

Printed name of
Member (Lot Owner)

1110 Bayou Island
Drive

Address of Member

Bayou Island Park Homeowners Association

Annual Meeting Minutes

January 9, 2020

The annual meeting of the Bayou Island Homeowners Association was held on January 9th, 2020 at Memorial Drive Presbyterian Church. Board members present were Chris Cantele, Reggie Spiller, Scott Holliday, Ann Griffin and Santosh Kedia.

Chris Cantele called the meeting to order at 7pm. Ann Griffin stated that a quorum was present with 19 members present and 12 proxies secured.

Ann Griffin presented a "Year in Review" report highlighting the work done by the Board in 2019. Special thanks were given to resident Mike Harrington who gave his invaluable guidance and assistance with the restated covenants being presented for a vote tonight.

The financial report was given by Scott Holliday. Scott reported that we are in good financial shape. He emphasized that water usage remains an issue that should be addressed by the incoming Board. The current Board suggests looking further into the water irrigation control system, Rachio.

Chris Cantele recognized outgoing Board members Scott Holliday and Ann Griffin and announced the nominees for the 2020 Board of Directors. They are Reggie Spiller, Santosh Kedia, Jody Harrington, Kit La and Hernan Guarjardo. Carolyn Holland then nominated Trey Schwarz. Mike Harrington passed out ballots, the vote was completed and Ann Griffin announced **the newly elected Board members will be Reggie Spiller, Santosh Kedia, Jody Harrington, Kit La and Hernan Guarjardo.**

The next order of business was the approval of the Restated and Amended Covenants, Conditions, Restrictions and Easements for the Association. Chris Cantele asked if there were any questions before the vote. The subject of parking restrictions was raised by Kim Gustafson and discussed at length by those present. Following discussion, the vote was taken and tabulated by Mike Harrington and Ann Griffin who reported that **the Covenants had been approved by the required two-thirds of all members.**

Ann Griffin then announced that she will continue to be our delegate to the Briar Forest Super Neighborhood group to keep us informed of the activity within City District G that affect Bayou Island park.

There being no further business, the meeting was adjourned at 8:50pm.

BIP Board Meeting Agenda Jan 20, 2020

1. Volunteer of Officers
2. Other Roles and responsibilities
3. Parking Presentation- How Many vehicles can we safely handle? *18 MAX inside curb; 10 lot outside gate (no blocking driveways, mailboxes, driveways)*
4. Remedial action for violations

*JAN.13
→ incident*

Empowering neighbors to identify and act

- Signs and notices for Contractors
- Signs and notices for Guest/Residents
- Follow up notice regarding potential fines

5. Request for sign variance
6. Building construction request by the Quins
7. Upgrade of the camera storage (not needed)
8. CD name change from Bill Holland to the new

Person

9. The water saving project *-Hernan*
10. Other business *Common areas first.*

Residents' Directory from Secretary

- add column for length of residence
- add column for ever secured on the ductory.
- Social event ask Carolyn

BAYOU ISLAND PARK HOMEOWNERS ASSOCIATION, INC.

Minutes of a Special Meeting of the Board of Directors

January 20, 2020

Notice and Attendance. Following email notice to all directors, a special meeting of the Board of Directors of the Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), was held at the residence of Santosh Kedia, 1030 Bayou Island Park, Houston, Texas, on Monday, January 20, 2020, for the principal purpose of electing officers in accordance with Section 1 of Article V of the Bylaws of the Association. No notice of the meeting was provided to other members of the Association, inasmuch as no formal action of the Board was on the meeting agenda and no such action was taken at the meeting.

The following directors were present throughout the meeting:

Hernan Guajardo, Jody Harrington, Santosh Kedia, Kit La, and Reggie Spiller.

In addition, Mike Harrington was present at the invitation of the directors.

Convention of Meeting. A quorum of the Board being present, Mr. Spiller called the meeting to order at approximately 7:00 p.m. With the concurrence of all others present at the meeting, Mr. Spiller agreed to act as moderator. He also distributed a written agenda to all other directors.

Election of Officers. Upon motion duly made and seconded, the following persons were elected officers of the Association, each to serve until his or her successor shall have been duly elected and shall have qualified:

Reggie Spiller: President
Santosh Kedia: Vice President
Kit La: Treasurer
Jody Harrington: Secretary

Mr. Guajardo was designated as the director responsible for water matters, particularly the procedures for making wireless flowmeters available to all residents who wish to install them and for possibly extending the program to the common area outside the entrance gates.

US6845821v1

Having been elected Secretary, Mrs. Harrington proceeded to record the transactions of the meeting.

Other Matters. The President informed the meeting that he believes that all residents have now paid their annual assessments. He agreed to ask the former Treasurer, Scott Holliday, for an electronic version of the annual financial statements so they could be distributed to all homeowners.

Mrs. La agreed to coordinate with Scott Holliday and Bill Holland in order to replace them as signatories on the Association's checking account at Wells Fargo Bank and its Certificate of Deposit, respectively.

Mr. Spiller projected a visual image of available vehicle parking spaces inside the gates of the Association, and a lengthy discussion followed respecting parking matters generally. Mr. Harrington summarized the existing parking rules for the Board, and he agreed to draft an email that the President could send to all residents emphasizing the need for them to engage in self-policing of the parking rules and providing them with forms of notices of the rules for use with contractors and vendors, on the one hand, and residents and their guests, on the other hand.

A brief discussion followed respecting the steps that might be taken to discourage parking along Bayou Island Drive that might block the HFD's access to the two fire plugs within the gates of the Association. The directors discussed the desirability of painting the inside curb red in the immediate vicinity of each of the two fire plugs, but no final decision ensued.

The President briefed the meeting on a request from a resident that he be allowed to post a for-sale sign on the common area near Gessner. Prior to the meeting, Mr. Harrington had emailed to the directors his analysis of the legal issues that the request presents under the Second Restated and Amended Covenants etc. of the Association. At the meeting Mr. Harrington confirmed his advice that accommodating this request would require the Board to grant a variance; however, he also indicated that the conditions set out in the Second Restated and Amended Covenants etc. for granting a variance do not seem achievable in this instance, especially the condition that a failure to grant the variance would cause the applicant a "substantial hardship." The Board also expressed concern that, even if a variance were legally permissible, it would establish a precedent that could give rise to other requests for private usage of the common area. In light of all those considerations, the directors unanimously agreed not to grant the request.

Mr. Spiller mentioned that Doug Quinn has requested the approval of the Architectural Control Committee for an extension of his existing back porch. Mr. Spiller indicated that, in line with his approach to building requests generally, he has asked Mr. Quinn to review the project with his neighbors to be sure they are comfortable with it and to provide him with any plans for the project.

In response to a question raised by Mr. Kedia about the composition of the Architectural Control Committee, Mr. Harrington pointed out that the Second Restated and Amended Covenants etc. of the Association provide (in Sec. 4.01(a)) that the full Board will serve as the committee until such time as the Board may elect to form a smaller committee.

Mr. Kedia agreed to take over from Ann Griffin, the former Secretary of the Association, the responsibility for updating, maintaining and distributing the directory of Bayou Island Park residents. The directors also approved Mr. Kedia's suggestion that the directory be expanded to reflect the numbers of years each resident has lived in Bayou Island Park.

Mrs. Harrington's suggestion that the Association hold a social gathering this spring for all residents of Bayou Island Park met with approval.

Adjournment. There being no further business on the agenda, Mr. Spiller adjourned the meeting at approximately 8:50 p.m.

Respectfully Submitted,

Josephine Harrington

**Bayou Island Park HOA
Board of Directors
Minutes of Meeting March 12, 2020**

The Board of Directors of the Bayou Island Park HOA met via videoconference at 7 pm on Thursday, March 12, 2020. All directors were present: Reggie Spiller, President; Kit La, Secretary; Santosh Kedia, Hernan Guajardo, and Jody Harrington, Secretary. HOA counsel Mike Harrington also participated.

Financial Report: Kit La

Kit distributed by email a summary of the current operating and savings account balances as well as estimated annual expenses for 2020. A copy of her report is attached and made a part of these minutes by reference.

Kit reported that she and Jody were now the authorized signers on the HOA's Wells Fargo account and the CD. One family is several months behind in payment of their HOA dues. Mike pointed out that not only is a \$100/month late fee accumulating but also interest at 18% annually is accruing on the delinquent payment. After discussion Mike was asked to prepare a demand letter to that family offering to waive the interest payment if payment in full of the late fees and dues are paid by April 1. He will send that to Reggie for his approval and signature.

Electrical Lights and Contractors: Reggie

Reggie and previous Treasurer Scott Holliday have obtained 4 bids for replacing the junction boxes and LED outdoor lights in the common area between the BIP gate and Gessner Road. After reviewing the bids the board accepted the bid from AMG Electric for \$2112 for this project. This includes a 5 year warranty.

Trees: Reggie

There are 2 trees in the common area in front of the gate and one near the Kottwitz's property that need to be removed and replaced because they are leaning over and could fall and damage parked cars or people walking near them. Reggie spoke with Bill and Kathy Kottwitz about the tree near them and they encourage that replacement. That tree is on HOA property so they are not responsible for replacement. Reggie and Hernan will check this out and get bids for taking them out and replacing them. Because the curb and sidewalk might be damaged in the process, this project may take priority over the outdoor lighting project.

Automatic Water Systems: Reggie and Hernan

Since the greatest annual expense to the HOA is for water, Reggie and Hernan propose that the HOA install an automatic water system that conserves water use in the common areas. They will consult with Scott Holliday about a possible discount that may be available from the manufacturer of the system for individual home owners who want to install one for their property. They will develop a plan for this project and report back to the board.

The board agreed to prioritize implementation of these 3 projects after getting the bids on the tree replacements and the water system so that our financial reserve remains sufficient.

Spring Fling: Jody

Jody recommended that the annual neighborhood Spring Fling scheduled for March 28 should be postponed in light of concerns about the Coronavirus. The board agreed and she will send an email to all residents explaining the postponement. The meeting adjourned at 8 pm.

Respectfully submitted,
Jody Harrington



Secretary

Bayou Island Park HOA
Board of Directors
Minutes of Meeting
May 8, 2020

The BIP HOA board of directors met via Zoom at 7 pm May 8, 2020. The meeting was called to order by President Reggie Spiller. Hernan Guajardo, Santosh Kedia, Jody Harrington, Kit La and counsel Mike Harrington logged into the meeting. No formal action was taken at this meeting.

TREASURER'S REPORT: Kit La reported the HOA Business Checking Account has \$31,567.22 and there is \$12,400 in the Business Market Savings Account at Wells Fargo.

SECURITY AND SAFETY: Reggie Spiller reviewed concerns raised recently by a couple of residents about neighborhood security in light of the economic decline caused by the coronavirus. After discussion the board concluded that no changes in the current measures in effect were needed based on the following facts:

— The record of access to the BIP gate for the previous day is reviewed every morning by Reggie Spiller. He reported that since March 16th he has seen no abuses to the system and residents, contractors and delivery persons are using the gate appropriately.

— Reggie met with Harris County Constable Jimmy Rodriguez who patrols the neighborhood to discuss concerns. Constable Rodriguez affirmed that the security gate, cameras and lighting for the neighborhood are adequate. While there has been an up-tic of overall crime in the area, he believes the fear of a 500% increase in crime in this area is a gross overestimation. He affirmed that residents should continue to practice the basics by locking cars, doors and activation of home alarm systems. He encouraged the use of outside lighting. He advised that although he did not think it was necessary, if additional patrol is desired it should be arranged through him to ensure proper training and licensing of personnel.

HOME/LAWN MAINTENANCE CONCERNS: The board discussed three anonymous letters expressing concern about exterior and lawn upkeep. Two of these letters were addressed to individual residents. The third letter was addressed to Reggie Spiller and included a list of concerns regarding a number of residences. After discussion, the board agreed to respond by reminding residents that concerns should be expressed directly to neighbors or to the board. The board cannot respond to anonymous complaints.

COMMON AREA IMPROVEMENTS: Reggie gave an update on the proposed plans to improve the community access to the bayou between 1026 and 1022. There is a 15 foot wide strip of land between those two residences which needs improvement, including remediation of erosion and slope stability. The homeowners are jointly working on plans for the improvement and will present those plans to the board for approval. The board agreed to commit \$1000 to help jump start this project.

TREE MAINTENANCE: With hurricane season nearing, the board agreed to hire Rene Portillo to thin and trim trees near the entrance to the gate to prevent damage in the event of high winds. This is a temporary measure and in the fall the two trees that are leaning dangerously will be removed and replaced. At that time, two other trees located adjacent to the parking lot which are dying, will also be replaced. This will be a big project as it will require excavation and replacement of the sidewalk and side areas leading to the walk-in gate.

COMMON AREA WATER CONTROL SYSTEM — Hernan has been delayed due to disruption in his business caused by the coronavirus but will work on a proposal for board approval. Board members expressed the desire to purchase individual systems for their homes as well.

FRONT LIGHT PROJECT — Reggie reported this project is now complete. The light boxes and plugs had rusted out. All are now replaced with PVC boxes and new wiring and the entrance is once again fully lit at night.

BIP OFFICER/DIRECTOR INSURANCE RENEWAL — Reggie is working with the insurance agent for Dean and Draper to renew D&O insurance covering current board members as well as counsel Mike Harrington.

BOARD UPDATE FOR RESIDENTS: Jody will send an update to all residents informing them of the results of this board meeting.

Respectfully submitted,

Jody Harrington
Board Secretary

**BAYOU ISLAND PARK
HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
JULY 2, 2020**

The board of directors of the BIP HOA met at 7 pm on July 2 via Zoom. All members of the board were present: Reggie Spiller, president; Santosh Kedia, Vice President; Kit La, treasurer; Jody Harrington, secretary; and Herman Guajardo, member. Board counsel Mike Harrington also attended.

