

MINUTES OF MEETING  
OF  
BOARD OF DIRECTORS

June 18, 2024

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
BRIDGESTONE MUNICIPAL UTILITY DISTRICT §

The Board of Directors (the "Board") of Bridgestone Municipal Utility District (the "District") met in regular session, open to the public, at the Operations and Water Education Center, 19720 Kuykendahl Road, Spring, Texas, its regular meeting place within the boundaries of the District, on Tuesday, June 18, 2024, at 6:00 p.m.; whereupon, the roll was called of the members of the Board, to-wit:

Johnny Pack	President
Joe Marks	Vice President
Martha Velazquez	Treasurer
Nancy Woollard	Secretary
Michael Crayton	Assistant Secretary

All Directors were present, except Director Velazquez, thus constituting a quorum. Also attending the meeting were: Ms. Monica Garza, attorney, and Ms. Alison Miller, paralegal, of Polley Garza PLLC ("PG"), attorneys for the District; Messrs. David Rowe and Danny Staab of Water District Management Company, Inc. ("WDM"), operators for the District; Ms. Christina Ferguson of Myrtle Cruz, Inc., bookkeeper for the District; Messrs. Josh Lee, P.E., Ryan Schilhab, P.E., and Steve Berckenhoff, P.E., of Quiddity Engineering LLC ("Quiddity"), engineers for the District; Ms. Pat Hall of Equi-Tax, Inc., tax assessor/collector for the District; Ms. Tara Klein of Four and One Landscape Architects, landscape architects for the Bridgestone MUD Park; Mr. Brian Sparks of Triton Consulting Group, communications consultant for the District; Ms. Barbara Nussa of Republic Services, Inc., garbage and recycling service provider for the District; Mr. Travis Benes of Storm Water Solutions, detention pond maintenance provider for the District; Messrs. Brad Dill and Merrill Willgrubs of BD Realty Advisors, real estate consultant for the District. Members of the public and/or residents of the District were also present at the meeting. A copy of the public sign-in sheet is attached as an exhibit hereto.

WHEREUPON, the meeting was called to order and evidence was presented that public notice of the meeting had been given in compliance with the law. The posted notices of the meeting are attached hereto.

PLEDGES

Director Pack led the meeting attendees in the Pledges of Allegiance to the United States and Texas flags.

## PUBLIC COMMENT

Ms. Rita Harkless, resident of the District, addressed the Board and asked if the District's budget is in a deficit and by how much. Ms. Harkless then asked why the Bridgestone Patriots website was taken down.

Mr. Alex Bregenzer of the Spring Fire Department addressed the Board regarding implementation of a community risk reduction program, which would include first aid and CPR training. Mr. Bregenzer stated he would discuss holding the program at the Operations Center with Mr. Schkade.

Ms. Tomi Burgess, resident of the District, addressed the Board regarding the process of submitting questions to the District's website and who receives copies of those messages and/or questions. Ms. Burgess also inquired as to the status of unbilled District security fees.

Ms. Martha Gutierrez, resident of the District, addressed the Board regarding inclusion of public comments in the Board meeting minutes and requested a response to her email sent on June 7<sup>th</sup>.

Director Pack stated the Board will be discussing the District's public comment policy during tonight's Board meeting.

## HARRIS COUNTY PRECINCT 4 CONSTABLE'S SECURITY REPORT

Corporal Cowan reviewed the security report for the month of May, a copy of which is attached hereto.

## CONSENT AGENDA

Director Pack reviewed the structure of the consent agenda with the Board and explained that this portion of the agenda deals with routine matters of the Board, and that no separate discussion of such items will occur unless a Board member requests an item be moved to the regular portion of the agenda.

Director Crayton requested that approval of the bookkeeper's report and the operator's report be considered during the regular agenda.

Ms. Garza presented a Consent to Encroachment Agreement with Gosling Professional Plaza for the Board's approval. Mr. Schilhab then briefly reviewed the pay estimates and change orders being presented for the Board's approval.

