

**WESTWOOD SHORES MUNICIPAL UTILITY DISTRICT**  
**Minutes of Special Meeting of Board of Directors**

December 11, 2023

The Board of Directors (the “Board”) of Westwood Shores Municipal Utility District (the “District”) met in regular session, open to the public, at 100 Westwood Drive East, Trinity, Texas 75862, a designated meeting place inside the boundaries of the District and the roll was called of the members of the Board as follows:

Joan Gallagher	President
Robert Stoddard	Vice President
John Wolf	Secretary
Jim Atkinson	Asst. Secretary
Bryan Holmes	Director

All the above were present, thus constituting a quorum.

Also present at the meeting were Rico Rodriguez and Kevin Osborne of Civil Grade Engineers (“Civil Grade”); Joshua Zientek of Mitchell, Zientek & Scruggs, LLP (“MZSLLP”); Pam McKay of Westwood Shores Municipal Utility District (“WSMUD”); and various members of the public.

**CALL THE MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**

Director Gallagher called the meeting to order and Director Atkinson led a recitation of the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mr. Renfro provided additional details related to a previously discussed sewer tap installation and Mr. Rodriguez explained his investigation into the causes of the misunderstanding. Ms. Savage asked about funds expended in related to the Public Utilities Commission matter and asked about the capacity of the City of Trinity to provide water to the District. Director Gallagher explained previous communications with the City of Trinity related to their capacity to serve. There was discussion related to future bond authorization election options. Lastly, the Board considered Mr. Karnes landscaping proposal and Director Stoddard provided an update on the selection process.

**ENGINEER’S REPORT**

Mr. Rodriguez provided additional details related to the previously discussed sewer tap agenda item and explained that he communicated with Inframark and Mr. Renfro related to the application and installation. He explained the potential costs associated with different solutions for the issued and the Board considered each, thoroughly. Director Wolf moved, and Director Atkinson seconded, to keep the current installation site of the sewer tap and authorize the developer’s contractor to plumb to the current location. The motion passed unanimously.

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Mr. Rodriguez explained a funding option from the Texas Water Development Board (“TWDB”) related to Lead Service Line Replacement requirements. He provided a detailed history and explained the terms of the proposal and further explained that, should the District be approved, bond authorization would be needed. Mr. Zientek provided a brief explanation of the bond authorization process and timeline. Mr. Rodriguez explained that there was no penalty for withdrawal of the application, should that be necessary.

Mr. Rodriguez then provided an update on the lift station rehabilitation project and reminded the Board that, previously, it approved award of the project subject to final approval by TWDB. He explained TWDB’s terms for approval and explained that TWDB recommended award of the project to be followed by a change order which would be approved by the contractor and the District. Mr. Rodriguez then gave an update on invoices to be paid which would be included on a future agenda.

Lastly, Mr. Rodriguez explained an easement request by Entergy and recommended approval subject to final revisions by MZSLLP and Civil Grade. Director Holmes moved, and Director Wolf seconded, to approve the Entergy easement request subject to final revisions by the District’s consultants, approve award of the Lift Station rehabilitation contract as recommended by TWDB, and authorize Civil Grade to prepare the TWDB LSLR application with a budget not to exceed \$40,000. The motion passed unanimously.

**ATTORNEY’S REPORT**

Director Gallagher provided a brief update on the Public Utilities Commission matter explaining that the petitioner’s did not approve the settlement offer of the District. She explained the budgeted costs of future litigation that this causes and implications for the District’s Rate Order.

Next, the Board provided details and thoroughly explained a draft rate order amendment to be effective February 1, 2024, explaining that the purpose of the amendment was to encourage water conservation. Director Atkinson recommended a lower rate at this time. Director Stoddard moved, and Director Holmes seconded, to approve the Rate Order amendments as presented by Director Gallagher, to be effective February 1, 2024. The motion passed four to one (4-1) with Director Atkinson opposed.

Lastly, Mr. Zientek explained that the District’s new bookkeeper requested that the Board consider approving an agreement with Elite Bookkeeping on a time and materials basis to assist with the transition to the new bookkeeper. Director Atkinson moved, and Director Holmes seconded, to authorize MZSLLP to prepare an agreement consistent with this understanding. The motion passed unanimously.

**DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS**

The Board reviewed the upcoming meeting schedule and holidays.

**EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, ET. SEQ.**

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The Board did entered Executive Session at 11:05 a.m. pursuant to Tex. Gov. Code Sec. 551.071.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 11:25 a.m.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned.

Approved this January 22, 2024.



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UTILITY DISTRICT

/s/John Wolf  
Secretary, Board of Directors