1. **Budget Review**— Kit La reported that the BIP account began 2020 with a balance of \$59,250 in checking and \$12,400 in savings for a total of \$71,650. Based on BIP monthly expenditures through June 30 and projections of expense for the remainder of the year, an additional \$13,402 will be needed. Attached to these minutes are the reports she submitted which were discussed in detail by the board.
2. **Smart Sprinkler System Program** — In light of the treasurer's report, Reggie Spiller proposed that the board approve requesting homeowners to pay the cost of the installation of the smart sprinklers instead of covering them from HOA funds. The purpose of the Smart Sprinkler program is to reduce the cost of water to the HOA which in 2019 averaged \$4,382/month by at least 35%. The board approved that motion. Ten smart sprinklers have been installed to date: 9 for residences and one for the guardhouse. Herman Guajardo has managed the installations with the contractor and will let those homeowners know how much to reimburse the HOA for their installations and give a list to Kit La. Going forward Herman and Reggie will speak to the remaining homeowners and encourage their participation in the program.
3. **Erosion Control Proposal** — Reggie gave a thorough presentation of the erosion control proposal which has been agreed upon by the homeowners most affected by the severe erosion of the slope behind their homes leading down to Buffalo Bayou, most of which exists in the easement held by the HOA. The HOA has responsibility for preventing continuing erosion in this easement which threatens the stability not only of the homes in that area but could spread to threaten other homes in the neighborhood adjacent to the easement. Reggie recommended approval of the Phase 1 proposal for a total cost of \$22,616.70 with the BIP HOA contributing \$7700 to the cost of the project and the remainder being covered by three affected homeowners according to the agreement presented to the board.
4. **Recommendation for Assessment:** Reggie recommended that because the HOA does not have sufficient funds to cover that cost the board approve a \$500 assessment for each homeowner so that the erosion project could be completed as quickly as possible now we are in hurricane season. He said that John Waheed had offered to front \$3700 of the proposed HOA cost to be reimbursed to him by February 2021 when HOA funds are replenished by annual dues. This would permit the HOA to pay for maintenance of the existing bayou wall and the existing drainage pipe which is anticipated to cost \$13,700. Counsel to the board Mike Harrington advised that the HOA can specially assess up to \$500/residence annually without a vote by the residents. After discussion the board unanimously approved the recommended special assessment and a due date of September 1, 2020. Jody Harrington will prepare an email advising residents of the assessment and the rationale for it. She will circulate a draft of that email to the board for their comments and approval before sending it. With the anticipated savings in the water bill from the Smart Sprinkler program and the funds from the assessment it is anticipated that there will be no need to increase HOA dues for 2021 and it may be possible to reduce the dues.

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Jody Harrington
Secretary, BIP HOA Board of Directors

BIP Monthly Expenditures

	Actuals from 2020											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37						
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58						
Water 9012	0	33.15	0	0	16.76	0						
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43						8473.71
Water 9019	0	491.53	0	0	247	0						
Trash	512	512	512	512	512	512	512	512	512	512	512	512
Landfill	680	690	1,160	460	1,560	1,810						
Electric	0	0	0	0.135.00	108	108						
Electric	68.33	37.22	38.82	34.95	28.91	32.76						
Total	2679.37	2890.18	2783.53	2660.32	4481.71	4672.04						20167.15
One time expenses												
Insurance												
Lights			1028	1691								
Constable annual					4000							
Sprinkler						1500						
Book Keeping	715											
Filing of HOA Covenants	383											
Total	3777.37	2890.18	3811.53	4351.32	8481.71	11929.44	0	0	0	0	0	35241.6

Income
 Year End 2019 Balance 506
 HOA Collections 2020 542
 Savings 124
 716:

BIP Monthly Expenditures

	Actuals from 2020												Projected from 2019												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	82.9	
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37	67.2	62.63	83.15	75.35	83.15	75.86	75.35	83.15	75.35	83.15	75.35	83.15	75.35	83.15	75.35	83.15	75.86	75.86	
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	23.63	23.63	23.63	23.63	23.63	23.58	23.63	23.63	23.63	23.63	23.63	23.63	23.63	23.63	23.63	23.58	23.58	23.58	
Water 9012	0	33.15	0	0	16.76	0	0	16.76	0	16.76	0	0	0	16.76	0	16.76	0	16.76	0	16.76	0	0	0	0	
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43	2294.32	3483.17	3613.56	2263.64	1933.83	1488.97	2294.32	3483.17	3613.56	2263.64	1933.83	1488.97	2294.32	3483.17	3613.56	1933.83	1488.97	23551.2	
Water 9019	0	491.53	0	0	247	0	0	271.7	0	271.7	0	0	0	247	0	271.7	0	271.7	0	271.7	0	0	0	0	
Trash	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512	512		
Landfill	680	690	1,160	460	1,560	1,810	1,150	0	1,810	390	1,100	1,330	1,150	0	1,810	390	1,100	1,330	1,150	0	1,810	390	1,100	1,330	
Pest	0	0	0	0.135.00	108	108	135	108	108	135	108	162	135	108	108	135	108	135	108	135	108	135	108	162	
Electric	68.33	37.22	38.82	34.95	28.91	32.76	70.66	65.54	68.45	36.61	37.95	47.22	65.54	68.45	68.45	36.61	37.95	47.22	65.54	68.45	36.61	37.95	47.22	47.22	
Total	2679.37	2890.18	2783.53	2660.32	4481.71	4672.04	4311.85	4636.52	6300.53	3436.23	3973.21	3722.53	4311.85	4636.52	6300.53	3436.23	3973.21	3722.53	46548.02	6300.53	3436.23	3973.21	3722.53	61622.4	
One time expenses																									
Insurance																									
Lights			1028	1691									1028	1691											
Constable annual					4000										4000										
Sprinkler						1500										1500									
Book Keeping	715																								
Filing of HOA Covenants	383																								
Total	3777.37	2890.18	3811.53	4351.32	8481.71	11929.44	4311.85	4636.52	6300.53	3436.23	3973.21	3722.53	4311.85	4636.52	6300.53	3436.23	3973.21	3722.53	61622.4	6300.53	3436.23	3973.21	3722.53	61622.4	

**Bayou Island Park HOA
Board of Directors
Minutes of Meeting 07-28-2020**

The board of Bayou Island Park HOA met via Zoom July 28, 2020 at 7 pm. All members attended: Reggie Spiller, Santosh Kedia, Kit La, Hernan Guajardo and counsel to the board, Mike Harrington.

1. Treasurer's report- Kit La

Kit reported that there is approximately \$8900 in the HOA checking account and \$12,000 in the savings account. Seven homes who have had the new sprinkler controls installed have paid with 11 homes that have had installations yet to pay. She has received \$6500 from 13 homes to pay the special assessment so far, leaving \$9500 unpaid so far. Assessments are due by September 1. She will work with Jody to send a reminder email.

2. Status and update on the Sprinkler installation project- Hernan Guajardo

Hernan reported 18 homes have had Rachios installed and he anticipates having 5 more installed in the next 2 weeks. Three homes have opted out of the project. Hernan will contact the homeowners who have not yet paid the HOA for the installation and remind them to get their checks to Kit as soon as possible.

3. Discussion of the BIP Ownership and Easement Deed history- Attached presentation- Reggie, Mike, Jody

Reggie Spiller reviewed the presentation he had developed for the board which details the information he and Mike Harrington have researched (with some assistance from Chris Cantele) regarding the ownership of the property surrounding the neighborhood. This presentation included detailed maps showing the location of the property owned by the HOA for the benefit of the neighborhood as well as the Harris County Flood Control District easement for drainage and flood control that overlays some HOA property on the north side of BIP. One of the maps shows the drainage easement owned by the HOA on a tract owned by a third person that abuts the west side of BIP. He also showed the maps of the 500 and 100 year flood plains which confirm that a portion of the proposed erosion remediation project extends into the 100 year flood plain. Board members discussed the information regarding the history of the ownership and easements in the area.

4. Discussion and status of the Erosion control project- Attached presentation- Reggie

Mike confirmed that the HOA "Bylaws" obligate the HOA, acting through the Board, to protect HOA-owned properties from erosion. Following the above discussion, Reggie continued the presentation by sharing the information he received from two engineering

firms regarding the implications of the HCFCD easement and the location of the 100 year flood plain. He first spoke with Gauge Engineering which referred him to the specialty engineering firm Preston Hydrologic. The head of that firm, Jerry Preston, has extensive experience with erosion mediation issues. Preston advised him that because part of the proposed project is located in the HCFCD easement, the HOA would be required to get a permit for the work that would take place in that area. That permit must be prepared and requested by a certified engineer.

Preston suggested that it may be possible to reduce the scope of the project by using a smaller wall, less fill and terraces. This way we may increase the chance of securing a permit. After discussion, Jody Harrington moved that the board approve retaining Preston Hydrologic to provide engineering services in connection with the proposed erosion control project. Reggie will work with Preston to develop a new scope of work and estimated costs and report back to the board.

5. Discussion of the Scott and Suz Holliday Letter- all

Reggie and Mike reviewed the proposed responses to the 14 questions about the erosion control project received from Scott Holliday. The board discussed the responses and approved the responses with a couple of corrections and additions. Jody was asked to send the responses along with a cover letter from Reggie to the Hollidays by email. A copy of the responses is made a part of these minutes by reference.

6. Discussion of the Variance for pool request by Chris Cantele- Reggie

Reggie presented a request from Chris Cantele for approval to build a swimming pool in the HOA owned area behind his home. Chris and Kim Cantele are selling the house and Chris believes having approval to build a swimming pool will increase the chances it will be sold. However the prospective pool would have to be built over a buried drainage line in the HOA owned property. It would also have to get a building permit because it lies in the 500 year flood plain. The board agreed that this request must be denied not only because of these facts but because the board has the duty to maintain HOA owned property for the use of the entire neighborhood and to maintain optimum drainage in that area. Furthermore last year the same request from another homeowner to build a pool in HOA owned property was denied.

Chris had also offered to buy the HOA owned property in question. After discussion the board agreed that the HOA cannot and should not sell off any part of the HOA owned property which is intended to be held for the benefit of all.

Following this discussion, the board adopted a Board Resolution, which is incorporated into these minutes by reference. This resolution, in summary, makes it the policy of the board not to voluntarily dispose of any interest in, to or under the Community Properties, whether by way of the grant of an easement, or a lease, a sale or other disposition AND that the policy of the association shall be not to allow any individual to landscape, plant or build on or make any other improvements to, any part of portion of the Community

Properties, except in any case as the Board may determine from time to time upon prior notice and application by such individual to be consistent with proper flood control or drainage purposes and in compliance with all applicable governmental regulations.

Mike will prepare an email to Chris and Kim explaining the board's position to decline the request to approve construction of a swimming pool in the HOA owned property abutting their home and to decline Chris' proposal to buy that property. See below for the record of adopting a pertinent resolution.

6. Voting on the Resolution that appears in slides 66-67 of the presentation. Reggie

Following this discussion, the board adopted a Board Resolution, which is incorporated into these minutes by reference. This resolution, in summary, makes it the policy of the board not to voluntarily dispose of any interest in, to or under the Community Properties, whether by way of the grant of an easement, or a lease, a sale or other disposition AND that the policy of the association shall be not to allow any individual to landscape, plant or build on or make any other improvements to, any part of portion of the Community Properties, except in any case as the Board may determine from time to time, upon prior notice and application by such individual, to be consistent with proper flood control or drainage purposes and in compliance with all applicable governmental regulations.

It was noted that the Hollidays have rebuilt and extended a deck into HOA owned property and also built a greenhouse in that same area. This issue will be raised with them as part of resolving the questions they sent to the board.

7. Board assignments:

Jody will forward an email to Chris and Kim Cantele prepared by Mike, as well as a cover letter from Reggie to the Hollidays, including attachments of the Board's responses to Scott's questions and supporting information.

Mike and Reggie have offered to meet with the Hollidays and will do so if they agree.

Reggie and Tosh will talk with John Waheed about the need to delay part of the erosion control project while the Board works with the engineering firm to address the issues that have been raised.

Reggie will report back to the Board about the prospective cost, timing and scope of the engineering work needed.

Hernan will coordinate installation of the remaining sprinkler controls.

Kit will continue to collect payments for the sprinkler controls and the special assessments. She will send information for Jody to email to the neighborhood reminding them to make their payments if they haven't already.

The meeting was adjourned at 9:30 pm.

Respectfully submitted,
Jody Harrington
HOA Board Secretary

**BIP HOA BOARD
Minutes of Meeting
August 11, 2020**

The board of directors of Bayou Island Park HOA met via Zoom on August 11, 2020 at 7 pm. All directors were present (Reggie Spiller, Kit La, Santosh Kedia, Hernan Guajardo, and Jody Harrington as well as board counsel Mike Harrington).

President of the HOA, Reggie Spiller, called the meeting to order.

Treasurer's Report: Treasurer Kit La reported the HOA has a total of \$24,500 in its accounts: \$12,000 in the checking account and \$12,500 in the savings account.

Unpaid Special Assessments: Kit La reported there are 11 unpaid special assessments. Based on recent conversations with neighbors, Reggie reported that three more residents stated they are paying the assessments. Once those checks are received, there will be 8 unpaid assessments. Review of the BIP Monthly Expenditures Planning Budget shows that most of the funds raised by the special assessment were spent to cover the new sprinkler systems for the community.

Sprinkler System Project Update: Hernan Guajardo, who is managing this project, will send out a reminder email to neighbors who haven't paid the installation costs for the sprinkler system on their property. The project was suspended when the electrician contracted Covid-19. He has now tested negative and is sending written confirmation of that test to Hernan. Once that is received an additional 5 systems will be installed this weekend leaving 2 homes awaiting the return of homeowners not currently in residence.

Authorization to move funds from savings to checking account: Reggie proposed the board authorize the Treasurer to move, from time to time, up to \$10,000 from the savings account to the checking account as she deems necessary to meet authorized expenses. After discussion, a motion was made to authorize this action and was unanimously approved by the board members.

Preston Engineering Erosion proposal in HCFCD Easement area: Reggie reviewed this previously emailed proposal with the board. After discussion, the directors agreed that Reggie will respond to the company that we are not able to go forward at this time because of lack funds, but hope to renew discussions to approve the project in 2021. At the 2021 HOA meeting the members may be asked to approve the proposal and an increase in annual assessment to fund it.

"Topside" Erosion Control status: Reggie emphasized that the original project is now limited to the area outside the 100 year flood plain and the HCFCD easement. Total cost for the work on the area owned by the HOA is \$11,200 with the HOA's estimated cost being only \$4,000 because the remainder is being funded by adjacent homeowners. Total cost of the project, including all improvements made by adjacent homeowners on their property, is \$20,950.

Recent blast emails from Scott Holliday questioning the erosion project: The board discussed these emails, noting that Holliday's call for an emergency meeting of the HOA did not receive the support necessary under the bylaws from the members. The board deplored the tone of the emails and the personal attacks on the board President, Treasurer and counsel. The directors agreed that there would be no response to any future group emails to the neighborhood on this subject from Scott or anyone else. Each director affirmed the willingness

to provide information requested from neighbors about the erosion project and answer any further questions on an individual basis.

Recent blast emails from Chris Cantele regarding HOA Refusal of his proposal to buy HOA property: Mike Harrington, board counsel, reviewed this proposal and the legal basis for the board's refusal to entertain an offer to buy the property, or to commit itself to a prospective buyer of the Cantele home that it would approve a request to build a swimming pool on the HOA owned property behind that home. Chris has now sent a group email stating he accepts the decision of the board, closing that issue.

Encroachment of the HOA property: The board reviewed several encroachments on HOA property around the neighborhood and agreed that encroachments by gardens and vegetation do not present a significant issue. There are some minor encroachments of decks which have been there for some time and should be allowed to stand although if they were to be rebuilt in the future the new construction will not be permitted to extend into HOA property. However, the encroachment on HOA property of the greenhouse now on the HOA owned area behind the Holliday property was built without approval of the HOA's Architectural Control Committee and must be removed. The board agreed that education of neighbors about the location of the HOA property and the need to get HOA permission for any work (construction, landscaping) on HOA property should be undertaken by the Board.

