

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Special Meeting of Board of Directors  
June 30, 2020

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 1904 NapleCHASE Crest Drive, Spring, Texas, on June 30, 2020 in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

Daniel M. Meacham, President  
Robert B. Schenck, Vice President  
James F. Messer, Secretary  
A. F. “Bud” Gessel, Assistant Secretary  
Eric Langstaff, Director

and the following was absent:

None.

Also present were Jeff Vogler, Mark Cervantes, Mike Potter, and Lori G. Aylett.

The President called the meeting to order and declared it open for such business as might properly come before it.

1. There were no public comments.

2. The Board reviewed correspondence from Harris County regarding the Sandpiper drainage project. Jeff Vogler reported that after Hurricane Harvey, the Harris County Engineering Department asked various municipalities and local governments if there were projects that could be done to improve localized flooding. Sandpiper was selected for evaluation. There are two offsite drainage areas that sheet flow into the Sandpiper subdivision during major storm events. The first is 21 acres from the north side of Hirschfield, but with the construction of Breckenridge West, drainage from this area will be routed through a detention pond and will outfall directly into Cypress Creek. The second source is 37 acres from Birnamwood Boulevard. Harris County reviewed several scenarios to reduce localized flooding in the Sandpiper area. Harris County’s study did not encompass riverine flooding, which is flooding due to rising streams, such as Cypress Creek. The first scenario considered by Harris County was upsizing the storm sewer along Sandpiper Trail, but the analysis was discontinued because the need for mitigation and potential blocking of access for homes would render the project unworkable. The second scenario was to regrade Sandpiper Trail’s roadway profile, but the road would have to be lowered such that many of the homes would not be accessible. The third scenario contemplated was the construction of an emergency overflow from Sandpiper Trail to a proposed new detention pond located west of the Sandpiper subdivision. The fourth scenario would be to construct a second parallel storm sewer on Whitaker Way. All scenarios contemplate de-silting Harris County Flood Control channel K114-00-00 and upsizing the outfall pipes to 72-inches. Harris County deemed three of the projects viable: constructing the overflow and the detention pond, constructing a parallel storm sewer on Whitaker Way, and de-silting the Flood Control’s ditch. The estimated cost for the three projects is \$4.5 million, and of

that amount, Harris County included costs of land acquisition for the detention pond. The land is owned by Timber Lane Utility District. The engineer recommended that the District respond to Harris County Engineer Department that the District is interested in the project but would like clarification on several items prior to making a final decision. A preliminary list of those items is: 1) what is the timing for the funding for the agreement? In other words, when does the County need the money? The District has \$822,250 set aside from the last bond issue for an unnamed drainage project. 2) Can the District's land costs contribute towards its share of the project, and if so would an appraisal be necessary? 3) How did Harris County size the proposed detention pond? From the District engineer's perspective, the pond is much larger than would be necessary. There may be models to support the capacity, but those were not available to the engineer. 4) Does Harris County intend to combine the existing lake with the pond? 5) Why is the District being asked to participate in the cost of de-silting a Flood Control channel? 6) The engineer will inform Harris County that the offsite drainage area north of Hirschfield should be removed from the drainage model because Breckenridge West construction will divert this drainage to a new area. The Board asked why the Harris County study did not address the flooding in Arbor Trails, and the engineer noted that was riverine flooding due to the rising of Cypress Creek. The study that Harris County did was only applicable to localized flooding. After discussion, upon unanimous vote, the Board authorized the engineer to respond that the District was interested in participation subject to clarifications listed above.

3. Jeff Vogler reported that Harris County had also conducted a subdivision drainage assessment for Lynwood Estates which is located in neighboring WCID No. 99. Their Board will have to consider whether they want to participate in that project, but according to the plans, a detention pond has been located on another tract owned by Timber Lane Utility District. The Board discussed the benefit to the District of allowing the use of its land for detention for Lynwood Estates. The Board noted that it could be amendable to allowing the use of its land for detention if Harris County could complete all items necessary to take acceptance of Casper Drive in its permanent maintenance logs, replace and upgrade the culverts under Casper Drive, and give clarity on who would maintain a detention pond after its construction. The engineer will communicate this information to Harris County.

4. The Board discussed a change order with A&M Construction for the Veteran's Memorial. After reviewing design with the architect, the contractors prepared to construct the Veteran's Memorial for \$255,000 and 160-calendar days to complete the project. The Board noted that they wanted to incentivize the early completion of the Veteran's Memorial for the benefit of the District's residents. After discussion, the Board approved the payment of an additional \$500 per calendar day for early completion up to a maximum of \$10,000. This consideration would be in addition to the construction amount listed in the change order. Upon unanimous vote, the Board approved the change order as presented.

5. Lori Aylett discussed the Interlocal Agreement with Harris County for construction of trails in Herman Little Park. The trail length has extended, so the District's maximum obligation would now be \$385,000. Director Gessel confirmed that the County intends to construct the trail using its own crews, and the District would agree to contribute to the cost of materials up to \$385,000. The Board and engineer stated that it was not reasonable for the County to require 24-hour notice by the District before the District enters the construction site, particularly because construction is taking place on District property. In addition, the

agreement as revised by the County would provide for the addition of changes in contract, or change orders. The Board noted that change orders would not be acceptable except in certain very limited circumstances, and then the District's financial participation should not be increased. The attorney will make revisions to the agreement.

6. Under pending business, the engineer reported that the Board had previously discussed the potential annexation tract. The engineer and operator have verified sewer line location so that the District will have more information on the cost to serve the tract. The fence around the lift station needs to be replaced, and the operator will be getting bids for consideration at the next Board meeting.

Director Schenck noted that the Board had a lot of money invested in the new community center building, and it was beautiful. It was his belief that the District should hire a professional cleaning contractor. The Board noted that it would be important to take bids and provide a list of the work for different cleaning services to make an apples-to-apples bid.

Director Langstaff asked the attorney if she had received a copy of the revised lease for Liberty Park House property and garage. The attorney has not seen the revised lease. Director Langstaff expressed the opinion that District should be prepared for the fact that it may not be possible to come to terms with the civic association and the District should investigate options for moving its camera equipment out of the building.

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

[ORIGINAL SIGNED BY JAMES F. MESSER]  
Secretary