Upon motion by Director Crayton, seconded by Director Woollard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the following Consent Agenda items: 1) pay estimates and change orders as follows: a) Water Well No. 1 Rework Change Order No. 3 for a deduction of \$28,360.00 for adjustments to final quantities; and b) WWTP No. 2 Pay Estimate No. 20 in the amount of \$137,997.00; 2) the written Detention Facilities Maintenance Report; 3) the written the Tax Assessor/Collector's Report, including payment of tax-related checks; 4) the written Delinquent Tax Attorney's Report; 5) the written

Garbage and Recycling Service Report; 6) the written Communications Report; 7) the written Engineer's Report; 8) minutes of prior meetings, including May 7, 2024, May 15, 2024 and May 21, 2024; and 9) approval of Consent to Encroachment Agreement with Gosling Professional Plaza. Each of the written reports referenced above are attached as exhibits hereto.

REGULAR AGENDA

STRATEGIC PARTNERSHIP AGREEMENT ("SPA") AUDIT REPORT

Mr. Fortner reviewed the SPA Audit Report with the Board, a copy of which is attached hereto.

GARBAGE AND RECYCLING SERVICE REPORT

Ms. Nussa reported she would bring Republic's check toward the District's parks to Mr. Schkade tomorrow and the second check will be provided in October.

LANDSCAPE ARCHITECT'S REPORT, INCLUDING ADDITIONAL BRIDGESTONE MUD PARK CONSTRUCTION UPDATES

Ms. Klein reviewed the report on construction of the Bridgestone MUD Park with the Board. Ms. Klein then presented Pay Application No. 16 in the amount of \$741,802.07 and Change Order No. 13 for no change in cost and increase of 17 days due to rain. Upon motion by Director Crayton, seconded by Director Woollard, after full discussion and the question being put to the Board, the Board voted unanimously to approve Pay Application No. 16 in the amount of \$741,802.07 and Change Order No. 13 for no change in cost and increase of 17 days due to rain.

DETENTION FACILITIES REPORT

Mr. Benes reviewed the detention facilities report with the Board, a copy of which is attached hereto. Mr. Benes presented two proposals for Board consideration: 1) Springbrook Plaza detention pond stormwater quality feature high density pipe replacement in the amount of \$64,106.00; and 2) Springbrook Plaza detention pond desilting in front of the outfall pipe in the amount of \$11,000.00. Upon motion by Director Woollard, seconded by Director Marks, after full discussion and the question being put to the Board, the Board voted unanimously to approve the proposals as outlined above.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Hall stated she had nothing further to add.

ACCOUNT ACCESS AUTHORIZATION AND AGREEMENT WITH THIRD PARTY WELLS FARGO VANTAGE ACCESS

Ms. Garza stated she is working on the agreement with Ms. Hall and requested to defer this item.

## DELINQUENT TAX ATTORNEY'S REPORT

Ms. Hall stated she had nothing further to add.

## BOOKKEEPER'S REPORT

Ms. Ferguson reviewed the bookkeeper's report with the Board, a copy of which is attached hereto. Upon motion by Director Crayton, seconded by Director Woollard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the bookkeeper's report, investment report and payment of bills reflected therein.

## COMMUNICATIONS REPORT

Mr. Sparks stated he had nothing additional to report.

## OPERATIONS REPORT

Mr. Staab requested authorization to contract with a dewatering company for the WWTP digester diffuser, in the approximate amount of \$40,000.00. Upon motion by Director Woollard, seconded by Director Marks after full discussion and the question being put to the Board, the Board voted unanimously to authorize WDM to contract with a dewatering company for the WWTP digester diffuser, in the approximate amount of \$40,000.00.

Mr. Staab then reported he has been working with PG on revisions to the District's Rate Order. Discussion then ensued regarding the various proposed changes and the after-hours service fees. The Board concurred to defer any changes to the Rate Order until Mr. Staab can confirm the changes with his office staff.