The meeting was adjourned at 8:30 pm.

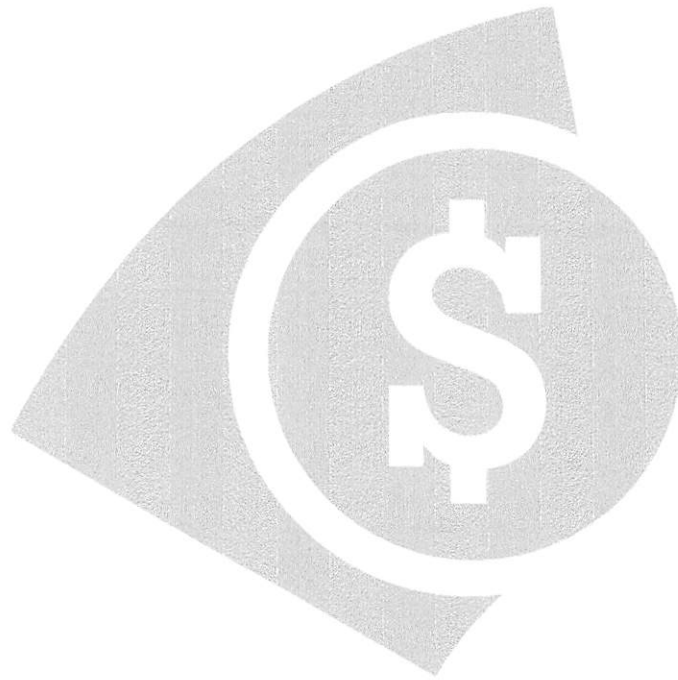
Respectfully submitted,

Jody Harrington, Secretary

agenda: Aug 10th BIP Board Meeting

1. Treasures report and go forward budget discussions- Kit and Reggie
2. List of residents who have not yet paid the \$500 assessment- Kit
3. Sprinkler system status- Who is yet to be installed? Who has not yet paid installation fee ? Hernan and Kit
4. Request by The President of the Board to move up to \$10,000 dollars from savings to Checking *as needed and at the discretion of the Treasure* during the current physical year.
5. Preston Engineering Erosion proposal in HCFC Easement area- Reggie
6. "Topside" Erosion control status- Reggie
7. The recent "False Emergency" created by Scott Holiday on how \$ was being spent- All
8. The HOA denial to sell HOA property to Chris Cantele- Lead by Mike and discussion by all

Treasure's Report



What we did in June

BIP Monthly Expenditures Zero Based Planning Budget

	Actuals from 2020					Projected from 2019								Annual	Ave Monthly
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
AT&T 0244		82.9	82.9	82.9	82.9	82.9	82.9	59.04	93.09	81.74	0	174.7	82.9	989	
AT&T 1520		0	75.4	75.52	75.52	75.32	75.37	67.2	62.63	83.15	75.35	83.15	75.86	824	
AT&T 5544		23.58	23.58	23.58	23.58	23.58	23.58	23.63	23.63	23.63	23.63	23.58	23.58	283	174.71
Water 9012		0	33.15	0	0	16.76	0	0	16.76	0	0	0	0		
Water 6021		1312.56	944.4	890.71	1471.37	1827.24	2027.43	2294.32	3483.17	3613.56	2263.64	1933.83	1488.97	23551	1962.60
Water 9019		0	491.53	0	0	247	0	0	271.7	0	0	0	0	1010	
1 Trash		512	512	512	512	512	512	512	512	512	512	512	512	6144	512.00
2 Lawn and Maintenance		680	690	1,160	460	1,560	1,810	1,150	0	1,810	390	1,100	1,330	12140	1011.67
3 Pest		0	0	0	135.00	108	108	135	108	108	135	108	162	972	81
4 Electric		68.33	37.22	38.82	34.95	28.91	32.76	70.66	65.54	68.45	36.61	37.95	47.22	567	47.285
5															
5		2679.37	2890.18	2783.53	2660.32	4481.71	4672.04	4311.85	4636.52	6300.53	3436.23	3973.21	3722.53	46548	3879.0
7															
3															
3 One time expenses															
3 Insurance							5757.4								
1 Lights Install				1028	1691										
2 Erosion Control								4000		3700					
3 Constable						4000									
4 Sprinkler boxes							1500		4500						
5 Book keeping		715													
5 Filing of HOA Covenants		383													
7															
3		3777.37	2890.18	3811.53	4351.32	8481.71	11929.4	8311.85	9136.52	10000.5	3436.23	3973.21	3722.53	73822	54250
3															

Income	
Year End 2019 Balance	0
HOA Collections 2020	54250
Savings	12000
	66250

Year End \$8428

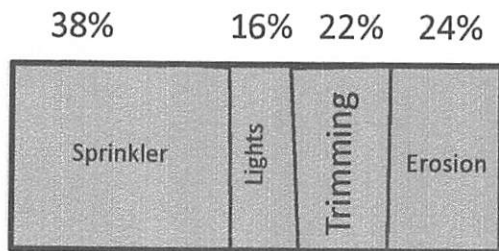
\$1750 each						
Year End		Projecte-500 each	Net	Savings	Net	
Total	Total 2020	Deficit	Requested	Deficit	Year End	
Projected Cost	Collections		extra			
	73822	54250	19572	16000	3572	12000
						8428

How is the \$500 Assessment Being Used?

- A Portion to cover

New Sprinkler Systems -	\$6000*	38%
New Light Repair	\$2719**	16%
Drainage pipe ,tree trimming bayou wall maintenance	\$ 3550	22%
Topside Erosion Control	\$4000	24%

Total \$16,269



\$500

*\$12,000 approved budget item in 2019

** \$8800 last year's bid

Junes Exercise

	Actuals from 2020						Projected from 2019						
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	70	93.09	81.74		0	174.7	82.9
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37	81	62.63	83.15		75.35	83.15	75.86
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	101	23.63	23.63		23.63	23.58	23.58
Water 9012	0	33.15	0	0	16.76	0	0	16.76	0		0	0	0
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43	2762	3483.17	3613.56		2263.64	1933.83	1488.97
Water 9019	0	491.53	0	0	247	0	0	271.7	0		0	0	0
Trash	512	512	512	512	512	512	512	512	512		512	512	512
Lawn and Maintenance	680	690	1,160	460	1,560	1,810	360	0	1,810		390	1,100	1,330
Pest	0	0	0	135.00	108	108	135	108	108		135	108	162
Electric	68.33	37.22	38.82	34.95	28.91	32.76	70	65.54	68.45		36.61	37.95	47.22
	2679.37	2890.18	2783.53	2660.32	4481.71	4672.04	4050	4636.52	6300.53		3436.23	3973.21	3722.53
One time expenses													
Insurance						5757.4							
Lights Install			1028	1691									
Erosion Control							4000		0				
Constable					4000								
Sprinkler boxes						1500	5412	0					
Book keeping	715												
Filing of HOA Covenants	383												
	3777.37	2890.18	3811.53	4351.32	8481.71	11929.4	13462	4636.52	6300.53		3436.23	3973.21	3722.53

Year E

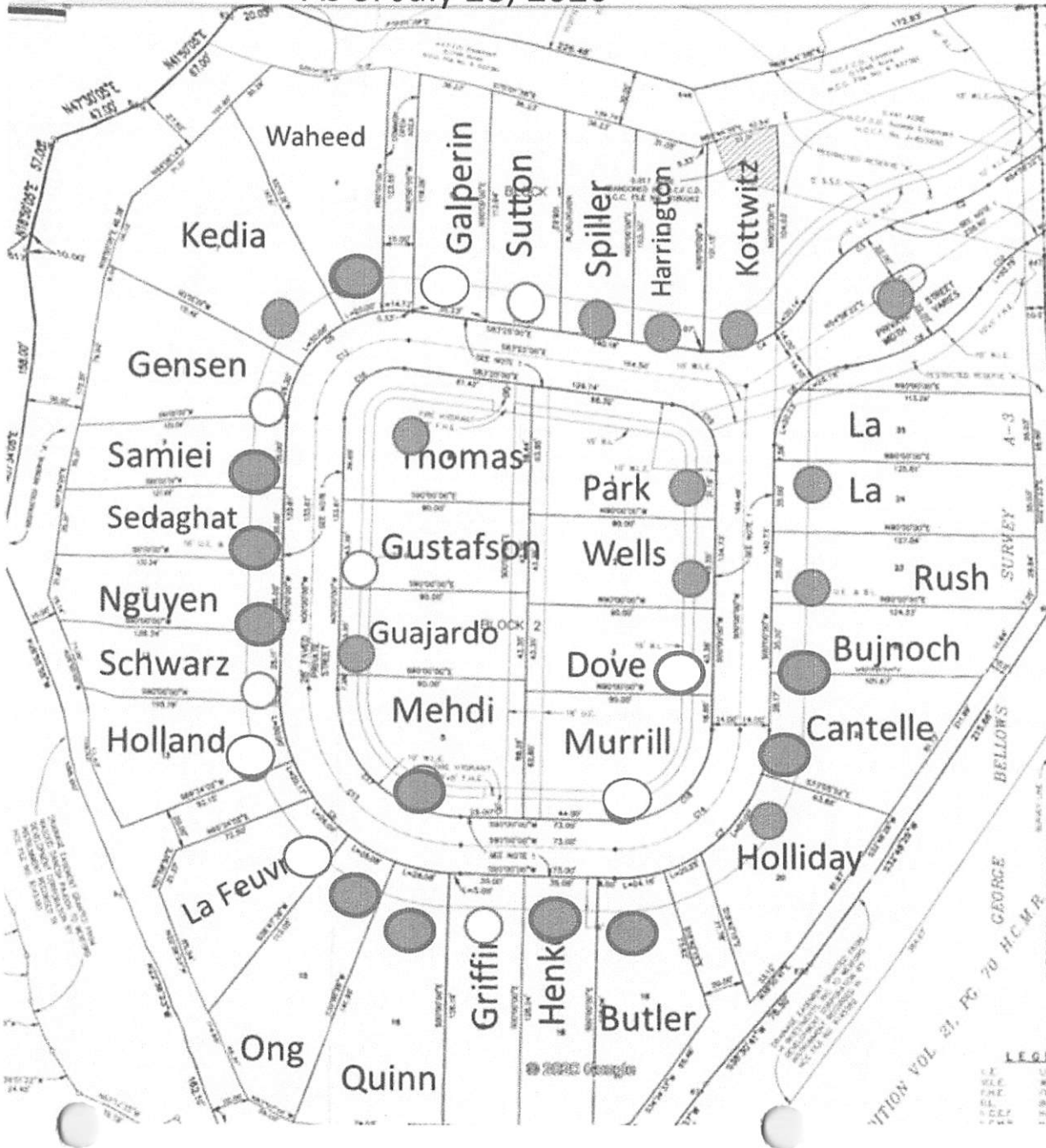
Projec

BIP Monthly Expenditures Zero Based Planning Budget

	Actuals from 2020						Projected from 2019			As of June Actuals			Differ
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep				
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	70	93.09	81.74	59.04	93.09	81.74	
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37	81	62.63	83.15	67.2	62.63	83.15	
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	101	23.63	23.63	23.63	23.63	23.63	Att+1
Water 9012	0	33.15	0	0	16.76	0	0	16.76	0	0	16.76	0	
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43	2762	3483.17	3613.56	2294.32	3483.17	3613.56	water
Water 9019	0	491.53	0	0	247	0	0	271.7	0	0	271.7	0	
Trash	512	512	512	512	512	512	512	512	512	512	512	512	
Lawn and Maintainence	680	690	1,160	460	1,560	1,810	360	0	1,810	1,150	0	1,810	Lawn
Pest	0	0	0	135.00	108	108	135	108	108	135	108	108	
Electric	68.33	37.22	38.82	34.95	28.91	32.76	20	65.54	68.45	70.66	65.54	68.45	elect.
	2679.37	2890.18	2783.53	2660.32	4481.71	4672.04	4050	4636.52	6300.53	4311.85	4636.52	6300.53	
One time expenses													
Insurance						5757.4							
Lights Install			1028	1691									
Erosion Control							4000		0	4000		3700	Erosio
Constable					4000								
Sprinker boxes						1500	5412	0			4500		Sprin
Book keeping	715												
Filing of HOA Covenents	383												
	3777.37	2890.18	3811.53	4351.32	8481.71	11929.4	13462	4636.52	6300.53				

Water Sprinkler System Implementation Plan

As of July 28, 2020



Purchased 28



Installed 23



Phase Three
Completion 7



Opt Out 3

LEG
 L.S. L.S.
 W.L. W.L.
 P.L. P.L.
 H.L. H.L.
 C.C. C.C.
 H.A. H.A.

**BIP Property
Ownership and Easement Maps
as it relates to the Erosion Control
Topside Project**

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Work Plan Over View

- Based on discussions that the Board has had with Preston Engineering the original work scope has been revised to do “Topside” drainage remediation in the HOA access area
- All detailed plans that involve work in easement and 100 year flood plain areas have been moved to 2021 primarily of the cost and timing that will be required.
- Current work is confined in the non permit “Top Side” areas owned by the HOA and adjacent property owners





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[Home](#)

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[Services](#)

- Referred by Gauge Engineering Specialist in this kind of work.
- Knows the Process

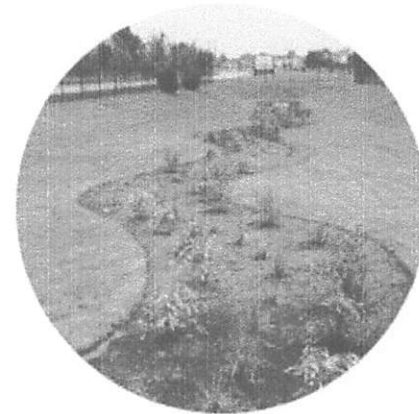
<https://prestonhydro.com/about-us>



Jerry P. Preston, P.E., CFM - President

Preston HydroLogic Inc. is led by Jerry P. Preston. Jerry is a Professional Engineer licensed in the State of Texas (P.E. #90264) and a Certified Floodplain Manager (1788-09N). Since graduating from the University of Houston with a B.S. in Civil Engineering in 1996, Jerry has worked on hundreds of projects in Houston/Harris County, Texas and the surrounding areas.

Jerry has spent most of his career specializing in the planning, analysis and design of storm water infrastructure and in floodplain management, for projects in both the public and private sectors. He also has experience in master-planning and design



Efficient, Innovative, Sustainable

At Preston HydroLogic we understand that your project's bottom line is one of the keys to your success. You need efficient drainage solutions that minimize land use and construction costs and maximize revenues. Sometimes that requires an innovative, "outside the box" solution...but sometimes the best solution is the simplest solution.

