

**MINUTES OF THE MEETING
OF THE
BOARD OF DIRECTORS**

August 1, 2024

THE STATE OF TEXAS	§
	§
COUNTIES OF FORT BEND AND WALLER	§
	§
WILLOW POINT MUNICIPAL UTILITY	§
DISTRICT OF FORT BEND AND	§
WALLER COUNTIES	§

The Board of Directors (the “Board”) of Willow Point Municipal Utility District of Fort Bend and Waller Counties (the “District”), met in regular session, open to the public, on Thursday, August 1, 2024, at 12:00 p.m., at 1980 Post Oak Boulevard, Suite 1380, Houston, Texas, a designated meeting place outside the boundaries of the District, and via ZOOM audio/video conference. The roll was called of the members of the Board, to-wit:

- | | | |
|-----------------|---|---------------------|
| Ryan B. Niles | - | President |
| Will Gutowsky | - | Vice President |
| David L. Salley | - | Secretary |
| Simon VanDyk | - | Assistant Secretary |
| Paul Breaux | - | Assistant Secretary |

All members of the Board were present, thus constituting a quorum.

Also participating in the meeting were Jim Grover of Ventana Land Development, a developer of land within the District; Mary Ann Mihills of Municipal Accounts & Consulting, L.P. (“MAC”), bookkeeper for the District; Kaci Schlacter and Marshall Green of Quiddity Engineering, LLC (“Quiddity”), engineer for the District; Lita Lemus of Utility Tax Service, LLC, tax assessor and collector for the District; Ryan Mapes of SiEnvironmental (“SiEnviro”), operator for the District; Joseph Hopper of Storm Water Solutions (“SWS”); John O’Donnell of WaterLogic; Justin Waggoner of Touchstone District Services (“Touchstone”); Josh Wailes of Mike Stone Associates; James Terry and Brett Burgin of Terry’s Landscape, LLC; Brad Palermo of Westco Grounds Maintenance, LLC; Jessica Richardson of Texas Pride Disposal; Dale Anzalone of Flock Safety (“Flock”); Murali Rajam, a resident of the District and member

of the Trails of Katy Homeowner's Association ("Trails of Katy HOA"); and Ryan E. LaRue and Judy Marcantel (Legal Assistant) of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), attorneys for the District.

The meeting was called to order at 12:03 p.m. Copies of the notices of the meeting are attached hereto.

HEAR FROM PUBLIC

The Board noted that there were no members of the public who wished to address the Board.

CONSIDER PROPOSAL FROM FLOCK SAFETY

The Board deferred action on this item until later in the meeting.

APPROVE MINUTES OF MEETING HELD JUNE 6, 2024

BOOKKEEPER'S REPORT

TAX ASSESSOR/COLLECTOR'S REPORT

WATERLOGIC REPORT

REPORT FROM TOUCHSTONE DISTRICT SERVICES

Upon motion by Director Niles, seconded by Director Breaux, and after full discussion, the Board voted to:

- a. approve the Minutes of the meeting held June 6, 2024 as submitted;
- b. approve the Bookkeeper's Report, including payment of the bills;
- c. approve the Tax Assessor/Collector's Report for the month of July, noting that approximately 98.46% of the 2023 taxes have been collected; and
- d. approve the report submitted by WaterLogic; and
- e. approve the report submitted by Touchstone;

Upon motion by Director Niles, seconded by Director Breaux, and after full discussion, the Board voted four (4) ayes to zero (0) nays to approve the Bookkeeper's Report, including payment of the bills and approval of investment report.

Director VanDyk abstained from voting on payment of Check No. 3775 made payable to Touchstone.

Copies of the Bookkeeper's Report, the Tax Assessor/Collector's Report, the report submitted by WaterLogic, and the report submitted by Touchstone are attached hereto.

HEAR REPORT FROM HOA

Mr. Rajam stated that he had nothing to report at this time.

The Board noted that no action was required.

HEAR DEVELOPER'S REPORT

Mr. Grover updated the Board on ongoing development within the District.

The Board noted that no action was required.

HEAR ENGINEER'S REPORT

The Board recognized Ms. Schlacter, who reviewed with the Board the Engineer's Report, a copy of which is attached hereto. She updated the Board on the status of ongoing construction projects within the District as detailed in such Report.

Ms. Schlacter presented to the Board the bid tabulation sheet in connection with landscape maintenance, as detailed in the Engineer's Report. The Board recognized Mr. Burgin, who reviewed with the Board general information about Terry's Landscape, LLC, and the services that they provide. The Board then recognized Mr. Palermo, who reviewed with the Board general information about Westco Grounds Maintenance, LLC, and the services that they provide.

The Board deferred action regarding award of a bid for landscape maintenance at this time. Director VanDyk requested that a special meeting be held to discuss the landscape maintenance proposals before the next regular meeting of the Board.

Upon motion by Director Niles, seconded by Director Breaux, and after full discussion, the Board voted unanimously to the Engineer's Report as submitted. By the same motion, the Board voted unanimously to authorize the District's Engineer to inspect damages from a pool excavator.

CONSIDER PROPOSAL FROM MIKE STONE ASSOCIATES

The Board recognized Mr. Wailes, who submitted to and reviewed with the Board a proposal for services in connection with upcoming landscaping projects in the District, a copy of which is attached hereto.

The Board deferred action on this item and requested for it be included on the agenda for the upcoming special meeting.

HEAR OPERATOR'S REPORT

The Board recognized Mr. Mapes, who reviewed with the Board the Operator's Report, a copy of which is attached hereto, as well as the list of "High Water Users". He also reviewed with the Board the delinquent list, a copy of which is attached hereto.

