

WILLOW FORK DRAINAGE DISTRICT  
PARK MATTERS

August 25, 2021

The Board of Directors (the "Board") of Willow Fork Drainage District (the "District") met by regular session, open to the public, on the 25<sup>th</sup> day of August, 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, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020 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, thus constituting a quorum.

Also present at the meeting were Fran Matuska of F. Matuska, Inc.; Craig Kalkomey of LJA Engineering ("LJA"); Jerry Schroeder of Champions Hydro-Lawn, Inc. ("Champions"); Julie Gerdes of Rathmann & Associates, L.P.; Thomas Dunn and Josh Lugo of On Site Protection LLC ("On Site"); Yvonne Arceneaux, District Park Manager; Steve M. Robinson, Harry H. Thompson, and Meagan Guilmenot of Allen Boone Humphries Robinson LLP ("ABHR").

Also present by telephone were Neil Stillman, Friends of the Park; Marie Newsom, of Champions Hydro-Lawn, Inc. ("Champions"); and Glenn Jarrett of TBG Partners ("TBG").

COMMENTS FROM THE PUBLIC

There was no public comment.

MINUTES

The Board next considered approving the minutes of the July 8, 2021, drainage meeting, the July 28, 2021, parks meeting, and minutes for special meetings on July 12, 16, 20, and 26, 2021. Director Savage moved to approve the minutes. Director Nady seconded the motion, which passed.

## UPDATE ON COVID19 MATTERS

Mr. Thompson updated the Board regarding COVID19 matters.

Director Duncan requested Mr. Thompson verify that the correct meeting location is on the District's website. Mr. Thompson confirmed the meeting location on the District's website is accurate.

## FRIENDS OF THE PARK

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. Mr. Jarrett then provided an update on the train exhibit design. He also stated that TBG will have additional information and pricing at the next meeting for Board review. Mr. Stillman also gave an update on the District's butterfly garden.

## 2021 TAX RATE

Ms. Gerdes distributed and reviewed a tax rate analysis reflecting the recommendation for the District to levy a 2021 tax rate of \$0.105 per \$100 assessed valuation for debt service and \$0.08 per \$100 assessed valuation for maintenance and operations (with \$0.05 designated for drainage and \$0.03 for parks) for a total tax rate of \$0.185 per \$100 assessed valuation. A copy of the tax rate analysis is attached. The Board discussed the District's funds and future projects.

Mr. Thompson discussed recent legislative changes to the "truth-in-taxation" property tax calculations and tax levy process for water districts in Chapter 49, Texas Water Code. He stated that such legislation established three main categories for water districts, based on a district's development status and/or tax rate. Mr. Thompson reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developed District for the 2021 tax year.

Following review and discussion, and based off of the financial advisor's recommendation, Director Smith moved to (1) approve the tax rate recommendation; (2) adopt a Resolution Regarding Development Status for 2021 Tax Year establishing the District as a Developed district for the 2021 tax year pursuant to Section 49.23603, Texas Water Code; (3) direct that the Resolution be filed appropriately and retained in the District's official records; (4) set the public hearing date for September 9, 2021; and (5) publication of notice in the Katy Times of the District's September 9, 2021 meeting to set

the proposed 2021 tax rate. Director Robinson seconded the motion, which passed unanimously.

#### SECURITY REPORT

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

Mr. Lugo discussed a resident complaint regarding Exploration Park (the "Park") visitors and a request that the District consider installing additional and more direct signage regarding park hours and rules. Discussion ensued.

Mr. Lugo proposed different signs that would be placed at the entrance of the Park. He then reported to the Board that On Site will be changing their notification protocol to help mitigate park intrusions.

Mr. Lugo then requested the Board's approval to update and revise the Park's security system. The Board discussed maintenance, cost, and benefits to the security system. Director Duncan discussed a trespassing incident that took place at the Park on August 15, 2021. She noted that the Board did not receive a report from On Site regarding the incident. Discussion ensued regarding video monitoring. She then requested that On Site report and communicate all incidents to the Board promptly.

Mr. Lugo also suggested additional lighting at the Park's parking lot. The Board discussed placement of the lights, costs, and alternatives to adding additional lighting. After further review, the Board concurred to defer the discussion of additional lighting until the Parks Committee's meeting.

Following review and discussion, Director Smith moved to authorize On Site to add three additional motion detection cameras at \$519 per camera at the Park, and to rescind its prior authorization for the installation of time locking gates at the Park. Director Savage seconded the motion, which passed unanimously.

#### BOOKKEEPER'S REPORT

Ms. Matuska reviewed the bookkeeper's report for parks, a copy of which is attached. After review and discussion, Director Nady moved to approve the bookkeeper's report and payment of the bills. Director Robinson 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 reported that silver paint from the metal framings is peeling throughout the Park, and he recommended replacing the silver paint on the frames. Mr. Schroeder stated Champions would coordinate with TBG to resolve the issue and to propose solutions. Mr. Schroeder also noted a few trails need to be regraded back into the interceptor and that TBG is also aware of this matter. He then reported a resident's concerns on stakes found on the homeowner association's trails. Discussion ensued.