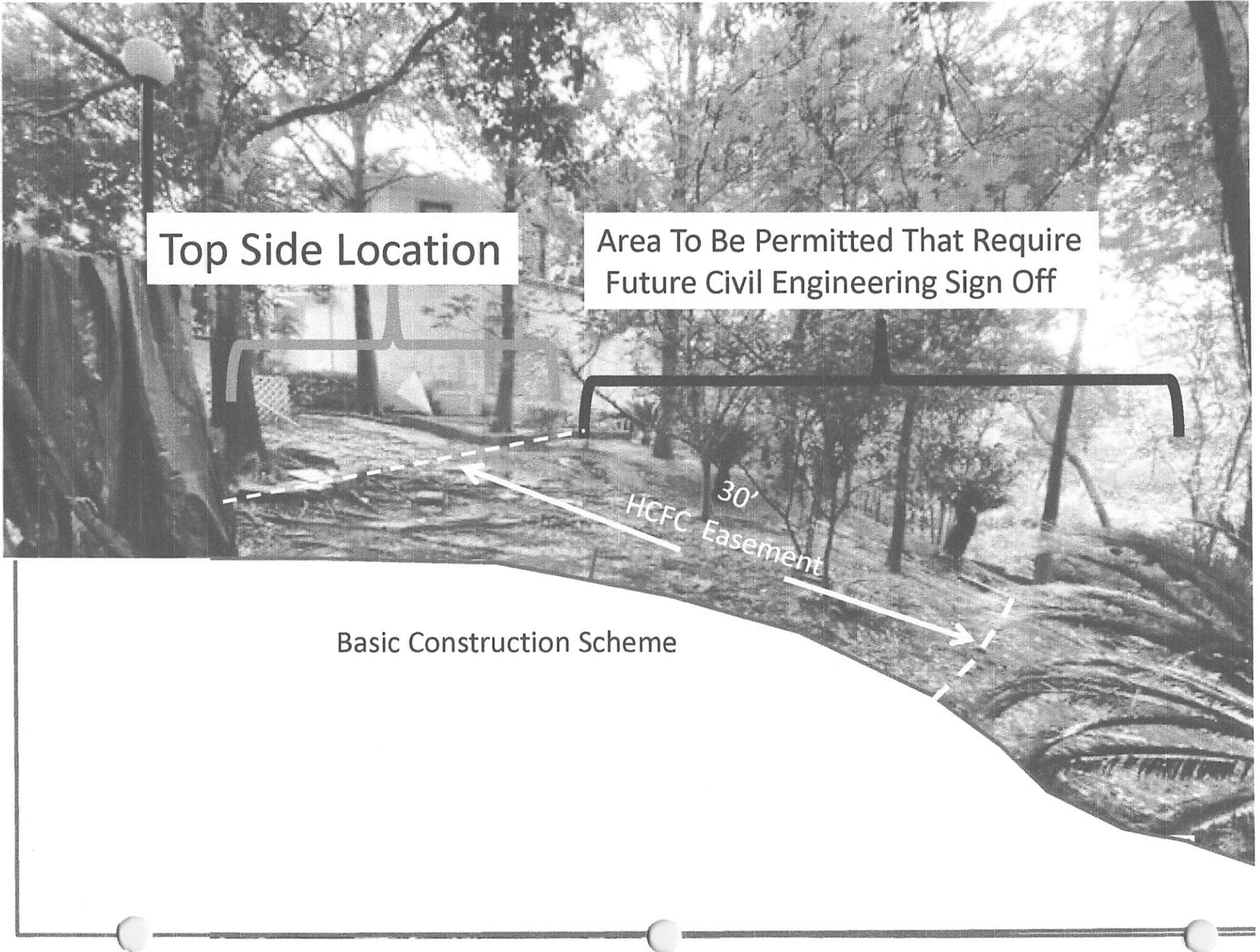
Jerry was an early adopter of Low Impact Development (LID) drainage concepts and worked on many of the first LID development and roadway projects in the Houston area. Jerry has given technical presentations on LID hydrology and

Top Side Location

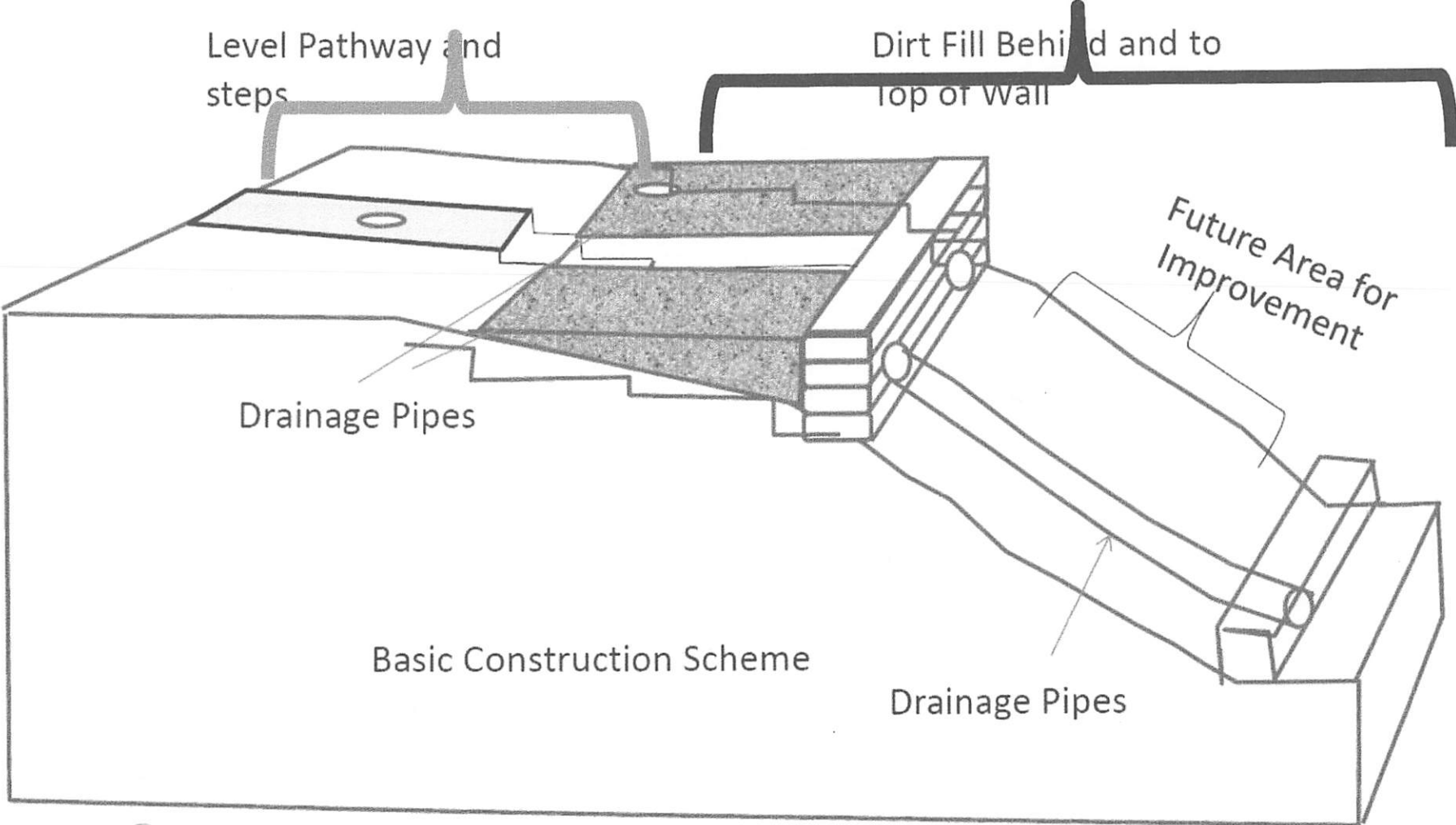
Area To Be Permitted That Require
Future Civil Engineering Sign Off

30'
HCFC Easement

Basic Construction Scheme






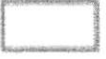






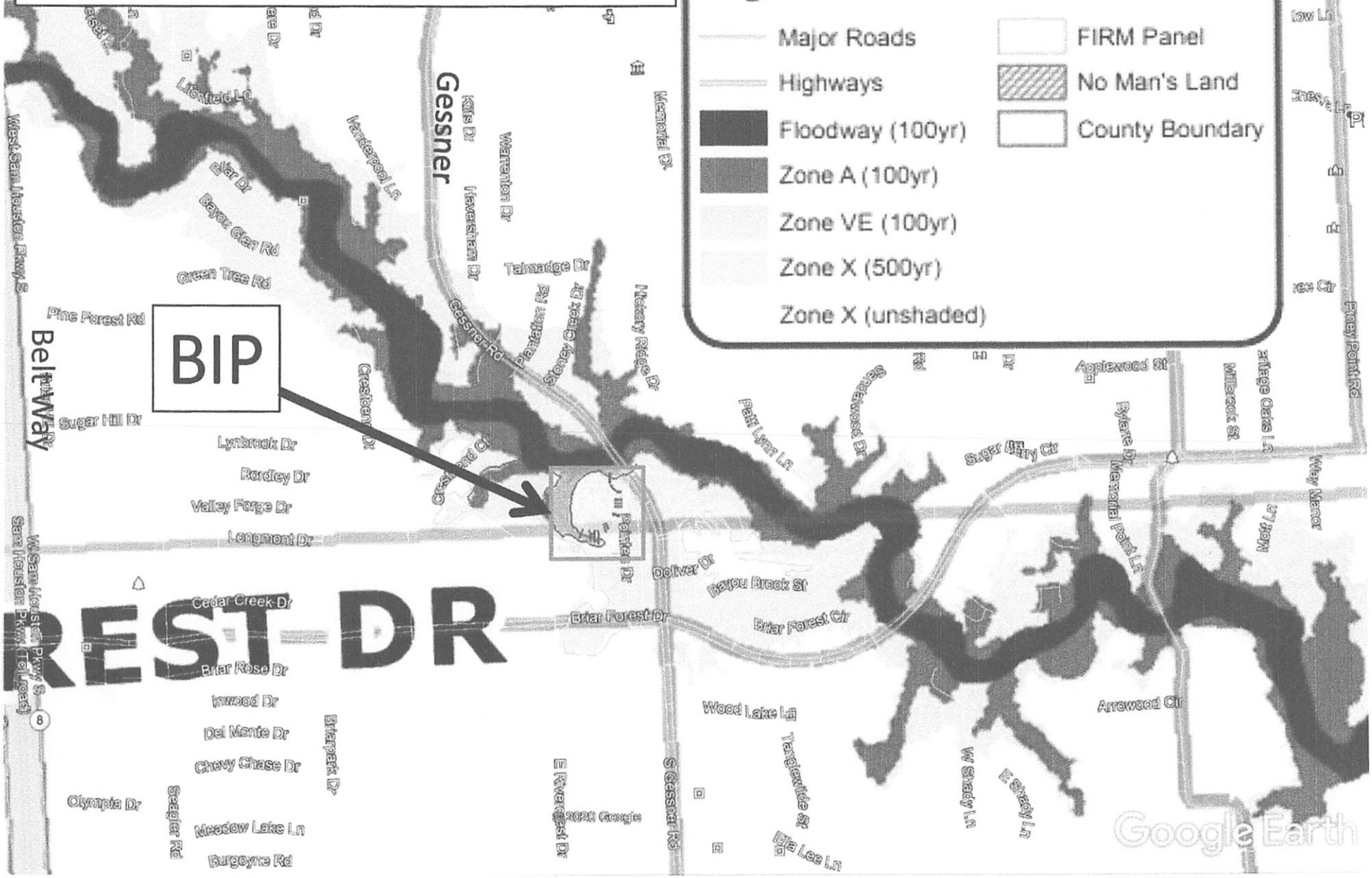
New Top side Area Back Fill : Original Work Area