Director Crayton reminded the Board they had previously authorized expenditures by consultants up to \$25,000.00 upon approval of two (2) Directors. Director Crayton asked what the process should be now that the Board/consultant liaisons have been removed. The Board concurred to allow purchases over \$2,000.00 by requesting approval from Mr. Schkade, who will then receive approval from two (2) Directors, as well as notifying the whole Board of the decision by blind copying them on an email.

Upon motion by Director Woollard, seconded by Director Crayton, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) authorize termination of delinquent accounts in accordance with the District's Rate Order; and 2) authorize the write-off of uncollectable accounts listed in the operator's report.

## GENERAL MANAGER'S REPORT

Mr. Schkade presented his general manager's report to the Board. Mr. Schkade asked how the Board would like to handle the fence replacement request from the Bridgestone homeowners association ("HOA") for the fence on River Shadows Run. Director Pack stated the fence does not pose a drainage issue and is not a District responsibility. Mr. Schkade suggested sending a letter to the Bridgestone HOA denying the request and the Board concurred.



Mr. Schkade next reviewed a proposal from Triton for hybrid meeting equipment in the amount of \$3,500.00, that would enable the District's Board meetings to be recorded and allow up to two (2) Directors to attend virtually. Director Pack stated he would like to review the proposal and discuss the options more before making a decision. Ms. Garza reviewed the various requirements that must be met in order to allow a Board member to attend a Board meeting virtually.

#### RECREATIONAL FACILITIES REPORT

Director Crayton stated AlphiOmega has prepared the conceptual design of the veterans memorial and it will be viewed at a future meeting.

Director Crayton reported discussion occurred at the Bridgestone HOA meeting last night regarding conveyance of the seven (7) lots in the Bridgestone subdivision to the HOA from the District. Director Crayton stated a decision on acceptance of the lots has not been made. Mr. Schkade stated the tree located on one (1) of the lots will need work done on it shortly and stated he could obtain a proposal to have the work done.

Director Crayton then stated a proposal from Texon Solar Energy LLC ("Texon") was previously approved by the Board in March or April for solar panels at the Bridgestone MUD Park, subject to finalization of the contract by PG. Ms. Garza stated she has been working with Texon and has finalized the contract for Board approval at tonight's meeting. Ms. Garza noted the contract amount is \$251,502.00. A representative of Texon then reviewed a presentation regarding Texon's services. Discussion ensued regarding Texon's services and installation of solar panels at the Bridgestone MUD Park.

Upon motion by Director Crayton, seconded by Director Woollard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the contract with Texon for solar panels at the Bridgestone MUD Park.

#### RESOLUTION ESTABLISHING RULES AND REGULATIONS GOVERNING USE OF DISTRICT PARKS AND RECREATIONAL FACILITIES ("RESOLUTION")

Upon motion by Director Marks, seconded by Director Crayton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Resolution.

#### ENGINEERING REPORT

Mr. Schilhab reported a request for feasibility study was received from the Spring Stuebner Business Park development, a 10-acre tract located at the southwest corner of Rhodes Road and Spring Stuebner. Upon motion by Director Crayton, seconded by Director Woollard after full discussion and the question being put to the Board, the Board voted unanimously to authorize preparation of the feasibility study.

Mr. Schilhab then reported that Director Marks brought to his attention that the contractor for the Sanitary Sewer Rehabilitation Phases 1-3 project was not following proper safety procedures. Mr. Schilhab stated he informed the contractor and the contractor has reprimanded the crew and ensured that it will not happen again.

Mr. Schilhab next reported that the website portal for District engineering services is almost complete and should be ready to go live in July. Mr. Schilhab requested approval of an amended proposal to incorporate construction related documents into the portal, pursuant to a request from the Board. Upon motion by Director Crayton, seconded by Director Woollard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the amended proposal.

