



# Westwood Shores M.U.D.

## NOTICE OF BOARD MEETING

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Notice is hereby given to all interested members of the public that the Board of Directors ("Board") of the above captioned District will hold a meeting, open to the public, at **Westwood Shores Clubhouse, 100 Westwood Drive East, Trinity, Texas 75862**. The meeting will be held on **Monday, March 18, 2024, at 6:00 p.m.** to consider and authorize any action related to the following:

- 1) **Call the Meeting to Order and Pledge of Allegiance;**
- 2) **Consider comments from members of the public, (the Board imposes a three-minute speaking limit for each member of the public wishing to address the Board; public comments will be closed after this item);**
- 3) **Approve Minutes of prior board meeting(s);**
- 4) **Engineer's Report, including:**
  - a. Authorize design, advertisement, or award of bids/contracts for construction of facilities;
  - b. Status of construction and approval of pay estimates/change orders;
    - i. Lift Stations Rehabilitation Project;
    - ii. Status and acceptance of Filter Project, adopt corresponding resolution;
  - c. Consider authorizing Wastewater Treatment Plant effluent SSIR Study;
  - d. Update regarding Engineering projects;
  - e. Consider authorization to prepare and submit water treatment report;
  - f. Update on Lead and Copper Rule Revisions ("LCRR"), including request for information and community outreach;
- 5) **Operator's Report including:**
  - a. Consider Proceed with Authorization to Build Requests;
  - b. Inspection, Repair, and Maintenance of District facilities and vehicles, including:
    - i. Update on service calls, including proposals for repairs and maintenance;
    - ii. Update on 90-day assessment, valve, and sewer study;
  - c. Update on monthly reports, TCEQ Violations and Notices, including notices to residents, and Proposed Agreed Order(s);
  - d. Update on communication protocols;
- 6) **Office Report, including:**
  - a. Delinquent accounts, including termination, collections, and/or uncollectible roll;
  - b. Review and revision of District billing format;
  - c. Appeals of District charges, including requested adjustments to bills;
  - d. Service Orders, Tap Fees requested, paid, and completed, and updates to tap fee application;

- e. Consider and approve amendment(s) to District Rate Order, including:
    - i. Authorize Rate Order amendment and update on prior amendments;
  - f. Office IT matters including office IT equipment, necessary upgrades, vendor contracts, security improvements, and customer notifications/communications;
  - g. Website Updates, including update website service provider agreement;
  - h. Update on Neptune/CUSI software, including incorporation of new rates;
  - i. Service Request, Customer Application, and termination request review, Office Personnel/Vacation Policy, and District Policy amendments;
- 7) **Appraisal District's Tax Assessor's Report, including:**
- a. Delinquent Tax Collections Update, including status of delinquent taxes, collection/uncollectible accounts, termination of water service, foreclosure proceedings, installment agreements, and proofs of claim(s);
  - b. Update from Delinquent Tax Attorney, including penalties for non-payment;
- 8) **Bookkeeper's Report, including:**
- a. Payment of Invoices;
  - b. Update on District Investment Accounts, including:
    - i. Amend Budget, if necessary, and status of 2025 annual budget;
    - ii. Update on District Accounts and Investments;
  - c. Update on status of District property, including real property, adopt Order(s) Declaring Surplus Property, and authorize disposal of same;
- 9) **Directors' Reports, including:**
- a. Director-Consultant committee and liaison updates, including:
    - i. Construction and Operations Committee updates;
    - ii. Update on Records Retention and Management;
    - iii. Update on landscape vendors;
    - iv. District vendor agreements and review of terms, including renewal periods;
    - v. Update on alternative water sources/agreements and authorize communication with City of Trinity;
  - b. Update on District goals, 2024 District Schedule, funding options, and public outreach;
- 10) **Consider and approve proposals/qualifications for District Financial Advisor (general and LCRR), Bond Counsel and Engineer positions (LCRR);**
- 11) **Attorney's Report, including:**
- a. Update on Public Utilities Commission Docket No. 54713;
  - b. Update on Marina Village repairs and related agreements;
  - c. Update on Entergy Easement request;
  - d. 2024 Bond Authorization Election, including community outreach and updates related to Voter Information Form and public education;
  - e. Update on 2024 Directors Election Schedule;

- 12) Discuss pending business and matters for future agendas, including scheduling of next meeting date(s).
- 13) Executive Session pursuant to Texas Government Code, Section 551.071, (et. seq.);
- 14) Reconvene in open session and authorize any action resulting from executive session;



**WESTWOOD SHORES MUNICIPAL  
UTILITY DISTRICT**

*/s/ Joshua Zientek*  
Attorney for the District

Persons with disabilities who require auxiliary aids or services at the meeting are asked to contact the District at 281-719-1990, at least three (3) business days prior to the meetings so that appropriate arrangements can be made.

\*The District reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with attorney), Section 551.072 (Deliberations about Real Property), Section 551.073 (Deliberations about Gifts and Donations), Section 551.074 (Personnel Matters), Section 551.076 (Deliberations about Security Devices), Section 551.087 (Economic Development), and other matters as allowed by law.

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the Montgomery County Municipal Utility District No. 88 ("District"), will consider entering into a contingent fee contract with the law firm of Mitchell, Zientek & Scruggs, LLP ("MZS") or Norton Rose Fulbright ("NRF") (collectively the "Firms") and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

- A. The District is pursuing a contract with the Firms for services described under GOVT. CODE §1201.027 as bond counsel in related to an application currently pending with the Texas Water Development Board and issuance of bonds related to same.
- B. The District believes the Firms have the competency, qualifications, and experience necessary to fulfill this contract.
- C. The nature of any relationship between the District and the Firms is as follows. MZS currently provides legal services as general counsel and bond counsel to the District. NRF is not currently engaged by the District in any capacity.
- D. The District does not currently employ attorneys and/or supporting personnel qualified to provide bond counsel legal services.
- E. Engaging an attorney in private practice who has meaningful experience in public finance matters pursuant to an hourly fee arrangement would likely result in higher fees to be paid by the District, and such fees incurred would be payable by the District, whether or not the securities are issued.
- F. The District believes this contingent fee contract is in its best interest. Fees for legal services in public finance matters, including bond counsel legal services, have traditionally been paid pursuant to a contingent fee arrangement, where such fees become payable only upon the successful issuance of the securities and are payable solely out of the proceeds of the securities.