

WILLOW FORK DRAINAGE DISTRICT  
PARK MATTERS

December 15, 2021

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met by regular session, open to the public, on the 15<sup>th</sup> day of December 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: Alec Bray, member of the public; Brendan Doran of Texas Utility Bookkeeping, LLC; Glenn Jarrett of TBG Partners ("TBG"); Craig Kalkomey of LJA Engineering ("LJA"); Marie Newsom of Champions Hydro-Lawn, Inc. ("Champions"); Cait Ruske of Flock Safety; 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 Andrew Dunn of On Site Protection LLC ("On Site"); and Matt Klein of TBG.

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. There being no members of the public wishing to make comments, Director Duncan moved to the next agenda item.

MINUTES

The Board next considered approving the minutes of the November 17, 2021, parks meeting, December 4, 2021, and December 6, 2021, special meetings. Director Nady moved to approve the minutes, as discussed. Director Savage seconded the motion, which carried unanimously.

APPOINTMENT OF DIRECTOR

Mr. Bray introduced himself to the Board, discussed his experience in service in special utility districts and stated he is interested in serving on the Board of Directors. Mr. Savage stated he was a resident and landowner within the District, and is over the age of eighteen years with no felony convictions. The Board discussed a potential other applicant to the Board who was not present at the meeting. Following discussion, Director Savage made a motion to appoint Alec Bray to the Board of Directors. Director Nady seconded the motion, which passed unanimously.

Mr. Thompson stated that Director Bray must execute a Sworn Statement, Official Bond, and Oath of Office as required by the Texas Constitution and Texas Water Code and reviewed such items.

Mr. Thompson stated the District Registration Form must be filed with the Texas Commission on Environmental Quality (“TCEQ”) to show the new slate of officers, and reviewed the proposed revised form.

The Board next considered reorganization of the Board. Upon a motion by Director Savage and a second by Director Nady, the Board voted unanimously that Board be reorganized as follows:

Wendy Duncan	President
Greg Nady	Vice President
John Savage	Secretary
Joe Robinson	Assistant Secretary
Alec Bray	Assistant Vice President

Mr. Thompson next distributed and reviewed a memorandum regarding Texas Open Meetings Act and Public Information Act training requirements for Directors and encouraged Director Bray to receive his training as soon as possible and forward his certificate of completion to ABHR for inclusion in the District’s permanent records, if he has not already had the requisite training.

Mr. Thompson next reviewed with the Board legislation enacting Chapter 176 of the Texas Local Government Code, which requires directors and consultants to disclose certain conflicts of interest. Mr. Thompson reviewed with the Board the forms adopted by the Texas Ethics Commission for making disclosures under Chapter 176 and noted

that the forms are required to be filed with the records administrator for the District. Mr. Thompson encouraged Director Bray to contact ABHR if assistance is needed in determining whether a conflict requires disclosure or in making a required disclosure.

After discussion, Director Savage moved (1) that the Board of Directors approve Director Bray's Sworn Statement, Official Bond, and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office be filed with the Secretary of State of the State of Texas; and (2) to authorize ABHR to file the District Registration Form with the TCEQ. The motion was seconded by Director Nady, which carried unanimously.

### SECURITY REPORT

Mr. Dunn reviewed the security report with the Board, a copy of which is attached. Director Savage inquired about restroom access at Exploration Park (the "Park"). The Board discussed authorizing On Site to have access to the bathroom at the Park.

Director Savage recommended adding a sidewalk along the barn area at the Park. Discussion ensued. Ms. Arceneaux reported that the police and emergency medical services ("EMS") use the access area for health and safety purposes and request this improvement.

Director Nady stated that he would reach out to Willow Fork requesting EMS to access the Park from the front entrance.

### REVIEW FLOCK SAFETY PROGRAM PROPOSAL AND APPROVE APPROPRIATE ACTION

Ms. Ruske reviewed a proposal from Flock Group, Inc. ("Flock") for the installation of camera hardware and hosting analytics for five cameras at the cost of \$2,500.00 per camera per year, with the additional one-time installation cost of \$250.00 per camera. Discussion ensued. The Board requested to have three cameras installed at the Parks. Ms. Ruske stated that she would provide a formal quote with three cameras at the next meeting for the Board's consideration.

Director Savage inquired on solar lights being installed at Willow Fork Park. Mr. Kalkomey stated that he would follow up with Champions on the matter.

### FRIENDS OF THE PARK

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

Mr. Stillman updated the Board on the interpretive panel regarding the history of the Texas Western Narrow-Gauge Railroad in the Katy area exhibit.

Mr. Stillman updated the Board on the status of Patti's Patch. He then stated he would present additional options for seating areas that would perimeter the hill. The Board requested TBG produce a design for the area to minimize disturbance to the flowers.

