bend County for repair.

WAIVER OF CONFLICT LETTERS RELATED TO MEMORANDUMS OF UNDERSTANDING RELATED TO THE BARKER RESERVOIR PILOT PROGRAM FUNDING APPLICATION

Mr. Thompson stated that ABHR is counsel for the District and for many of the stakeholders who executed Memorandums of Understanding (the "MOUs") and related agreements related to the District's Barker Reservoir Project. Mr. Thompson stated the District has the option to retain independent counsel or to retain ABHR in connection with the MOUs and related agreements. Following review and discussion, Director Nady moved to authorize execution of conflict waivers to acknowledge and consent to AHBR's representation of the District in connection with the MOUs and related agreements related to the District's Barker Reservoir Project. Director Savage seconded the motion, which passed unanimously.

PARK MATTERS

Ms. Arceneaux discussed recent and upcoming Central Green events.

Mr. Jarrett updated the Board regarding ongoing issues with the contractor making progress towards completion of the Central Green Canopy. The Board concurred to defer discussion until executive session.

COMMUNITY COMMUNICATIONS

Mr. Thompson reviewed a communications report from April Renberg, a copy of which is attached.

CURRENT EVENTS AND ACTION ITEMS

Director Robinson discussed current events, including an update regarding the 87<sup>th</sup> Regular Texas legislative session, developments related to the COVID-19 vaccine and the District’s upcoming Lee Greenwood concert.

LEGISLATIVE REPORT

Mr. Thompson reviewed a report prepared by ABHR regarding legislative matters pertaining to the 87th Regular Session of the Texas Legislature.

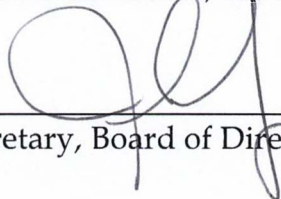
EXECUTIVE SESSION

At 1:35 p.m., the Board convened in Executive Session pursuant to Section 551.071 to conduct a private consultation with the District’s attorney to discuss contemplated litigation. Mr. Thompson, Ms. Miller, Mr. Jarrett and Ms. Arceneaux joined the Board in executive session.

OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION RELATED TO WILLOW FORK EVENTS

At 2:03 p.m., the Board reconvened in Executive Session. Following discussion in executive session, Director Savage moved to authorize ABHR to send correspondence to Johnson Fence and Masonry, LLC, as discussed in executive session. Director Nady seconded the motion, which passed unanimously.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

  
Secretary, Board of Directors

(SEAL)

