

MINUTES  
WEST KEEGANS BAYOU IMPROVEMENT DISTRICT

August 11, 2021

The Board of Directors (the "Board") of West Keegans Bayou Improvement District (the "District") met in regular session in person at the Keegans Wood Clubhouse, 9600 Keegans Wood Drive, Houston, Texas, inside the boundaries of the District, with supplemental access by telephone available to the public, on the 11<sup>th</sup> day of August, 2021, and the roll was called of the members of the Board being present by telephone and/or in person:

Mike Emerson	President
Miriam Beck	Vice President
Gerald Kallina	Secretary
Carole Bagley	Asst. Vice Pres./Asst. Secretary
Wayne Thompson	Asst. Vice President

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

Also attending the meeting via teleconference or in person were David Alban, Neelam Verma, and additional residents of the District; various members of the public: Russel Cook of Renn Road Municipal Utility District ("Renn Road"); Judy Shindler of Kingsbridge Municipal Utility District; Kody Dewitt and Shannon Miller of Miller & Associates Engineering ("M&A"); Monty Campbell of Prepared Publications, Inc.; Richard Haddock of 7Gen Planning ("7Gen"); Michelle Guerrero of Bob Leared Interests ("BLI"); Carolyn Walker of McLennan & Associates, LP ("McLennan"); Tim Austin and Holly Huston of Allen Boone Humphries Robinson LLP ("ABHR").

Mr. Austin reviewed certain recommended protocols for conducting the District's meeting via teleconference and in person.

COMMENTS FROM THE PUBLIC

Director Emerson offered any members of the public attending the meeting in person or by telephone the opportunity to make public comment.

Mr. Alban addressed the Board regarding the recent passing of his father. He requested Board consideration in approving a memorial plaque to place on a District bench along the trails. The Board requested that Mr. Alban provide a small mock up of the plaque for the Board to consider at their next meeting.

There being no further members of the public requesting to make public comment, Director Emerson moved to the next agenda item.

## 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 updated the Board regarding the status of construction of West Keegans Hike and Bike Trail, Phase 1 ("Phase 1"). He then presented approval of Pay Estimate No. 7 in the amount of \$38,337.56 payable to D.L. Meacham LP ("DLM") for the construction of Phase 1.

### RECREATIONAL FACILITIES AND AMENITIES

Mr. Haddock then updated the Board regarding the Trail Signage replacement with Bakers' Sign Co.

Following review and discussion Director Emerson moved to (1) approve the Landscape Architects report; and (2) approve Pay Estimate No. 7 in the amount of \$38,337.56 payable to DLM for Phase 1. Director Beck seconded the motion, which passed by a unanimous vote.

## CONSENT AGENDA

Mr. Emerson offered Board members and consultants the opportunity to remove items from the consent agenda for individual discussion. Mr. Austin and Ms. Guerrero requested the Board remove the Tax assessment and collections matters and Transparency Requirements from the consent agenda. Following discussion, Director Beck then moved to approve all items on the consent agenda except for the items requested to be removed. Director Emerson seconded the motion, which passed by unanimous vote. Copies of all documents approved as part of the consent agenda are attached.

## 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 then requested Board approval to move eligible outstanding accounts to uncollectible. After review and discussion, Director Kallina moved to approve the tax assessor/collector's report and authorize payment of the bills presented for payment from the tax account and authorization to move all eligible outstanding accounts to uncollectible. Director Emerson seconded the motion, which carried unanimously.

TRANSPARENCY REQUIREMENTS PURSUANT TO SECTION 2051.202, TEXAS GOVERNMENT CODE

Mr. Austin discussed recent legislation enacting Section 2051.202, Texas Government Code, which requires certain special purpose districts to post or cause to be posted additional information on a website maintained by or accessible to the District. He said the new requirements apply to districts that levy a property tax, are required to prepare an annual audit, and have a population of 500 or more as of the beginning of the most recent fiscal year. Mr. Austin reviewed a summary of the new requirements, a copy of which is attached.