#### BOOKKEEPER'S REPORT

Mr. Doran reviewed the bookkeeper's report for parks, a copy of which is attached.

Mr. Doran noted that check no. 6250 in the amount of \$106,940.03 and check no. 6259 in the amount of \$221.06 have been voided. He also stated that check no. 6278 in the amount of \$300, replaces check no. 6259 and check no. 6282 in the amount of \$106,940.03, replaces check no. 6250.

Mr. Doran then noted additional check no. 6279 in the amount of \$77.13 payable to Reliant, check no. 6280, blank payable to Just Energy Bank and check no. 6281, Pay Application No. 10 in the amount of \$83,063.36 payable to Division III + Constructors, Inc. ("Division III").

The Board discussed placement for the extra four solar lights.

The Board discussed costs associated with website and security services outlined in the bookkeeper's report.

After review and discussion, Director Savage moved to approve the bookkeeper's report and payment of the bills. Director Bray seconded the motion, which carried unanimously.

#### CHAMPIONS MAINTENANCE REPORT

Ms. Newsom 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.

Ms. Newsom reviewed and presented proposals for graffiti removal at the Va3 and April's Bridge in the amount of \$776.25 and hog traps at the Parks in the amount of \$12,075.00. Discussion ensued.

The Board considered approving the graffiti removal proposal for the bridges and declining the hog traps proposals at the Parks. Champions agreed to reach out to Flat Liners for additional hog trapping pricing for Board consideration at the next parks meeting.

Director Savage inquired about tree replacement at Willow Fork Park. Ms. Newsom stated she would follow up on this matter.

Following review and discussion, and based off of Champions' recommendation, Director Savage moved to (1) approve Champions report; and (2) approve the proposal from Champions in the amount of \$776.25 for graffiti removal. Director Bray 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 Fence and Masonry ("Johnson"). Discussion ensued regarding Johnson's estimated substantial completion date for the project.

Mr. Jarret updated the Board on Trails Package 3.

Mr. Jarett updated the Board on the status of the Trail Etiquette Signage and noted that Vistex Graphics is currently transitioning into RS Industrial Arts, LLC.

The Board discussed additional trail packages within the District.

After review and discussion, and based on the landscape architect's recommendation, Director Nady moved to approve the landscape architect's report. Director Savage seconded the motion, which carried unanimously.

#### ENGINEERING REPORT

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

Mr. Kalkomey updated the Board regarding the Mid-Block Crossings project. He reviewed and recommended Pay Application No. 10 in the amount of \$83,063.36, payable to Division III. He then presented and recommended Change Order No. 5 in the amount of \$70,708.00 payable to Division III for the removal and replacement of items related to the project. Based on the engineer's recommendation, the Board determined Change Order No. 5 is beneficial to the District.

The Board discussed current and future projects within the District.

Mr. Kalkomey gave an update on the light placement at the SH-99.

After review and discussion, and based on the engineer's recommendation, Director Nady moved to (1) approve the engineering report; and (2) approve Pay Application No. 10 in the amount of \$83,063.36 and Change Order No. 5 in the amount

of \$70,708.00, both payable to Division III. Director Savage seconded the motion, which carried unanimously.

ADDITIONAL TRAIL PROJECTS AND AUTHORIZE APPROPRIATE ACTION

Director Nady reviewed and presented a list of additional trail projects for the Board's review and consideration. Discussion ensued. Mr. Thompson stated he would reach out to Julie Gerdes, the District's financial advisor regarding the District's budget and remaining bonds.

PROJECT BARKER AND AUTHORIZE APPROPRIATE ACTION

Mr. Thompson and Director Nady updated the Board on the status of Project Barker. The Board discussed potential funding contributions from prospective districts.

Mr. Thompson provided background information on the Mid-Block Crossing project. Discussion ensued.

REPORT FROM EVENTS DIRECTOR AND PARKS COMMITTEE RECOMMENDATIONS

Ms. Arceneaux discussed recent and upcoming Central Green events.

COMMUNICATIONS MATTERS

Director Duncan updated the Board on communication matters.

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 January 13, 2022, at LJA's office, and the next parks meeting in person on January 27, 2022 at LJA's office.

EXECUTIVE SESSION

At 3:27 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, Mr. Klein, and Ms. Arceneaux joined the Board in Executive Session.

OPEN SESSION

At 3:46 p.m., the Board reconvened in reconvened in open session. Following review and discussion, the Board concurred to authorize ABHR to work with TBG to forward correspondence to Johnson Fence and Masonry related to their respective construction contract, along with other interim project milestones, as discussed in executive session.

There being no other business to come before the Board, the meeting was adjourned.

(SEAL)



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Secretary, Board of Directors

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