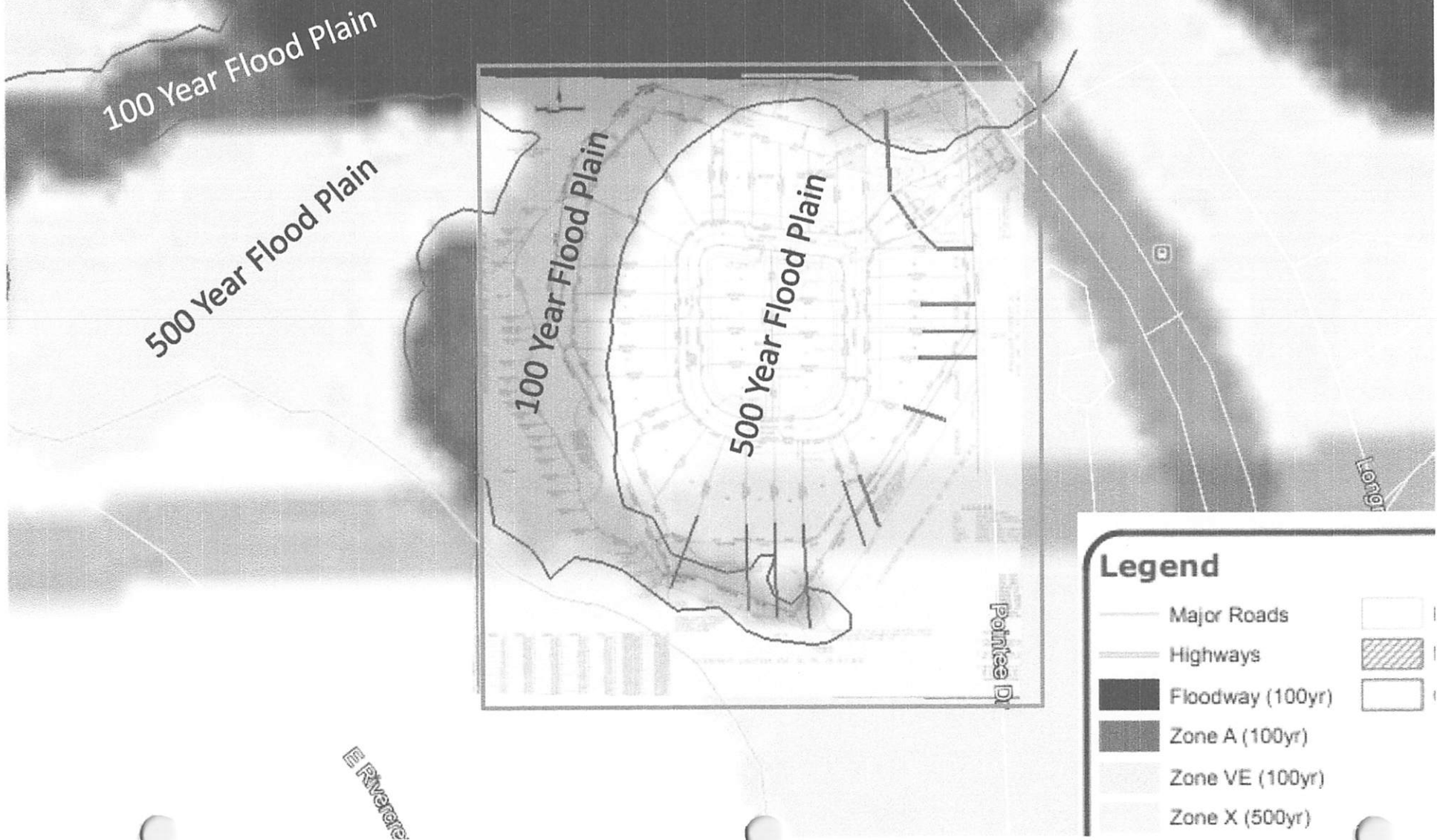
BIP Flood Plain Mapping

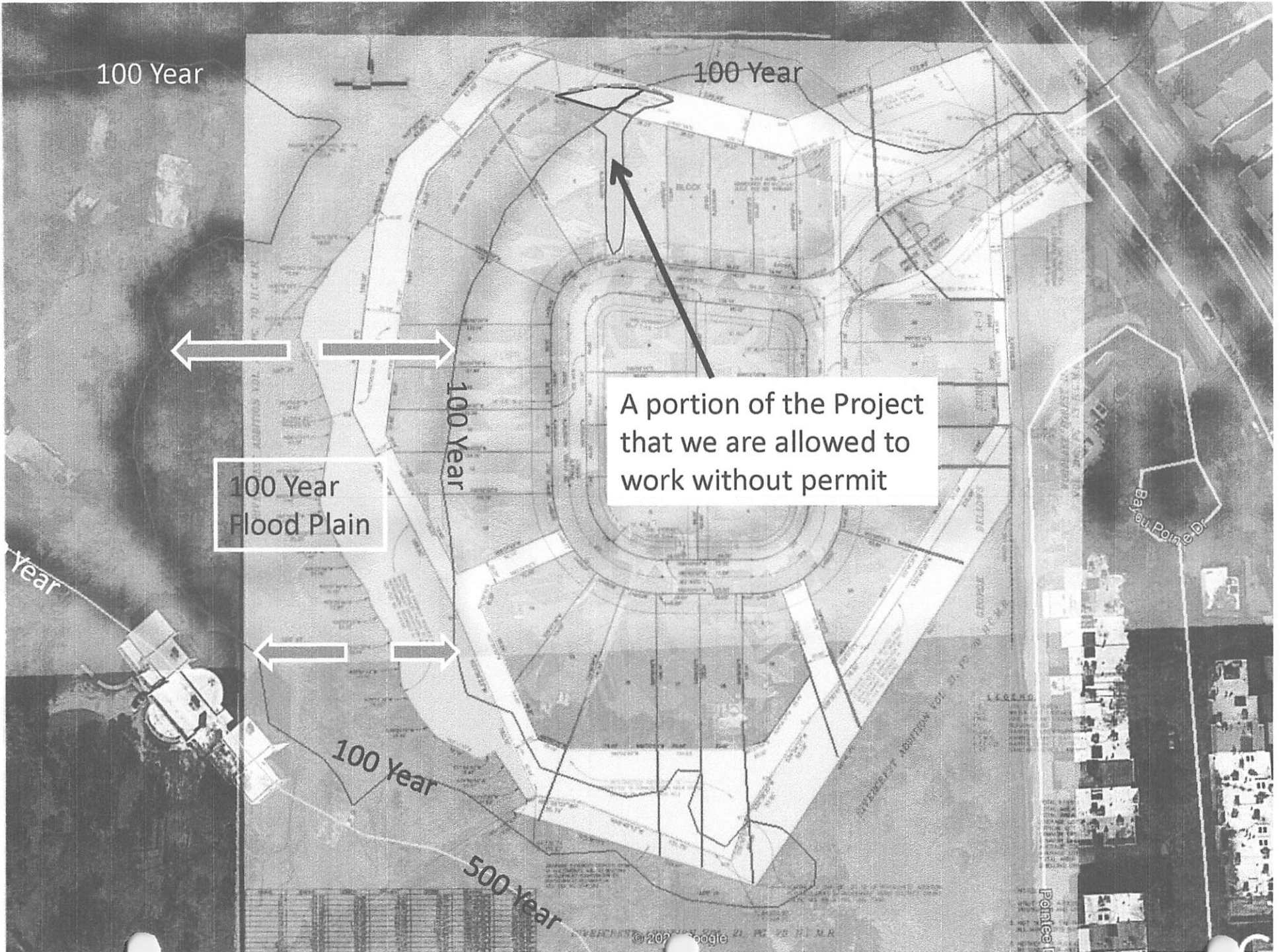
Legend

	Major Roads		FIRM Panel
	Highways		No Man's Land
	Floodway (100yr)		County Boundary
	Zone A (100yr)		
	Zone VE (100yr)		
	Zone X (500yr)		
	Zone X (unshaded)		



BIP Flood Plain Mapping From FEMA Maps





100 Year

100 Year

100 Year
Flood Plain

A portion of the Project
that we are allowed to
work without permit

100 Year

100 Year

500 Year

Top Side Plan Location



Drain line

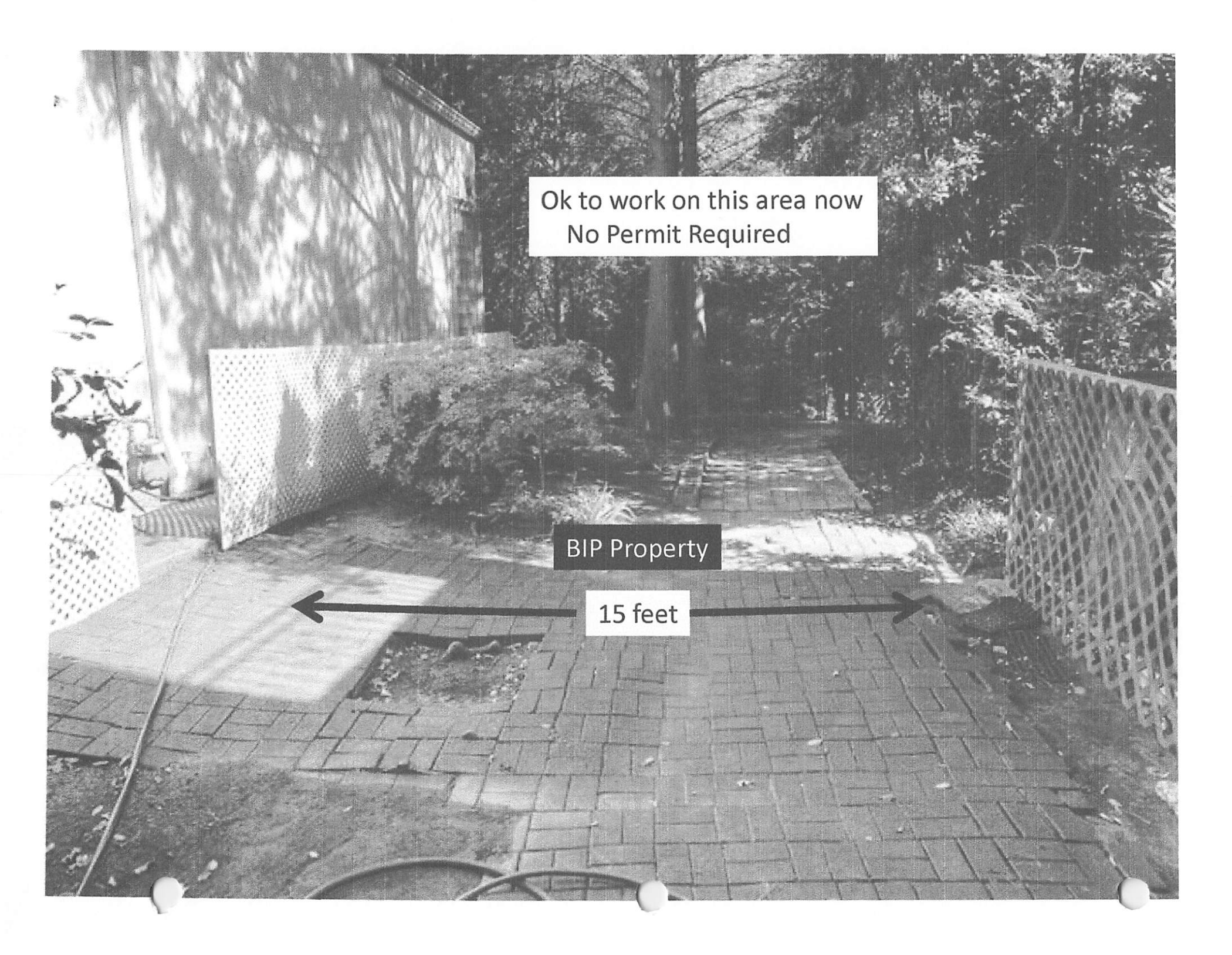
Drains

Garden Area

New Path Installed

Existing walk way

Bushes



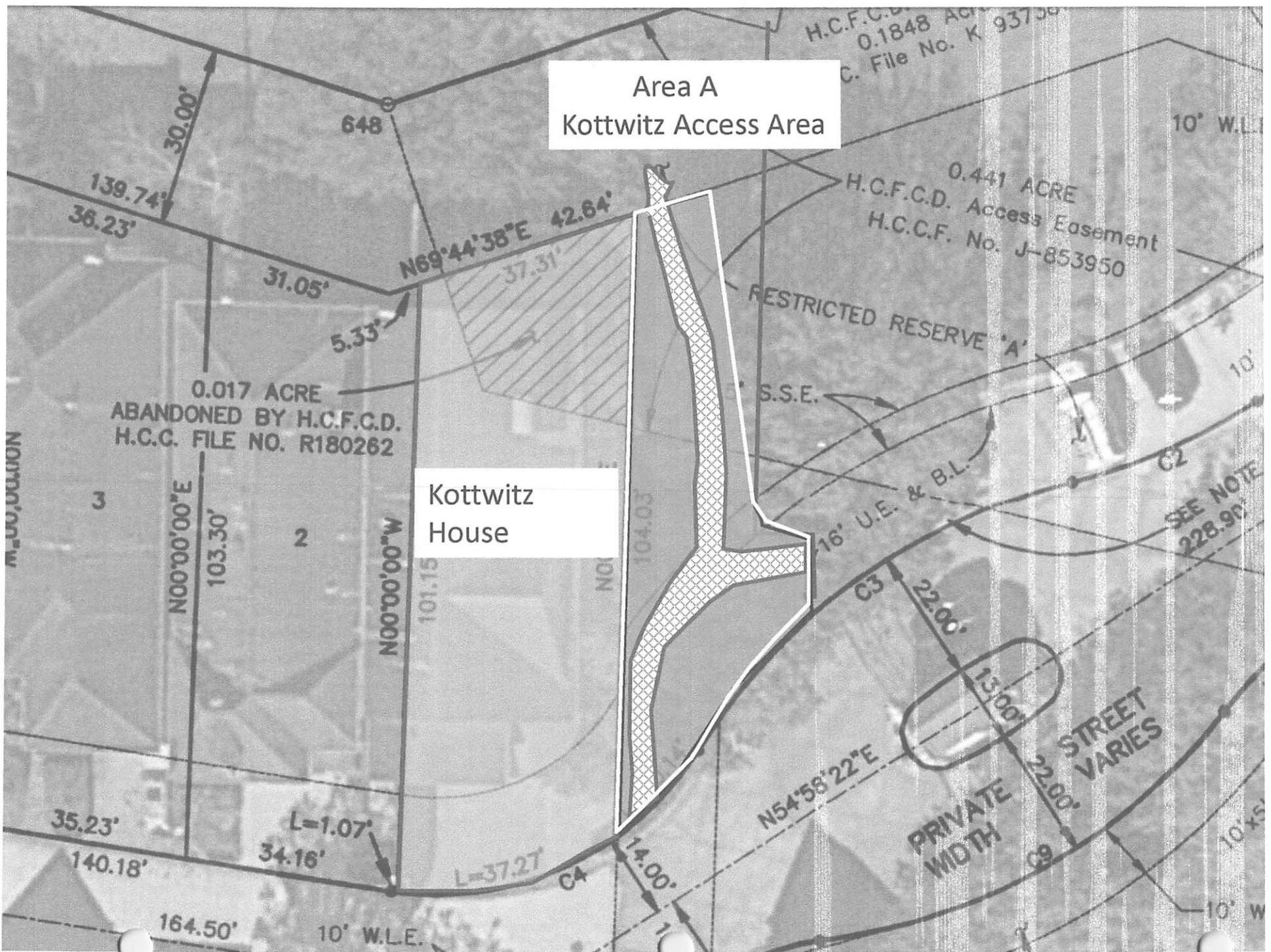
Ok to work on this area now
No Permit Required

