

WILLOW FORK DRAINAGE DISTRICT
PARK MATTERS

October 27, 2021

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met by regular session, open to the public, on the 27th day of October, 2021 at the offices of LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy Texas 77449, outside the boundaries of the District, with supplemental access by telephone available to the public, and the roll was called of the members of the Board:

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

and all of the above were present, thus constituting a quorum.

Also present at the meeting were Salvatore Fichera, resident of the District; Brendan Doran of Texas Utility Bookkeeping, LLC ("Texas Utilities"); Craig Kalkomey of LJA Engineering ("LJA"); Neil Stillman, Friends of the Park; Marie Newsom Schroeder of Champions Hydro-Lawn, Inc. ("Champions"); Yvonne Arceneaux, District Park Manager; and Harry H. Thompson and Meagan Guilmenot of Allen Boone Humphries Robinson LLP ("ABHR").

Also present by telephone were Thomas Dunn and Josh Lugo of On Site Protection LLC; Glenn Jarrett of TBG Partners ("TBG"); and Jerry Schroeder of Champions.

Due to the COVID-19 Virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board. No members of the public were on the telephone.

COMMENTS FROM THE PUBLIC

Director Duncan offered any members of the public attending the meeting the opportunity to make a public comment.

Mr. Fichera introduced himself to the Board and discussed biking trails within the District. The Board expressed their gratitude for his attendance and concerns. Mr. Thompson discussed current projects and reviewed the District's trail map illustrating future trail plans that promote healthy activity and safety for the community.

Discussion ensued on funding for future trail systems in the District and activities available for the community at the District's parks and open spaces.

There being no further public comments, Director Duncan moved to the next agenda item.

MINUTES

The Board next considered approving the minutes of the September 22, 2021, parks meeting. Director Savage moved to approve the minutes, as discussed. Director Nady seconded the motion, which passed.

SECURITY REPORT

Mr. Dunn reviewed the security report with the Board, a copy of which is attached.

The Board examined the bridge on the Diversion Channel and discussed usage, ownership, and maintenance.

Mr. Lugo gave an update on camera installation at Willow Fork Park (the "Park"). He then reviewed and presented a proposal for light installation at the Park at an estimated cost of \$77,660.00. Discussion ensued on hard-wired lights and solar lights. After further discussion, the Board requested Champions and LJA obtain additional proposals and bid packages, and for LJA to investigate light options for the Park for Board review and consideration.

FRIENDS OF THE PARK

Mr. Stillman updated the Board on the District's Butterfly Garden.

Mr. Stillman updated the Board regarding the design and delivery of an interpretive panel regarding the history of the Texas Western Narrow-Gauge Railroad in the Katy area. He then stated that the unveiling of the train exhibit is on schedule to take place on December 4th, 2021, at 9 a.m.

Mr. Stillman discussed QR codes that will be added to the Railroad Panel for translations into other languages. Discussion ensued on options to modify the link and add accessible translations. Mr. Stillman stated he would work on incorporating the discussed languages in the Railroad Panel.

Ms. Arceneaux recommended collaborating and promoting both the Texas History Day Festival and the unveiling of the train exhibit. Mr. Thompson stated that if a quorum is present, a special agenda will need to be posted for the public, and the Board requested such agenda be prepared and posted.

Mr. Stillman provided an update on landscaping improvements and planting on the hill adjacent to the butterfly park. Mr. Thompson stated that ABHR met with Patti Hopper's children, and they expressed their gratitude and appreciation to the Board and consultants for honoring their late mother in such an impactful way.

BOOKKEEPER'S REPORT

Mr. Doran introduced himself to the Board and reviewed the bookkeeper's report for parks, a copy of which is attached.

Director Nady inquired about checks payable to Johnson Fence and Masonry ("Johnson") for certain change orders. The Board concurred to discuss Johnson's payment later in the meeting.

After review and discussion, Director Nady moved to approve the bookkeeper's report and payment of the bills, including retaining two checks payable to Johnson until further discussion. Director Savage seconded the motion, which passed unanimously.

CHAMPIONS MAINTENANCE REPORT

Mr. Schroeder reviewed the maintenance report for parks, a copy of which is attached, and updated the Board regarding the status of facilities and ongoing maintenance and repair.

Mr. Schroeder gave an update on landscaping improvements on the hill adjacent to the butterfly park, Patti's Patch.

Mr. Schroeder provided an update on graffiti found on the District's trail system. Discussion ensued on graffiti penalties at Parks and on District Facilities. Mr. Thompson informed the Board of the costs associated with graffiti penalties, and the Board discussed if it would be beneficial to the District to pursue actions if violators are caught.