Upon motion by Director Breaux, seconded by Director Niles, and after full discussion, the Board voted unanimously to authorize termination of service to the customers listed on the delinquent list, as the customers were neither participating in the meeting nor presented any written statement on the matter.

Mr. Mapes then reviewed with the Board a Contractual Rate Change Form in connection with the Consumer Price Index ("CPI") adjustment, a copy of which is attached hereto. He informed the Board that SiEnviro is requesting an accumulated percentage rate increase based upon the CPI as provided for in the agreement between the District and SiEnviro, noting that such increase would be 2.9%, and would become effective as of August 14, 2024.

Mr. Mapes reviewed with the Board the proposed adjustments to the rates charged, a copy of which is attached hereto. Mr. LaRue submitted to the Board a proposed Order Adopting Amended Consolidated Rate Order and Rules and Regulations; Establishing a Drought Contingency Plan; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof.

Upon motion by Director Breaux, seconded by Director Niles, and after full discussion, the Board voted unanimously to adopt the Order Adopting Amended Consolidated Rate Order and Rules and Regulations; Establishing a Drought Contingency Plan; Establishing a Wastewater Control Order;

Establishing Certain Other Policies; and Providing Penalties for Violation Thereof to include the amended rates discussed. By the same motion, the Board voted unanimously to approve the Operator's Report as submitted.

HEAR REPORT FROM STORM WATER SOLUTIONS

The Board recognized Mr. Hopper, who reviewed with the Board a report and pictures regarding drainage and detention facilities, a copy of which is attached hereto.

Mr. Hopper presented to and reviewed with the Board a proposal to remove storm-damaged trees from the wooded preserve in the amount of \$1,480.00, a copy of which is attached hereto. Upon motion by Director Gutowsky, seconded by Director VanDyk, and after full discussion, the Board voted unanimously to approve the proposal as amended, at a cost not to exceed \$3,000.00 and subject to final review and approval by Director VanDyk.

He then presented to and reviewed with the Board a proposal to construct a back slope swale around the southern and western perimeter, install a backslope interceptor structure, repair eroded areas, and establish vegetation in Anserra Section 7 West in the amount of \$45,750.00, a copy of which is attached hereto. The Board discussed the erosion in Anserra Section 7 West.

Upon motion by Director Niles, seconded by Director Salley, and after full discussion, the Board voted unanimously to authorize Quiddity to engage Geotech to obtain and test a soil sample from the area in Anserra Section 7 West.

At this time, Director Niles left the meeting.

Next, Mr. Hopper presented to and reviewed with the Board a proposal to repair eroded areas and re-establish vegetation in Trails of Katy Section 6 in the amount of \$6,475.00, a copy of which is attached hereto. Upon motion by Director Gutowsky, seconded by Director VanDyk, and after full discussion, the Board voted unanimously to approve the proposal as submitted.

HEAR ATTORNEY'S REPORT

Adopt Order Designating Administrative Office and Meeting Place(s) Inside and outside the District and authorize publication of notice

Mr. LaRue presented to and reviewed with the Board an Order Designating Administrative Office and Meeting Place(s) Inside and Outside the District. He stated that SK Law will be moving to 1330 Post Oak Boulevard, Suite 2650, Houston, Texas 77056 on October 1, 2024. The Board requested that the Order also designate 2019 Post Oak Blvd, Houston, TX 77056, as an additional meeting place outside of the District.

Upon motion by Director Salley, seconded by Director Breaux, and after full discussion, the Board voted unanimously to adopt the Order Designating Administrative Office and Meeting Place(s) Inside and Outside the District, thereby designating 1330 Post Oak Boulevard, Suite 2650, Houston, Texas 77056 as the new administrative office for the District and designating 1330 Post Oak Boulevard, Suite 2650, Houston, Texas 77056, and 2019 Post Oak Blvd, Houston, TX 77056 as additional meeting places outside the District, effective October 1, 2024. By the same motion, the Board voted unanimously to authorize publication of a Notice of the same in a newspaper of general circulation in Harris County and filing of such Order with the TCEQ.

Discuss correspondence from the Texas Department of Public Safety regarding cyberattack against water and wastewater infrastructure

Mr. LaRue reviewed with the Board correspondence from the Texas Department of Public Safety regarding cyberattacks against water and wastewater infrastructure. Mr. Mayfield stated that SiEnviro is addressing cybersecurity.

The Board noted that no action was needed.

Discuss waste collection services contract

Director VanDyk stated that Texas Pride did not collect the debris caused by Hurricane Beryl in a timely manner and requested information regarding how Texas Pride plans to respond to similar events in

the future. Ms. Richardson stated that Texas Pride is addressing the errors that caused the delay in waste collection after Hurricane Beryl.

The Board noted that no action was needed at this time.

CONSIDER PROPOSAL FROM FLOCK SAFETY

The Board recognized Mr. Anzalone, who presented to and reviewed with the Board a proposal for purchase, installation, and monitoring of five (5) Flock Safety (“Flock”) cameras within the District in the amount of \$18,250.00 for the first year. He noted that the annual recurring subtotal for five (5) cameras is \$15,000.00.

Upon motion by Director VanDyk, seconded by Director Breaux, and after full discussion, the Board voted unanimously to approve the proposal from Flock for purchase, installation, and monitoring of five (5) cameras within the District in the amount of \$18,250.00 for the first year.

THERE being no further business to come before the Board, the meeting was adjourned.

[SIGNATURE PAGE FOLLOWS]

PASSED, APPROVED AND ADOPTED this 5th day of September, 2024.


Secretary, Board of Directors

(SEAL)