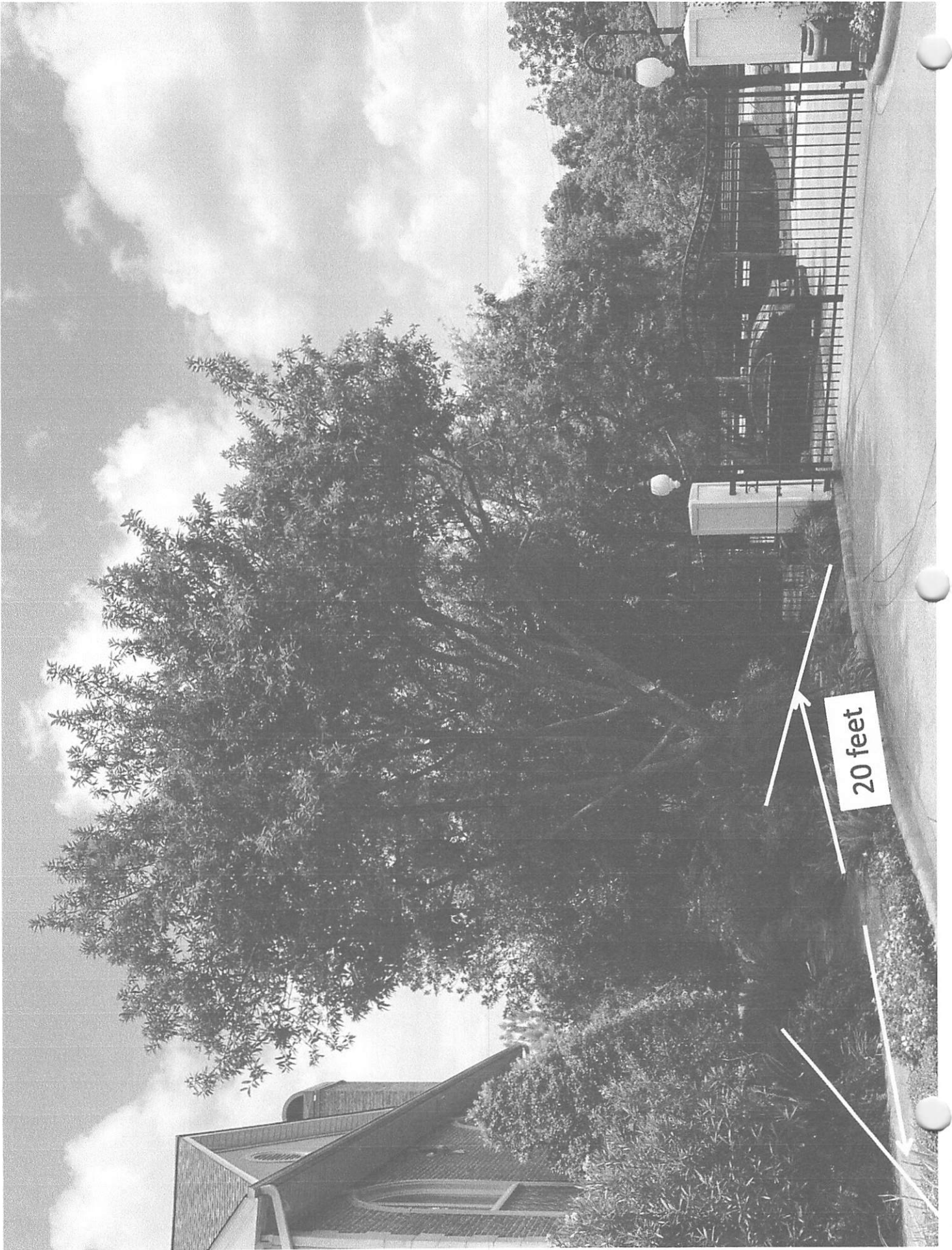
BIP Property

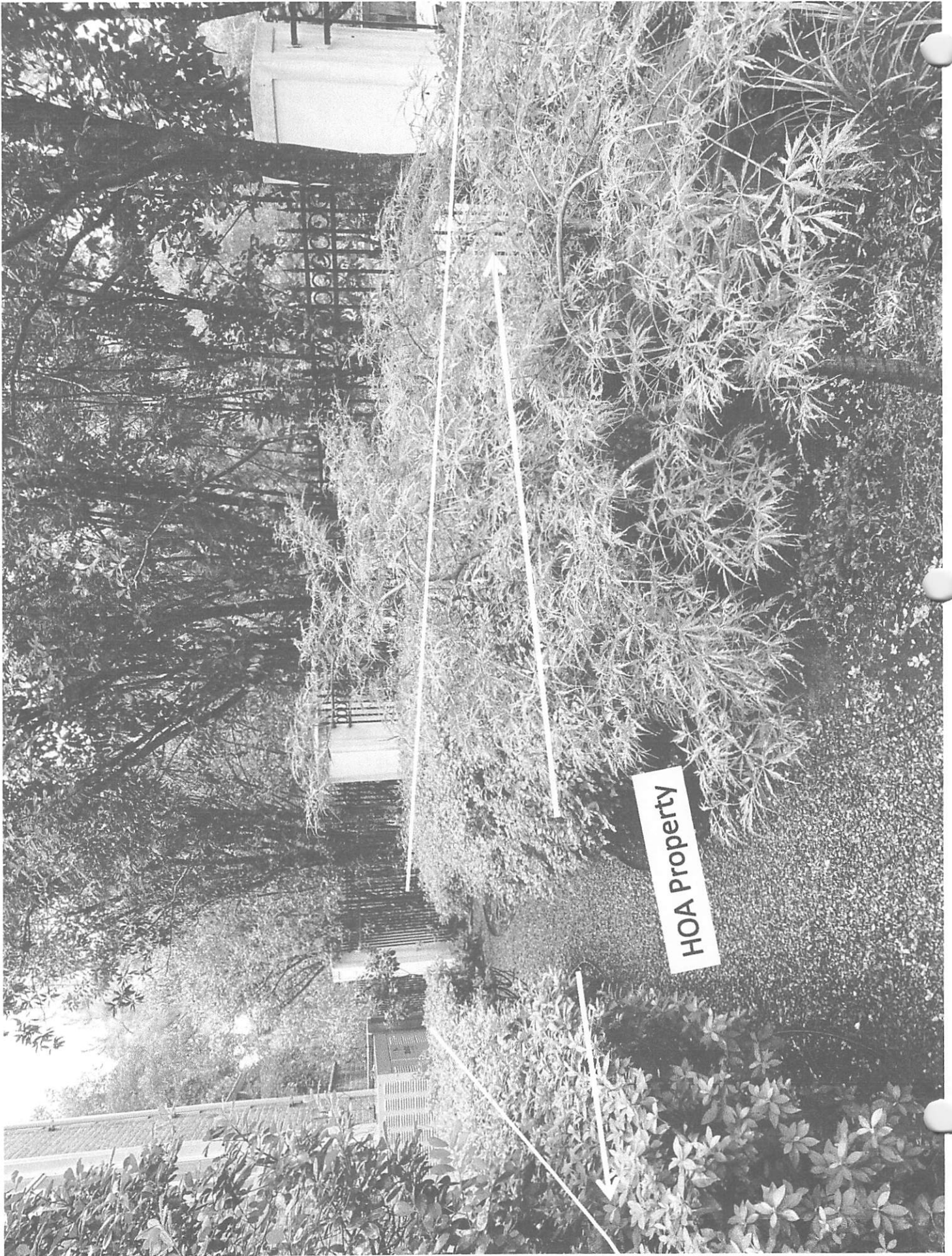
15 feet

Area A
Kottwitz Access Area

Kottwitz
House







HOA Property

Additional Investments by Homeowners

- Santosh \$1250 for New Tree planting
- Pavel \$ 500 for New Garden plants
- John Waheed \$8000 for Personal Garden upgrade
- Total Project cost- \$20,950
- Total HOA cost - \$4,000

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IP Property and Easement Maps to the Erosion Control Inside Project

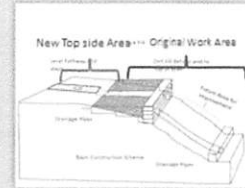
Work Plan Over View

- Based on discussions that the Board has had with Preston Engineering, the original work scope has been revised to do "Top Side" drainage remediation in the HOA access area.
- All detailed plans that involve work in easement and 100 year flood plain areas have been moved to 2021 primarily of the cost and timing, that will be finalized.
- Current work is confined in the non permit "Top Side" areas owned by the HOA and adjacent property owners.

PRESTON Certified Civil Engineer
 10000 W. 10th Ave., Suite 100, Golden, CO 80401
 (303) 440-1111
 www.prestoneng.com



What Can We do? How
 Location that will be used for the new work area. This is a 20' wide area that will be used for the new work area.



1

2

3

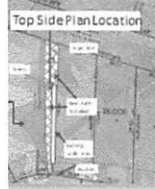
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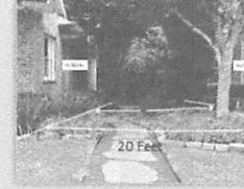
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Based on What Exist Today

- Some guidance can be given regarding gardens, walk ways and sprinkler water use to the new top side project.
- HOA property landscaping blends in with resident property.
- Access to any and all residents.
- Can be used for worker access.
- Addresses Top Side erosion along pathway.

It's a Good Investment

- Cost involved 33% in the HOA area - (\$11,330 Total)
- 25% cost share if we proceed on the other work that is being done. (\$20,950 Total)
- Both Residents provided anonymous letters complaining about landscape appearance.
- They have responded because of the support that the Board has given them.
- Ultimately the larger problem will need to be address down road where engineering sign on is located. This will need to be a next years project.

Projected Cost Thus Far

HOA Area only	\$11,330
25% cost share if we proceed on the other work that is being done	\$20,950
Total Project cost	\$32,280

Sources of Capital

HOA	\$11,330
25% cost share	\$20,950
Total	\$32,280

Additional Investments by Homeowners

Santosh	\$10,000
Pavel	\$10,000
John Waheed	\$10,000
Total Project cost	\$32,280
Total HCA cost	\$4,000

How is the \$500 Assessment Being Used?

A Portion to cover	
New Sprinkler Systems -	\$6000**
New Light Repair	\$2718**
Drainage pipe, tree trimming	
bayou wall maintenance	\$3350
Topside Erosion Control	\$4000
Total	\$16,269

25

26

27

28

29

30

31

32

Projected Cost Thus Far

- HOA Area only-

Drainage Basins and lines- Labor and Material-	\$1500
Walkway pavers and labor installation	\$3650
Sprinkler line install, valves, lines, labor	\$1800
Flower beds, plants, stones, soil	\$2,250
lighting and cabling	<u>\$2,000</u>
	\$11,200
Project management cost (10 days)	0

- Sources of Capital-

HOA-	\$4000
John Waheed	\$4000
Pavel	<u>\$4000</u>
Total	\$12,000

It's a Good Investment

- Cost shared 33% in the HOA area (\$11,200 Total)
- 25% cost share if we consider all the other work that is being done. (\$20,950 Total)
- Both Residents received anonymous letters complaining about landscape appearance
- They have responded because of the support that the board has given them.
- Ultimately the larger problem will need to be address down slope where engineering sign off is needed. This will need to be a next years project

Based on What Exist Today

- Some guidance can be given regarding gardens, walk ways and sprinkler water use to the new Topside project
- HOA property landscaping blends in with resident property
- Access to any and all residents
- Can be used for worker access.
- Addresses Top Side erosion along pathway

BIP Notice of Resolution

August 6, 2020

Dear Neighbors,

I am writing you today to advise you of a resolution that the Board adopted at its July meeting regarding its decision to deny a request for Variance For Pool Construction ; and the Sale of HOA owned property to a current homeowner. The principle focus of this decision has to do with the protection of existing drainage areas and easements that surround BIP property. For those of us who were here during Harvey, we recognize that flood waters were only inches from entering our homes which makes drainage a major HOA priority.

Framing the Resolution- To frame the resolution properly, the Board undertook the resolution in response to the request from a resident for a variance that involved the potential building of a swimming pool that would have existed exclusively on HOA green space property, the largest portion of which was be located in an area that is and always has been designated for drainage.

The HOA Owned Property and Associated Easements - The HOA common area property rings and surrounds BIP in 2 Tracks. One called Reserve Area A and the other is Area A. Area A was originally deeded as a drainage easement in 1994 that sits on the south east side of BIP. Reserve Area A is a tract that sits adjacent to Area A and extends around the whole community. A portion of this tract, contains a 30 foot easement deeded to the Harris County Flood Control District. There is an additional drainage easement, of which the property still belongs to a non BIP owner, that sits on the west side of the community. Finally there are 4 common area access points that are a part of Reserve A that are located between outside lots. Because many home sit on near "zero lot lines" these areas were originally designed by the original developers as entry points for residents wanting access to the common areas, as well as for workers or construction activity that needed to be done on the back side of homes. The attached map is a composite of all properties.

The request for Variance and HOA Property Sale- In considering the variance for *potential* construction on HOA property, the Board's view was that it did not want to set a precedent to allow for a pool structure that might impede drainage flow. Approval of a variance would also create potential future liability for the HOA in the event of accidents around that pool since the HOA retained ownership of the area. The resident subsequently asked the Board's opinion about its willingness to do an outright sale of HOA property such that the HOA could still retain the right to approve how the property was developed insuring that future pool design was nonrestrictive to drainage . Recognizing that there were additional permits from the county that would be required for pool construction within the 500 year flood plain before any action

could be taken, the Board agreed not to entertain this idea that also had it sharing in potential liability.

The Take Away- The Board believes that we are acting in the community's best interest to protect drainage areas and as such requires Board approval before any project is initiated on HOA property. Accordingly, we send you the details of the resolution attached for your review. The Board at its own expense has initiated drainage improvement projects. To their credit, we also have a number of residents that have initiated projects that improved and addressed drainage issues that involve; maintenance of drain and drain lines, stabilizing of slope areas and general cleaning of brush from drainage path ways, all of which have been done under the guidance and agreement of the Board. In reviewing the property boundaries and walking the HOA owned areas, however, the Board has discovered number of initiatives that were undertaken by residents without the express permission or agreement by the Board, some of which involve decks, porches and external buildings that not only transgress HOA property, but also sit in areas that are designated clearly for drainage. This is a concern that we expect to address and discuss on an individual basis.

We would be happy to provide residents that would like more details on the work that was done, including the set of maps and deeds used, to reach the final decision and resolution. The Resolution is found as an attachment below.

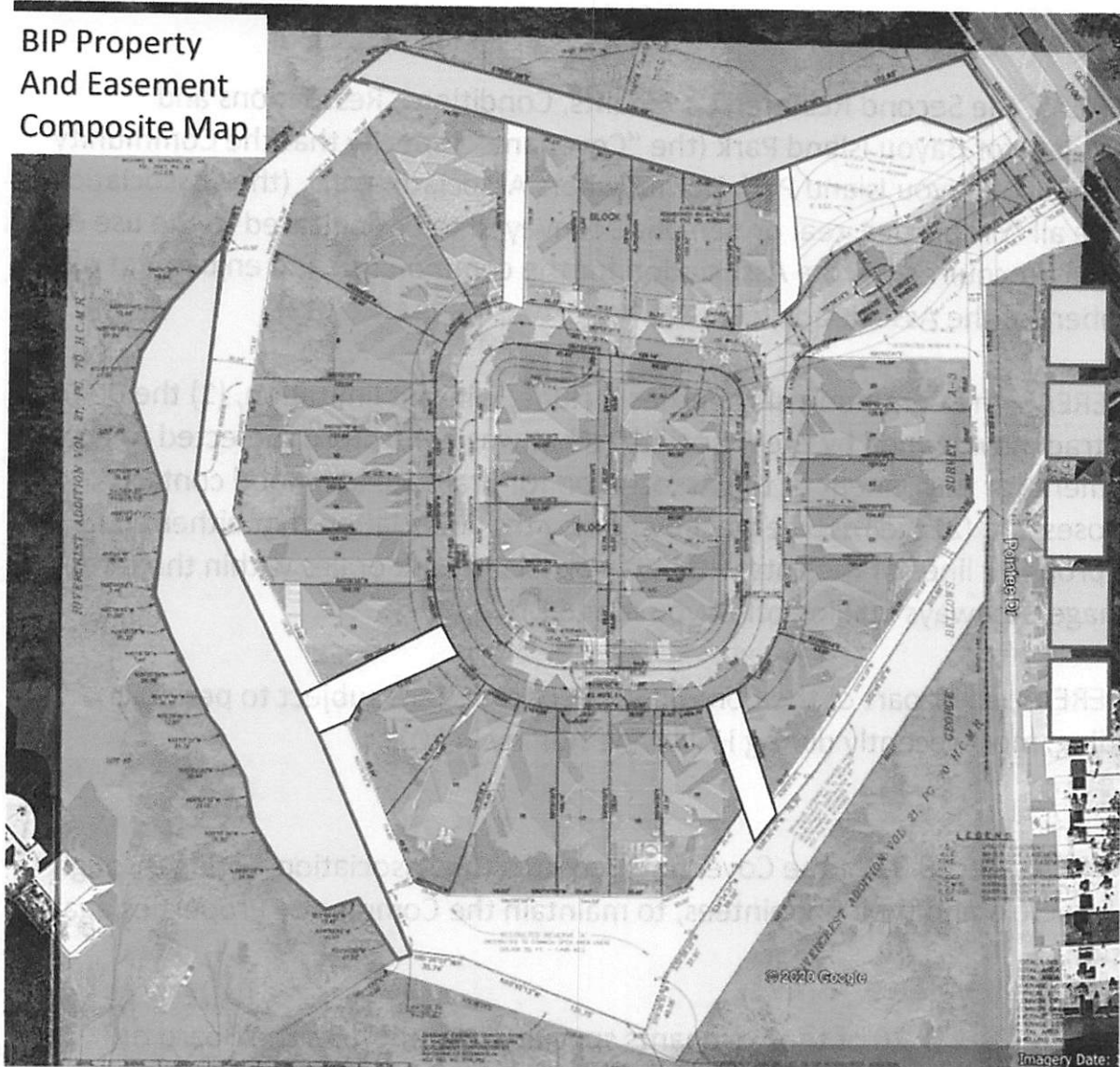
Respectfully Yours

Reg Spiller

BIP HOA President

Reggie W Spiller

BIP Property And Easement Composite Map



Area A

Reserve A

Drainage Easement

Drainage Easement
HCFC

BIP Access
Areas

Directors to adopt such rules and regulations applicable to the "operation, use and occupancy" of the Community Properties, as the Board "shall from time to time deem beneficial to the subdivision"; and