Following review and discussion, Director Savage moved to approve Champions report. Director Nady seconded the motion, which carried unanimously.

LANDSCAPE ARCHITECT REPORT

Mr. Jarrett reviewed the landscape architect's report, a copy of which is attached, and provided an update on the status of the Central Green Shade Structure project with Johnson. Discussion ensued regarding Johnson's estimated substantial completion date for the project.

Mr. Jarrett reviewed and recommended that the Board approve payment of Pay Application No. 6 in the amount of \$21,863.70 for the Central Green Shade Structure

and Pay Application No. 7 in the amount of \$4,878.36, for the Central Green Shade Canopy, both payable to Johnson.

Mr. Jarrett reported that TBG received a letter and various change orders from Johnson relating to additional material and scheduling. The Board discussed change order Nos. 7 and 8 related to additional materials. The Board concurred to defer a decision on such change orders as they desired further review into the requested items. Discussion ensued on retainage to Johnson.

Mr. Jarrett updated the Board regarding Trails Package 2. He reviewed and recommended that the Board approve Pay Application No. 13 in Final in the amount of \$22,822.75 and Change Order No.2, a credit for \$71,662.50, both payable to Division III + Constructors, Inc. ("Division III), and Pay Application No. 4 in Final in the amount of \$7,166.25, payable to DL Meacham ("Meacham"). Mr. Jarrett then recommended final acceptance to close out the project of Trails Package 2, subject to Board approval.

The Board discussed removing fees that occurred relating to Pay Application No. 13 in Final in the amount of \$22,822.75, payable to Division III for Trails Package 2. Director Nady inquired about the credit, Change Order No.2. Mr. Jarrett stated that the \$7,166.25 change order is being credited back to the District for payment to Meacham for the work they completed. Discussion ensued on the process to assemble information and support for removing fees associated with Pay Application No. 13 as well as the benefits and potential challenges of pursuing any action. LJA stated that they would coordinate with Champions on housing the remaining four lights. After further discussion, the Board concurred to approve and release Pay Application No. 13 in Final to Division III in full.

Mr. Jarrett updated the Board regarding Trails Package 3. He reviewed and recommended that the Board approve Pay Application No. 4 in the amount of \$81,985.09, payable to Meacham.

Mr. Jarrett updated the Board regarding Trails Package 4.

After review and discussion and based on the landscape architect's recommendations, Director Nady moved to (1) approve the landscape architect's report; (2) accept the final closeout of the Trails Package 2 project; (3) approve Pay Application No. 6 in the amount of \$21,863.70 for the Central Green Shade Structure and Pay Application No. 7 in the amount of \$4,878.36, for the Central Green Shade Canopy, both payable to Johnson; (4) approve Pay Application No. 13 in Final in the amount of \$22,822.75 and Change Order No.2, in the amount of \$71,662.50, both payable to Division III; (5) approve Pay Application No. 4 in Final in the amount of \$7,166.25, payable to Meacham for Trails Package 2; and (6) approve Pay Application No. 4 in the amount of \$81,985.09, payable to Meacham for Trails Package 3. Director Savage seconded the motion, which passed by unanimous vote.

ENGINEERING REPORT

Mr. Kalkomey discussed engineering matters. A copy of the engineering report is attached.

Mr. Kalkomey reviewed and recommend approval of the sublease agreement between the District and Fort Bend County for the construction of trail segments X, Y, and Z. He stated that the sublease agreement will allow the District to construct the trails without requiring a separate Outgrant from the United States Army Corps of Engineers ("USACE").

Mr. Kalkomey updated the Board regarding the Mid-Block Crossings project.

Mr. Kalkomey gave an update on the light placement at the SH-99 Underpass. Discussion ensued on placement and funding for the four additional lights.

Mr. Kalkomey updated the Board on the status of the Interceptor / Outfall Repairs on Va9. He reviewed and recommended approval of Pay Application No. 2 in the amount of \$16,804.50, payable to Canyon Construction ("Canyon").

After review and discussion, and based on the engineer's recommendation, Director Savage moved to (1) approve the engineering report; (2) approve the sublease agreement between the District and Fort Bend County, subject to ABHR review; and (3) Pay Application No. 2 in the amount of \$16,804.50, payable to Canyon. Director Nady seconded the motion, which passed unanimously.