## 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. Mr. Jarrett also gave an update on the Phase Three Trails. Mr. Jarrett reviewed and recommended approval of Pay Estimate No. 5 in the amount of \$56,295.18, payable to Johnson for the Central Green Shade Structure, and requested authorization to have an electrician on-site for approximately two hours at a rate of \$165 per hour to troubleshoot any issues during soundcheck prior to an upcoming District event.

Mr. Thompson gave an update on the Interlocal Agreement for Contribution for Design and Construction of the Willow Fork Drainage District Fry Underpass (the "Agreement") and stated that due to their bridge elevation uncertainty, Memorial Municipal Utility District will not be joining the Agreement at this time. Discussion ensued.

Director Duncan announced that the Association of Water Board Director's ("AWBD") monthly Parks Committee meeting will take place on Friday, September 3rd at 12:30 pm, and the topic will be on Skate Parks. The Board discussed registration fees, weekly AWBD email updates, and attendance. ABHR agreed to follow up with AWBD regarding weekly emails to the Board of Directors.

After review and discussion and based on the landscape architect's recommendations, Director Savage moved to (1) approve the landscape architect's report; (2) authorize Pay Estimate No. 5 in the amount of \$56,295.18 to Johnson for construction of the Central Green Shade Structure; and (3) authorize an electrician to be on-site at the Central Green Shade Structure for approximately two hours at a rate of \$165 per hour. Director Smith 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 reported that the District's Flood Infrastructure Fund Grant Application was approved by the Texas Water Development Board. The Board commended Mr. Kalkomey on his efforts on the application.

Mr. Kalkomey reviewed and recommended payment of Pay Estimate No. 9 in the amount of \$13,154.40, payable to Division III Constructors ("Division III"), for the Mid-Block Crossing Project. Mr. Kalkomey also reviewed Division III's proposed Change Order No. 5 in the amount of \$14,000 for additional cost to mobilize at Willow Fork Park to install lighting fixtures. Discussion ensued.

Mr. Kalkomey next updated the board regarding construction of the Westheimer Parkway Underpass and reviewed and recommended approval of pay estimate No. 4 in the amount of \$74,350.80 and pay estimate No. 5 and final in the amount of \$37,183.60, both payable to L.N. McKean, Inc. ("L.N. McKean"). He also reviewed and recommended approval of Change Order No. 2 to the contract with L.N. McKean to increase the contract in the amount of \$3,152.00 for a minor quantity adjustment based on site conditions during construction. Based on the engineer's recommendation, the Board determined such Change Order is beneficial to the District.

Mr. Kalkomey reported on drainage outfalls outside of the Canyon Gate, Section 2 subdivision. Mr. Kalkomey stated Inframark Water & Infrastructure Services has provided an estimated cost of \$3,000 to televise both lines, and Champions has provided an estimated price of \$13,000 to pump the outfalls dry and install cofferdams. He then discussed pricing and various solutions. Mr. Thompson suggested an underwater drone, a cost-effective alternative that can televise lines as well. After further discussion, the Board concurred to defer the drainage outfalls discussion until the next drainage meeting, and Mr. Kalkomey agreed to investigate potential solutions.

After review and discussion, and based on the engineer's recommendation, Director Savage moved to (1) approve the engineering report; (2) approve Pay Estimate No. 9 in the amount of \$13,154.40 to Division III for the Mid-Block Crossing Project; (3) defer Change Order No. 5 to Division III based on potential relocation of the lighting equipment; (4) upon finding that the proposed change order discussed above is beneficial to the District, approve Change Order No. 2 to the District's contract with L.N. McKean, in the amount of \$3,152.00 subject to final review by ABHR and LJA; and (5) approve Pay Estimate No. 4 in the amount of \$74,350.80 and Pay Estimate No. 5 and Final in the amount of \$37,183.60, both payable to L.N. McKean for construction of the Westheimer Parkway Underpass. Director Nady seconded the motion, which passed unanimously.

REPORT FROM EVENTS DIRECTOR AND PARKS COMMITTEE  
RECOMMENDATIONS

Ms. Arceneaux discussed recent and upcoming Central Green events. The Board discussed cancellation of the Lee Greenwood concert due to lightning. After further discussion, the Board concurred to cancel District events if the lightning is within a 12-mile radius, subject to Ms. Arceneaux's discretion.

COMMUNICATIONS MATTERS

Director Duncan updated the Board on communications matters.

CURRENT EVENTS

Director Robinson discussed current events, including the recent winter storm/freeze and the Electric Reliability Council of Texas' response to same, COVID19 issues, and the 2021 Texas legislative special session.

Director Smith stated he has truly enjoyed his time serving on the Board of Directors and is grateful for the friendships he's made. He stated he is in the process of selling his property within the District and will be moving. He then tendered his resignation to the Board. The Board thanked Director Smith for his service, and applauded Director Smith for his outstanding contributions. The Board wished Director Smith good luck on his next venture.

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 September 9, 2021, at LJA's office.

EXECUTIVE SESSION

The Board did not convene in Executive Session.

OPEN SESSION

This item was not necessary. There being no other business to come before the Board, the meeting was adjourned.

/s/John Savage

Secretary, Board of Directors

(SEAL)



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