

MINUTES
WEST KEEGANS BAYOU IMPROVEMENT DISTRICT

March 11, 2020

The Board of Directors (the "Board") of West Keegans Bayou Improvement District (the "District") met in regular session, open to the public, on the 11th day of March, 2020, at the Keegans Wood Clubhouse, 9600 Keegans Wood Drive, Houston, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

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| Bobby Reed | President |
| Miriam Beck | Vice President |
| Chris IGwilo | Secretary |
| Gerald F. Kallina | Treasurer |
| Amarjit Verma | Director |

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

Also present at the meeting were Wayne Thompson, and Moni Mansour residents of the District; David Miller of Miller & Associates Engineering ("M&A"); Mike Parker of MMP Services("MMP"); Monty Campbell of Prepared Publications, Inc. ("PPI"); Candy Fair and Russel Cook of Renn Road Municipal Utility District; Richard Haddock of 7Gen Planning ("7Gen"); Michelle Guerrero of Bob Leared Interests; Pamela Redden of McLennan & Associates, LP ("McLennan"); and Tim Austin and Holly Huston of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the February 12, 2020, regular meeting, as submitted. Director Verma presented proposed revisions to the draft meeting minutes. Following review and discussion, Director Kallina moved to approve the minutes of the February 12, 2020, as written. Director Beck seconded the motion, which carried unanimously the motion passed with Director Verma opposed and Director IGwilo abstaining.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Guerrero presented and reviewed the tax assessor/collector's report, a copy of which is attached, including a list of bills for payment from the District's tax account. She stated that the District's 2019 taxes were 95.7% collected as of February 29, 2020. After review and discussion, Director Reed moved to approve the tax assessor/collector's

report and authorize payment of the bills presented for payment from the tax account. Director Beck seconded the motion, which carried unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Redden presented and reviewed the bookkeeper's report, the investment report, and presented the bills for payment from the District's account. Copies of the bookkeeper's report and investment report are attached. Following review and discussion, Director Beck moved to approve the bookkeeper's report, the investment report, authorize payment of bills as presented. Director Kallina seconded the motion, which passed by unanimous vote.

Director Reed addressed the Board regarding an emergency situation in which a lift station in Kingsbridge Municipal Utility District ("Kingsbridge") malfunctioned and effluent leaked into the Bayou. He then requested retroactive approval of per diem for Director IGwilo attendance at the Kingsbridge Board of Directors meeting. Following discussion, Director Kallina moved to retroactively approve per diems for Director IGwilo and Reed's attendance at the Kingsbridge Board of Directors meeting. Director Beck seconded the motion, which passed by a unanimous vote.

MOWING AND MAINTENANCE OF DISTRICT FACILITIES

There was no discussion on this agenda item.

ENGINEERING MATTERS

Mr. Miller presented and reviewed an engineering report, a copy of which is attached.

DEVELOPMENT ISSUES

Mr. Miller reported that M&A completed a request for a construction plan review for Fort Bend Independent School District Transportation Center located at Bissonnet Street and Old Clodine Road and stated that M&A will issue a no objection letter subject to Board approval. Following review and discussion, Director Reed moved to authorize M&A to submit the no objection letter as discussed. Director Beck seconded the motion, which passed by a unanimous vote.

DEEDS AND EASEMENTS

Mr. Miller reported M&A confirmed through a review of Fort Bend County and District records that the District is not responsible for maintenance of a drainage ditch located near Old FM 1464, as discussed at the previous meeting.

DISTRICT MAINTENANCE AND CAPITAL IMPROVEMENT PLAN

There was no discussion on this agenda item.

MS4 STORM WATER PERMIT ("MS4"); IMPLEMENTATION OF THE STORM WATER MANAGEMENT PLAN; AND RECEIVE PUBLIC COMMENTS

Mr. Miller updated the Board regarding the status of the District's MS4 permit. He then requested Board approval of a Delegation of Signatories in order for M&A to submit annual reports on behalf of the District. Following review and discussion, Director IGwilo moved to approve the Delegation of Signatories. Director Kallina seconded the motion, which passed by a unanimous vote.

REMOVE SILT AND SHAPE CENTER CHANNEL OF BAYOU

There was no discussion on this agenda item.

OUTFALL REPAIRS

Mr. Miller updated the Board regarding the repair of Backslope Drain No. 755 on East of Chalford Drive. He then requested Board approval of Job Assignment Form 20-002, a copy of which is attached to the engineer's report. Following review and discussion, Director Reed moved to approve Job Assignment Form 20-02. Director Beck seconded the motion, which passed by a unanimous vote.

Mr. Miller then requested Board approval of a proposal from MMP in the amount of \$24,950.00, for repair of Backslope Drain No. 755 on East of Chalford Drive. Following discussion, Director Reed moved to approve the pay estimate in the amount of \$24,950.00 payable to MMP. Director Beck seconded the motion passed with Director Verma opposed.