PROJECT BARKER AND AUTHORIZE APPROPRIATE ACTION

Mr. Thompson and the Board commended Director Duncan on her efforts and participation during the Project Barker presentation. Mr. Thompson gave an update on Project Barker. He expressed the overwhelming support he received from various districts. Mr. Thompson then suggested that the District should calculate percentages needed for each district. Mr. Thompson stated he would coordinate with LJA and present easily digestible numbers at a special meeting for Board review and consideration.

Director Duncan reported on articles from the Houston Chronicle and the Katy Times. She stated that the title in the Houston Chronicle was incorrect. Discussion ensued. Director Duncan stated that Colonel Vail was interested in Project Barker and receiving additional information. The Board discussed Project Barker's Presentation. Director Duncan reported on confusion received relating to the reservoir being wet or dry. Mr. Kalkomey outlined the differences between wet and dry basins as it relates to Project Barker and the District.

Director Duncan requested to reach out to all the guests present at the presentation and provide them with a path forward for Project Barker. The Board discussed the upcoming town hall for community engagement relating to Project Barker. ABHR stated they are working on securing the event at the Cinco Ranch Golf Club on December 6th, 2021, at 6:30 p.m. The Board discussed reaching out to districts inviting them to the town hall. ABHR stated they would work on email correspondences to Board members to promote engagement and participation. Discussion ensued on recording and broadcasting the town hall.

Ms. Arceneaux suggested setting up a booth at Central Green to promote and educate the public regarding the upcoming town hall for Project Barker.

Mr. Kalkomey reported that a civil construction company, No Limit Construction inquired about potentially excavating the reservoir within the District. The Board discussed the benefits as well as potential challenges of excavating the reservoir, through this vendor. Discussion ensued.

REPORT FROM EVENTS DIRECTOR AND PARKS COMMITTEE RECOMMENDATIONS

Ms. Arceneaux discussed recent and upcoming Central Green events.

Ms. Arceneaux requested Board approval for Rhythm India, a district vendor to host a pet adoption in April 2022 at Central Green. Mr. Thompson outlined the Park's rules and regulations regarding animals and stated dogs and cats are the only animals allowed.

Ms. Arceneaux requested Board approval during Texas Heritage Day Festival that will take place on December 4th, 2021, to have a petting zoo at Central Green. The Board discussed the types of animals that would be present. Director Duncan suggested that the Texas Heritage Day festival get moved to Willow Fork Park. Discussion ensued on a location for the petting zoo and equipment.

Ms. Arceneaux suggested adding food trucks and handwashing stations in the parking lot at an estimated cost of \$1,750. Ms. Arceneaux recommended the kids take part in planning Patti's Patch, allowing them to be part of Texas History. The Board discussed ways to get the kids involved and suggested surveying what flowers they would like to see. The Board then discussed kids throwing seeds on the hill along with arts and crafts.

Ms. Arceneaux requested Board approval to renew the District's 2022 contracts with Tai Chi and Laughter Yoga.

Ms. Arceneaux requested Board approval to donate to The Veterans of Foreign Wars (“VFW”). Mr. Thompson stated that the District is prohibited from donating to private entities, such as VFW.

After review and discussion, Director Nady moved to (1) authorize Rhythm India to host a pet adoption at Central Green; (2) approve a petting zoo during the Texas Heritage Day Festival, including food trucks and handwashing stations at an estimated cost of \$1,750, and subject to ABHR review; and (3) approve the renewal of the two District contracts, Tai Chi and Laughter Yoga. Director Robinson seconded the motion, which passed by unanimous vote.

COMMUNICATIONS MATTERS

There was no discussion on this agenda item.

CURRENT EVENTS

Director Robinson discussed current events.

REVIEW ACTION LIST AND DISCUSS MEETING SCHEDULE AND ITEMS FOR INCLUSION ON NEXT AGENDA

The Board concurred to hold the next drainage meeting in person on November 11, 2021, at LJA’s office.

EXECUTIVE SESSION

At 3:13 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. Jarrett joined the Board in Executive Session.

OPEN SESSION

At 3:35 p.m., the Board reconvened in Executive Session. Following review and discussion, the Board concurred to authorize ABHR to work with TBG to prepare and forward a correspondence to Johnson related to their respective construction contract, along with other interim project milestones, as discussed in executive session.

BOOKKEEPER’S REPORT (CONTINUED)

The Board discussed the District’s new bookkeeper, Texas Utilities and options for different bookkeeping consultants. After discussion, the Board concurred to request a presentation from Texas Utilities outlining their services, personnel, and background information.



/s/John Savage
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Security Report.....	2
Bookkeeper’s reports.....	3
Champions Maintenance Report.....	3
Landscape Architect’s Report.....	3
Engineering Report.....	5
Communications report.....	7