"WHEREAS, in view of its premises, the Board deems it beneficial to the subdivision to adopt the Rules and Regulations set forth below:

"NOW, THEREFORE, BE IT RESOLVED that as a matter of policy, the Association shall not voluntarily dispose of any interest in, or under the Community Properties, whether by way of the grant of an easement, or a lease, a sale or other disposition; and

BIP Board Resolution July 28, 2020

WHEREAS, the Second Restated Covenants, Conditions, Restrictions and Easements for Bayou Island Park (the "Covenants") specify that the Community Properties of Bayou Island Park Homeowners Association, Inc. (the "Association") include all "properties, real or personal, conveyed to or dedicated to the use of, or otherwise acquired by, the Association for the common use and enjoyment of the Members of the Association";

•WHEREAS, the Community Properties include, without limitation, (1) the 0.4092-acre tract now owned by the Association that was heretofore subjected to an easement for the benefit of the Association for drainage and flood control purposes and (2) the reserve tract owned by the Association that either abuts the rear property lines of the Lots within Bayou Island Park or lies within the three drainage pathways leading off Bayou Island Drive;

•WHEREAS, all or part of the Community Properties are subject to periodic flooding, most recently during Hurricane Harvey in 2017;

-WHEREAS, Sec. 6.01 of the Covenants requires the Association, acting through the Directors and their appointees, to maintain the Community Properties against erosion;

•WHEREAS, Sec. 7.20 of the Covenants specifically authorizes the Board of Directors to adopt such Rules and Regulations applicable to the "operation, use and occupancy" of the Community Properties, as the Board "shall from time to time deem beneficial to the Subdivision"; and

•WHEREAS, in view of the premises, the Board deems it beneficial to the Subdivision to adopt the Rules and Regulations set forth below;

•NOW, THEREFORE, BE IT RESOLVED that, as a matter of policy, the Association shall not voluntarily dispose of any interest in, to or under the Community Properties, whether by way of the grant of an easement, or a lease, a sale or other disposition; and

•BE IT FURTHER RESOLVED that it shall also be the policy of the Association not to allow any individual to landscape, plant or build on or make any other improvements to, any part or portion of the Community Properties, except in any case as the Board may determine from time to time upon prior notice and application by such individual to be consistent with proper flood control or drainage purposes and in compliance with all applicable governmental regulations.

**Bayou Island Park HOA
Board of Directors
Minutes of Meeting 10.01.2020**

The BIP Board of Directors met via Zoom Thursday October 1, 2020 at 7:15 pm. Reggie Spiller, Santosh Kedia, Hernan Guajardo, Kit La and Jody Harrington were present along with board counsel Mike Harrington.

Board President Reggie Spiller shared a presentation with the board which included information on most items discussed. That presentation is attached to these minutes and incorporated for all purposes.

1. **Treasurer's Update:** Kit La reported that \$11,844 was in the HOA checking account and \$12,493 in the savings account. Although she was authorized to move funds from savings to checking as needed, to date there has been no need to do this. A review of the budget showed that the HOA should have no problem meeting its financial obligations through the end of 2020.
2. **Special Assessment Status:** All residents have paid the special assessment with the exception of Trey Schwartz who is now delinquent and will begin incurring 18% interest and a late fee of \$100/month. Kit La will consult with Mike Harrington to prepare and send a notice to Mr. Schwartz about the delinquency by email and hard copy letter.
3. **Status of Smart Sprinkler Project:** Reggie reported that water usage in August was down 47% from August 2019, due to both heavy rain and the use of the smart sprinkler systems now installed. There are several homes whose residents have agreed to install the devices but installation has been delayed due to the homeowner's absence. Hernan is following up with them and the project should be finished shortly. Reggie shared comparisons of water use and costs before and after the installation which are included in the attached presentation. He concluded that we are realizing the cost savings to the HOA that was projected.
4. **Topside Erosion Project status:** Reggie and Santosh led a discussion of the status of the erosion project which focused on the need to prioritize moving the rock on the pallet in front of John Waheed's home which has become the focus of neighbors' concern. Reggie's presentation shared the verbal agreement reached between John Waheed, Reggie, and concerned neighbors that the project would be finished by October 10. Reggie told the board that an additional \$1K to \$2K may be needed to accomplish this and if so he would ask John Waheed to contribute to it. The board agreed that it was important to bring this project to conclusion.
5. **Request to combine Lots 25 and 26 into one assessed lot:** The La family home sits on lots 25 and 26. Under the current by-laws they are required to pay 2 annual assessments, one for each lot, and they get 2 votes in HOA member meetings. Reggie provided in the presentation attached extensive information showing that their combined lots are the second largest in BIP but use much less water, which is the major expense for the community, than many other lots. The La family is willing to give up the extra vote in exchange for an amendment to the by-laws stating that the two lots will be treated as one for assessment purposes. After discussion the board unanimously agreed to recommend to the HOA members at the January annual meeting that the following amendment to Section 2.12 of the by-laws be approved:

“Notwithstanding any other provision of this Declaration or the Bylaws, the two adjoining Lots having the street address of 1146 Bayou Island Drive, Houston, Texas, shall be deemed to be a single lot for purposes of determining regular or special assessments under Article V of this Declaration and for purposes of determining voting

rights under Section 3.04 hereof, so long as (and only so long as) only one single family residential dwelling is located under on such Lots.”

It was further agreed that the next payment of the annual assessment for the La family will be the double assessment because it will be due before the HOA annual meeting, but if the amendment is approved they will only pay the single assessment for succeeding years.

5. Pest Control Extension: Reggie obtained email consent from the board to extend the pest control service through the end of this year.

6. Solar Timer Replacements: The solar timers on the lights in front of the neighborhood were damaged by a power outage. Reggie reported that he had them replaced at a cost of \$150.

7. Fall Flower Replacements and Ravine issue: After discussion, the board agreed to delay replacing the flowers at the entrance of the neighborhood for the time being as most of them still look good and we may have additional costs with the soil erosion project. Santosh pointed out that it was time to have Rene Portillo clear out the ravine again.

8. Open Gate Request: Reggie received a request from Trey Schwartz to leave the gates open Tuesday night because he was having a Presidential debate watching party. Reggie reported that he declined the request due to COVID security concerns so Trey admitted his guests using the gate system. There was discussion about opening gates and the board agreed this was the appropriate policy for this time.

9. Louise Sutton: Our neighbor Louise Sutton is recovering from COVID in a rehabilitation center in Katy. Reggie encouraged the board to send her get well cards and has provided her address there.

10. Genson Driveway Maintenance Issue— Santosh has discussed the need for maintenance of this driveway with Dr. Genson and provided him with photos of the area since he and his wife have left the home which is on the market. Dr. Genson said he will have it taken care of this weekend.

The meeting was adjourned at 9:22 pm.

Respectfully submitted,

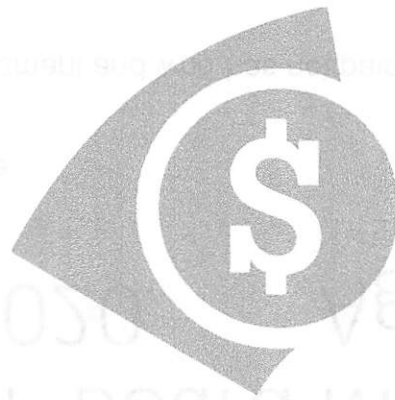
Jody Harrington
BIP HOA Board Secretary

September BIP Board Meeting October 1st 2020 Agenda

- 1. Treasury/ Budget update Kit/ Reggie
- 2. Status of \$500 dollar special assessment and who has not paid. Kit
- 3. Status of Topside Erosion Project Reggie
- 4. Status of Sprinkler Installs and outstanding payments by residents. Heman/ Kit
- 5. Discussion on the request to combine lots 25 and 26 into one assessed lot base on size of lot compared to other existing lots as well as water usage. Reggie/ Mike
- 6. Pest Control Extension- Other maintenance (Solar timer replacement) (Flower replacement?)
- 7. Request for open gates for party (Not)

Treasure's Report

September Budget Projections



BIP Monthly Expenditures Zero Based Planning Budget

A	Actuals from 2020								Projected from 2019					Annual	Ave Monthly
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Opex															
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	82.9	70	80.65	81.74	0	174.7	82.9	987.39	
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37	81	76.04	83.15	75.35	83.15	75.86	851.68		
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	101	23.58	23.63	23.63	23.58	23.58	360.48	183.30	
Water 9012	0	33.15	0	0	16.76	0	0	16.76	0	0	0	0	66.67		
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43	2762	1668.44	3613.56	2263.64	1933.83	1488.97	22204.15	1850.35	
Water 9019	0	491.53	0	0	247	0	0	247	0	0	0	0	985.53		
Trash	512	512	512	512	512	512	512	512	512	512	512	512	6144	512.00	
Lawn and Maintenance	680	690	1,160	460	1,560	1,810	360	600	1,810	390	1,100	1,330	11,950	995.83	
Pest	0	0	0	135.00	108	108	135	135	108	135	108	162	999	83.25	
Electric	68.33	37.22	38.82	34.95	28.91	32.76	29	29.41	68.45	36.61	37.95	47.22	489.63	40.80	
	2679.37	2890.18	2783.53	2660.32	4481.71	4672.04	4050	3388.88	6300.53	3436.23	3973.21	3722.53	45038.53		
B One time expenses															
Insurance							5757.4							5757.4	
Lights Install			1028	1691										2719	
Erosion Control							4000			300				4300	
Constable						4000								4000	
Sprinkler boxes						1500	5412							6912	
Book keeping	715													715	
Filing of HOA Covenants	383													383	
														24786.4	
Total Monthly A+B	3777.37	2890.18	3811.53	4351.32	8481.71	11929.44	13462	3388.88	6600.53	3436.23	3973.21	3722.53			

August Actuals

	Projected	Actual	Difference
	19-Aug	20-Aug	
AT&T 0244	93.09	80.65	-12.44
AT&T 1520	62.63	76.04	13.41
AT&T 5544	23.63	23.58	-0.05
Water 9012	16.76	16.76	0
Water 6021	3483.17	1668.44	-1814.73
Water 9019	271.7	247	-24.7
Trash	512	512	0
Lawn and Maintainence	0	600	600
Pest	108	135	27
Electric	65.54	29.41	-36.13
			-1247.64
Sprinker boxes			

Water usage was down
 \$ 1814 dollars in August
 Over 2019 Or 47%

Its Working !!!

wow!

net monthly reduction

"Ceteris Paribus"

Year End Projected Checking and Savings

Case A

Year End Total	\$1750 each Total 2020 Collections	Projected Deficit	Sprinkler 13 @ \$150 each Repayment Instlations	\$500 each Requested Expenses at 31	Net after Expenses	Savings	Checking Net Year End	Total Checking and savings
71072.57	56000	-15072.57	1950	15500	2377.43	12000	2377.43	14377.43

\$14,377.43

Case B

Year End Total	\$1750 each Total 2020 Collections	Projected Deficit	Sprinkler 24 @ \$150 each Repayment Instlations	\$500 each Requested Expenses at 31	Net after Expenses	Savings	Checking Net Year End	Total Checking and savings
71072.57	56000	-15072.57	3600	15500	4027.43	12000	4027.43	16027.43

\$16,027.43

Potential New Cost Items to Consider

- Additional Cost associated with the Topside Project
- John has committed to be finished by Oct 10th
- I have concerns that we may need to assist both with labor and cost
- John was working on the project today
- Agreement with John- "Finish what you can do with all of the material and then lets talk"

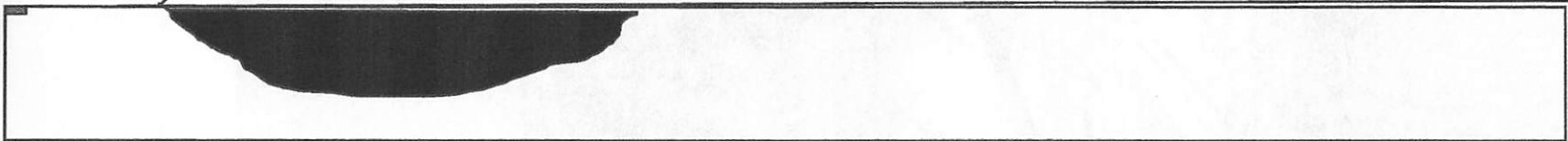
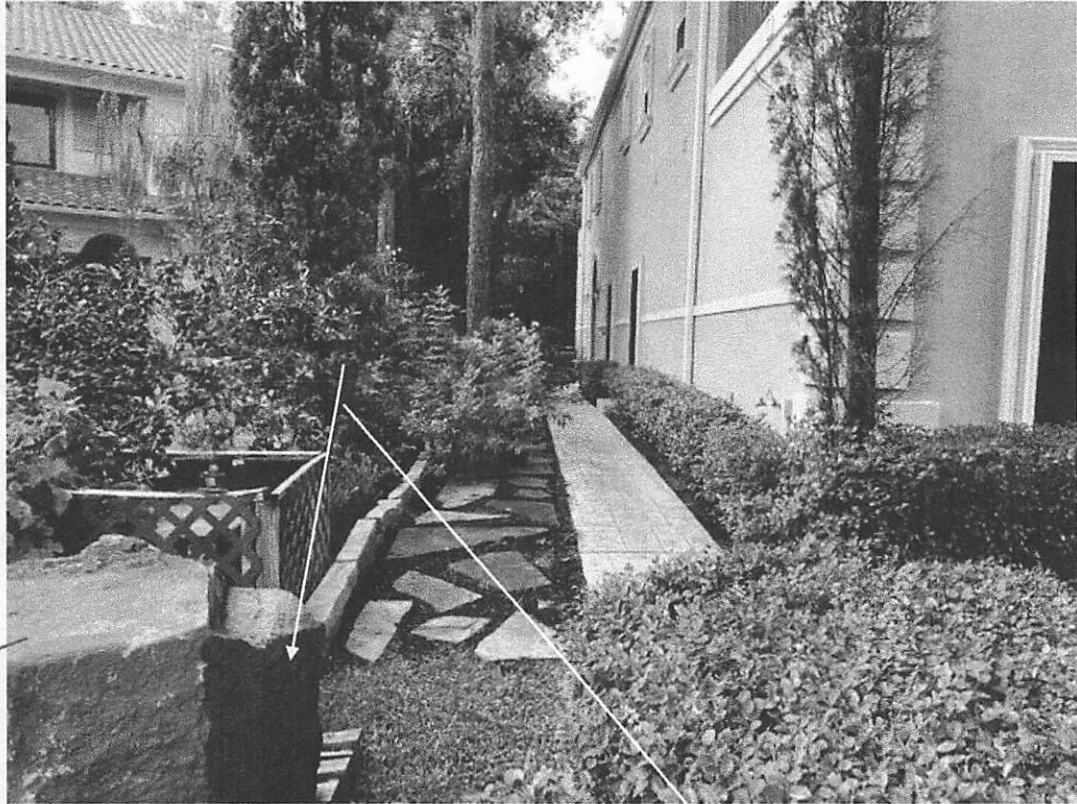
- Plan B- To make sure that we get completed - Separately-I have asked John Halverson for a bid to get the job completed- This could be \$1000-\$2000 dollars that I would ask John Waheed to cost share on.
- What needs to be done?