Mr. Miller updated the Board regarding the repair of Backslope Drain No. 792 on Ditch "A". He then requested Board approval of Job Assignment Form 20-003, a copy of which is attached to the engineer's report. Following review and discussion, Director Beck moved to approve Job Assignment Form 20-003 and authorize M&A to solicit proposals for repair. Director Kallina seconded the motion, which passed by a unanimous vote.

OTHER ENGINEERING MATTERS

Mr. Miller then requested Board approval of a proposal from MMP in the amount of \$6,000.00, to remove an old backslope drain pipe at the northwest side of Ditch "A". Following discussion, Director Kallina moved to approve the pay estimate in the amount of \$24,440.00 payable to MMP, subject to receipt of an executed proposal and a Texas Ethics Commission 1295 form from MMP

services. Director Beck, seconded the motion which passed by a unanimous vote.

LANDSCAPE ARCHITECT'S REPORT

Mr. Haddock reviewed a landscape architect's report, a copy of which is attached.

DESIGN OF FACILITIES, APPROVAL OF PLANS AND SPECIFICATIONS, AUTHORIZATION TO ADVERTISE FOR BIDS AND AWARD OF CONSTRUCTION CONTRACT, APPROVE PAY ESTIMATES AND CHANGE ORDERS, AND AUTHORIZE FINAL ACCEPTANCE AS APPROPRIATE

Mr. Haddock addressed the Board regarding the mandatory pre-bid conference for construction of Phase 1 of the Hike and Bike Trail held on March 5, 2020, noting that the process was marred by a typo in the publication process which led to some possible bidders missing the conference. Discussion ensued on how to proceed. Mr. Austin reported that the Board may waive defects and irregularities in the bidding process but not so that it would favor one bidder over the other. Following discussion, Director Reed motioned (1) to extend the bid period for two weeks; and (2) waive the mandatory pre-bid request. Director Beck seconded the motion, which passed by a unanimous vote.

Discussion ensued regarding mandatory pre-bid meeting held on March 5, 2020. Mr. Austin then addressed the Board regarding avoidance of the unposted quorums and the consequences and statute of limitations regarding violating the Texas Open Meeting Act. Following discussion, Director Reed motioned to authorize Director's IGwilo and Kallina attend the March 17, 2020 pre-bid meeting on behalf of the District. Director Beck seconded the motion, which passed by a unanimous vote.

RECREATIONAL FACILITIES AND AMENITIES

There was no discussion on this agenda item.

PROPERTY ACQUISITION

The Board did not receive an update on the status of the property acquisition.

DISTRICT WEBSITE

Mr. Campbell reviewed an update to the District's website. Discussion ensued regarding including the Board's credentials on the website. Following discussion, Director Beck moved to approve PPI's report and authorize PPI to not include Director credentials on the District's website. Director Kallina seconded the motion. The motion passed with Director Verma opposed.

2020 DIRECTORS ELECTION

Mr. Austin discussed procedures related to the 2020 Directors Election. He presented and reviewed a Resolution Adopting Voting System (the "Resolution").

Mr. Austin then discussed that early voting rosters must be posted during the early voting period for the 2020 Directors Election.

Following review and discussion, Director Beck moved to adopt the Resolution Adopting Voting System and direct that the Resolution be filed appropriately and retained in the District's official records; and (2) to authorize posting of the early voting rosters during the early voting period for the 2020 Directors Election, as required, and to direct that the rosters be filed appropriately and retained in the District's official records. Director Kallina seconded the motion, which passed unanimously.

MOWING AND MAINTENANCE OF DISTRICT FACILITIES CONTINUED

Director Kallina presented and reviewed bids to fertilize the Bayou from TruGreen Commercial and Greenup Lawn & Shrub Care ("TruGreen") in the respective amounts of \$10,830.00 and \$11,200.00. Following discussion, Director Kallina moved to approve the proposal from TruGreen in the amount of \$10,830.00, subject to review and approval by ABHR and receipt of a Texas Ethics Commission 1295 form. Director Beck seconded the motion, which passed by a unanimous vote.

DISCUSS MEETING SCHEDULE

Director Verma addressed the Board regarding his submission of a complaint to the Fort Bend County District Attorney.

The Board concurred to conduct the next regular meeting on April 8, 2020, at 4:45 p.m. at the Keegans Wood Clubhouse, located at 9600 Keegans Wood Drive, Houston, Texas, 77083.

There being no further matters to come before the Board, the meeting was adjourned.

[EXECUTION PAGE TO FOLLOW]

(SEAL)



/s/ Chris IGwilo
Secretary, Board of Directors

ATTACHMENTS TO THE MINUTES

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