The Board discussed the applicability of the new posting requirements to the District and the possibility of expanding the website used by the District for compliance with previously-enacted transparency requirements. Ms. Guerrero discussed the services currently provided by BLI to implement existing transparency requirements, including ensuring that information posted on the website is accurate and current. She presented a proposed amendment to the District's contract with BLI to incorporate the new posting requirements on the existing website.

After review and discussion, Director Beck moved to approve the amendment to the contract between the District and BLI as presented and direct that the amendment be filed appropriately and retained in the District's official records. Director Bagley seconded the motion, which passed unanimously.

APPROVE DEPOSITORY PLEDGE AGREEMENTS AND ADOPT RESOLUTION ESTABLISHING THE AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKERS/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

Mr. Austin stated that BBVA Compass has been acquired by PNC Bank and will no longer be offering collateralized deposit for the District's operating and tax accounts. Ms. Walker recommended that the District move the operating to Central Bank. The Board then considered approving a Depository Pledge Agreement with Central Bank. Ms. Guerrero recommended that the District move the tax account to Allegiance Bank. The Board then considered approving a Depository Pledge Agreement with Allegiance Bank. Following review and discussion, Director Emerson moved to (1) approve the Depository Pledge Agreements with Central Bank and Allegiance Bank and direct that the Agreements be filed appropriately and retained in the District's official records; (2) authorize McLennan to move the District's operating and tax accounts to Central Bank; and (3) authorize BLI to move the District's operating and tax accounts to Allegiance Bank. Director Beck seconded the motion, which passed by a unanimous vote.

DISCUSS WATER CODE TAX PROVISIONS AND 2020 TAX RATE, ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2020 TAX YEAR, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

There Board concurred to defer discussion on this agenda item.

ENGINEERING MATTERS

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

DEVELOPMENT ISSUES

There was no update on this agenda item.

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

Ms. Miller updated the Board regarding the status of the District's MS4 permit.

REMOVE SILT AND SHAPE CENTER CHANNEL OF BAYOU

Ms. Miller updated the Board on the status of the sediment removal and slope restoration, phase 1 and 2.

BAYOU REHABILITATION

Ms. Miler updated the Board regarding bayou rehabilitation matters.

OUTFALL REPAIRS

Ms. Miller updated the Board regarding backslope drain and outfall repairs within the District.

Ms. Miller the discussed implementing a program for systematic backslope drain replacement. She then requested Board authorization design of and preparation of plans and specifications for Group 5 of the Backslope Drains and Concrete Trails Panel Replacement. Following discussion, Director Emerson moved to authorize this request. Director Bagley second the motion, which passed by a unanimous vote.

SECURITY CAMERAS

Mr. Drewitt updated the Board regarding a Request for Proposal to solicit proposals for security surveillance along the District's trails. No action was taken at this time.

DIRECTOR MATTERS

Discussion ensued regarding Director matters.

RESOLUTION RESCINDING DELEGATION OF AUTHORITY DUE TO AN EMERGENCY

Mr. Austin reviewed a Resolution Rescinding Delegation of Authority Due to an Emergency (the "Resolution"). He noted the Resolution rescinds the delegations of authority to take certain actions on behalf of the Board or District, as adopted in April of 2020. Following review and discussion, Director Beck moved to adopt the Resolution and direct it be filed appropriately and retained in the District's official records. The motion was seconded by Director Kallina, which passed by a unanimous vote.

RESOLUTION RESCINDING DESIGNATION OF TREASURER DURING COVID-19 DECLARED DISASTER AND AUTHORIZATION OF DISBURSEMENTS

Mr. Austin reviewed a Resolution Rescinding Designation of Treasurer During COVID-19 Declared Disaster ("Designated Treasurer Resolution"). After review and discussion, Director Beck moved to approve the Designated Treasurer Resolution as presented and direct that it be filed appropriately and retained in the District's official records. Director Kallina seconded the motion, which passed unanimously.

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



Secretary, Board of Directors



**ATTACHMENTS TO THE MINUTES**

	Minutes
	<u>Page</u>
Landscape Architect's Report .....	2
Bookkeeper's report.....	2
Website Report .....	2
Tax assessor/collector's report .....	2
Engineering report.....	4