Mr. Schilhab went on to report that service line extensions and easements will be needed in order to serve the All Seasons Plaza development tract, and a water line loop will be required to satisfy the City of Houston's requirements. Mr. Schilhab requested authorization to work with BD Realty to obtain the necessary easements. Upon motion by Director Crayton, seconded by Director Marks, after full discussion and the question being put to the Board, the Board voted unanimously to authorize BD Realty to work with Quiddity to obtain the necessary easements for the All Seasons Plaza development.

#### DIRECTOR'S ITEMS

Director Crayton stated the District's facilities are in good shape.

Ms. Garza stated she sent a draft of the revised Policy and Procedures Regarding Agendas to the Board yesterday, which incorporated the changes discussed at the previous Board meeting. Upon motion by Director Marks, seconded by Director Crayton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the amended agenda policy.

Director Crayton stated there has been a concern that public comments are not being included in the meeting minutes so the Board has been discussing the public comment process. Director Crayton proposed that when a public comment card is filled out, the question and answer be posted on the District's website following the Board meeting so that the public could access the questions and answers easily. Ms. Garza stated the Board will need to determine one (1) person to serve as the "spokesperson" for the Board that will handle the answers and who will approve the answers to be posted to the website to ensure there are no violations of the Texas Open Meetings Act. Director Pack stated the questions will be provided to Mr. Schkade, who will answer the question and contact PG if attorney involvement is needed in the answer. Ms. Garza stated she will revise the public comment policy to reflect the changes.

Director Pack stated he would like guidelines from the District's bookkeeper regarding the operations reserve amount the District should have before spending on non-essential items can occur. Ms. Garza noted the bookkeeper's report shows a reserve of 116%. Upon motion by Director Woollard, seconded by Director Marks after full discussion and the question being put to the Board, the Board voted unanimously to authorize the bookkeeper to prepare operations reserve information and to stop any non-essential District expenditures.

#### ATTORNEY'S REPORT

Ms. Garza stated she had nothing further to report.

REAL ESTATE CONSULTANT REPORT

Mr. Willgrubs provided an update on the status of release of various easements across the District's 2.78-acre tract.

Mr. Willgrubs stated an update on negotiations to acquire sanitary control easements for Water Well No. 5 would be given in closed session.

APPEAL OF SECURITY FEES BY THE ABBEY AT SPRING TOWN CENTER, INCLUDING POSSIBLE CONVENING EXECUTIVE SESSION TO DISCUSS RELATED ATTORNEY-CLIENT PRIVILEGED MATTERS

Director Pack stated Mr. Jon Polley suggested a special Board meeting in order to bring the Board up to speed on the security fee matter.

PUBLIC COMMENT

Mr. David Berry, resident of the District, addressed the Board regarding the District's operating reserve as well as the Bridgestone Greenways Conservancy non-profit organization.

Mr. David Ellison, resident of the District, addressed the Board regarding the continued improvements that have been made by the Board to the format of the Board meetings. Mr. Ellison suggested consideration of a Director roll call at the beginning of the meetings or name plaques for the Board members.

Director Pack stated he will make a point to introduce the Board members at the beginning of each meeting going forward.

EXECUTIVE SESSION

Director Pack convened the Board in executive session at 8:17 p.m., pursuant to Section 551.072, Texas Government Code, regarding negotiation on the acquisition of real property. Directors Pack, Crayton, Woollard, and Marks, Mr. Schkade, Mr. Schilhab, Mr. Willgrubs, Ms. Garza, and Ms. Miller remained in the executive session.

Director Crayton exited the meeting at 8:20 p.m.

RECONVENE IN OPEN SESSION

Director Pack then reconvened the meeting in open session at 8:27 p.m., at which time no further action was taken.

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

25<sup>th</sup> September

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of July, 2024.



*[Handwritten Signature]*  
Secretary, Board of Directors