Gravel needs to be
Laid down between the
Stepping stones

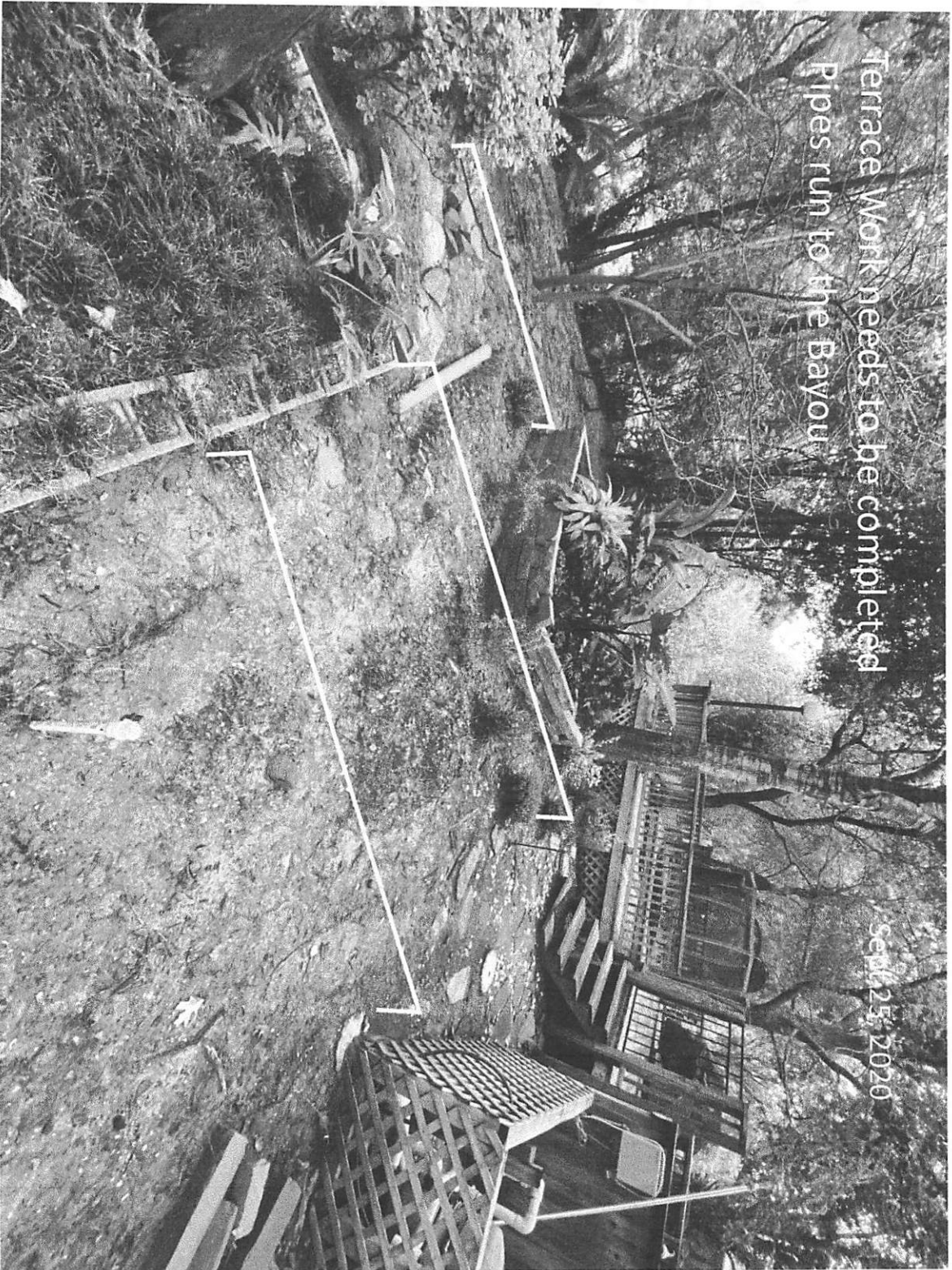
Rock to be
Moved onto
Waheed property

Move rock into shallow
Hole to reduce the Profile



Terrace Work needs to be completed
Pipes run to the Bayou

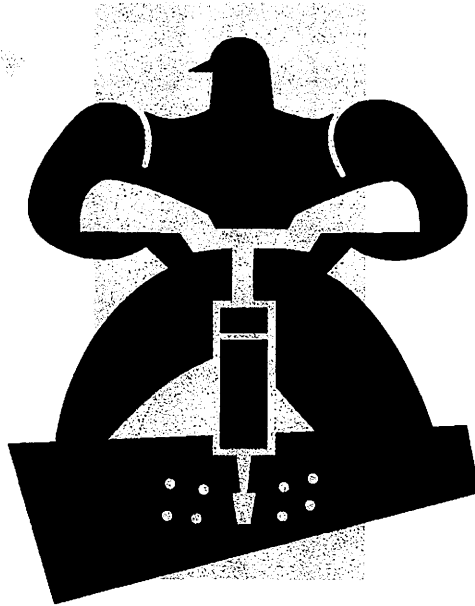
Sept 25, 2020



Two Side Meeting Discussions

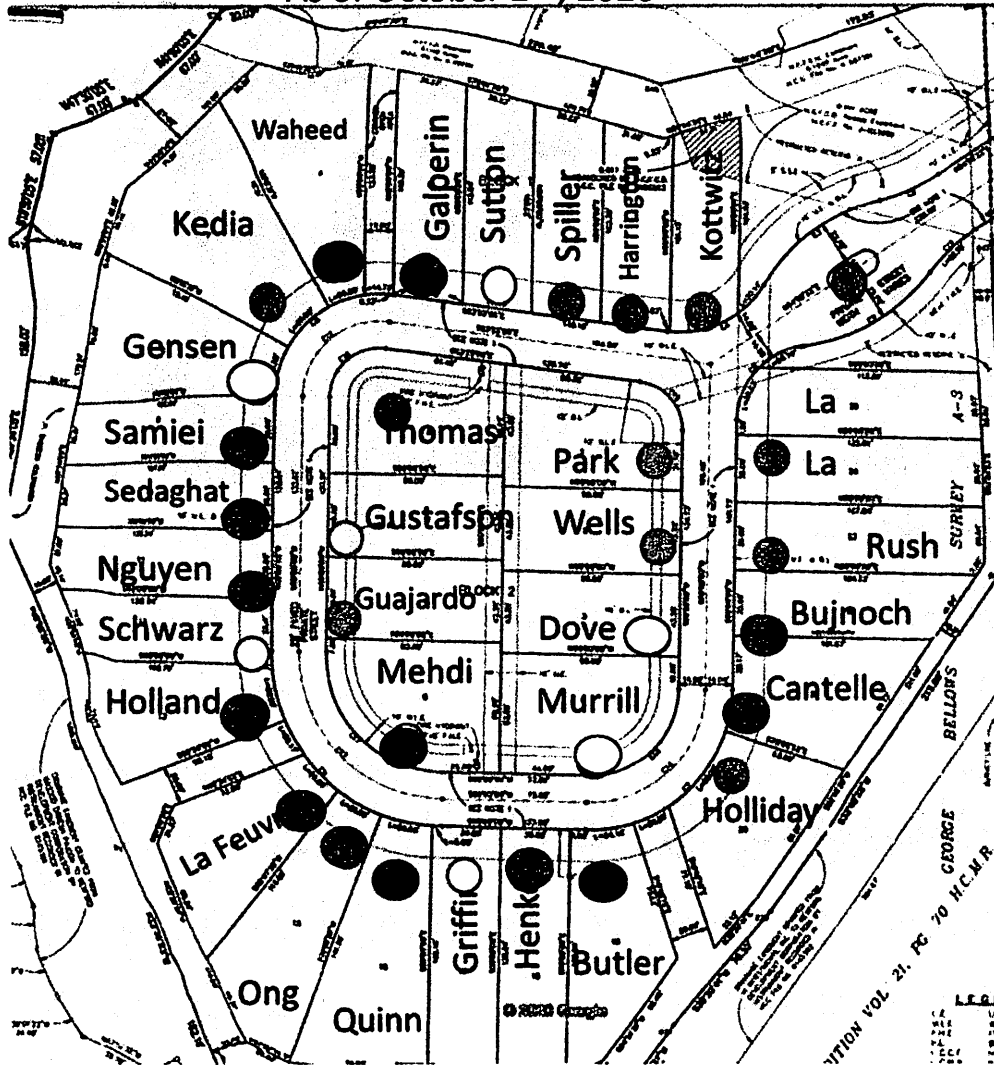
- **Sat Sept 26th**- Reggie, Inga, Pavel- Getting them up to speed on the History
- **Sunday Sept 27th**- Sal, Tosh, Pavel, Reggie- “The Rock’s Resting place discussion”. The group agreed to let John finish his work with the rock positioned and properly landscaped. We would all meet again to determine if it was acceptable. Work to be completed by Oct 10th

Sprinkler Systems



Water Sprinkler System Implementation Plan

As of October 1st, 2020



33 Sprinklers Running in BIP

Purchased 28

- 26 on new system - 78%
- Final Phase Completion 3 ? -10%
- Opt Out 4 -12%

Note- We have 3 remaining units in boxes and are kept in the Guard House

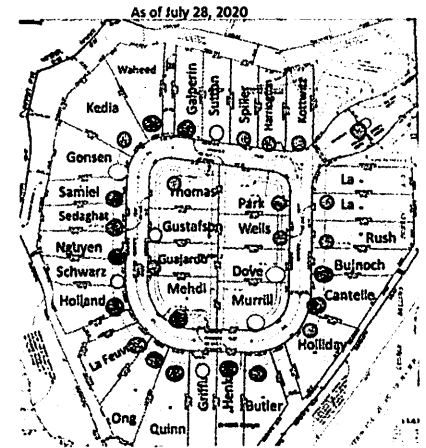
Lot size and Water Usage Analysis*

- Exercise done for 2 reasons:

A. To better understand who was using the most water

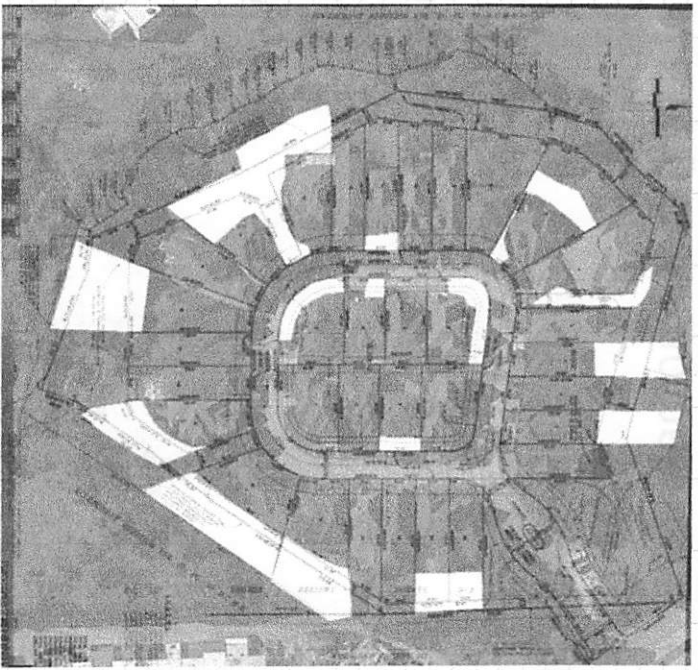
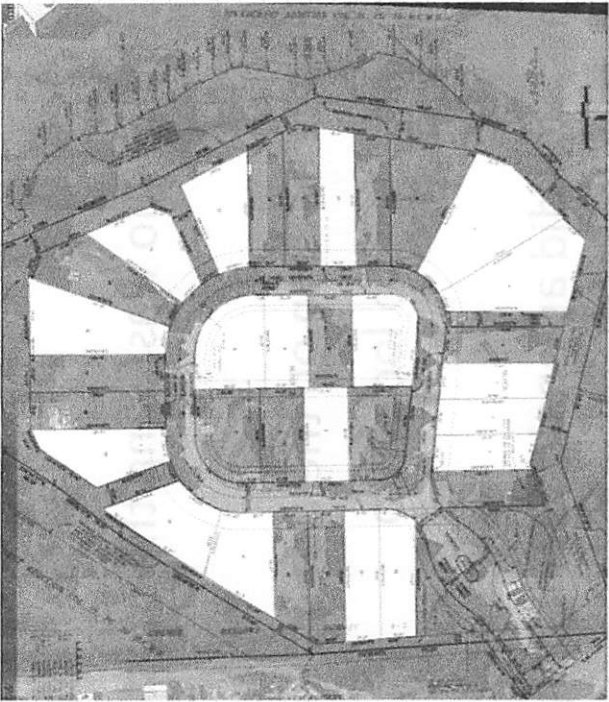
B. To address a future discussion on the *Double Lot* assessment question that Kit has asked us to look into

*Due to time constraints we did an analysis on only 17 of the 32 homes (33 lots) in BIP by using google earth mapper as a representative sample

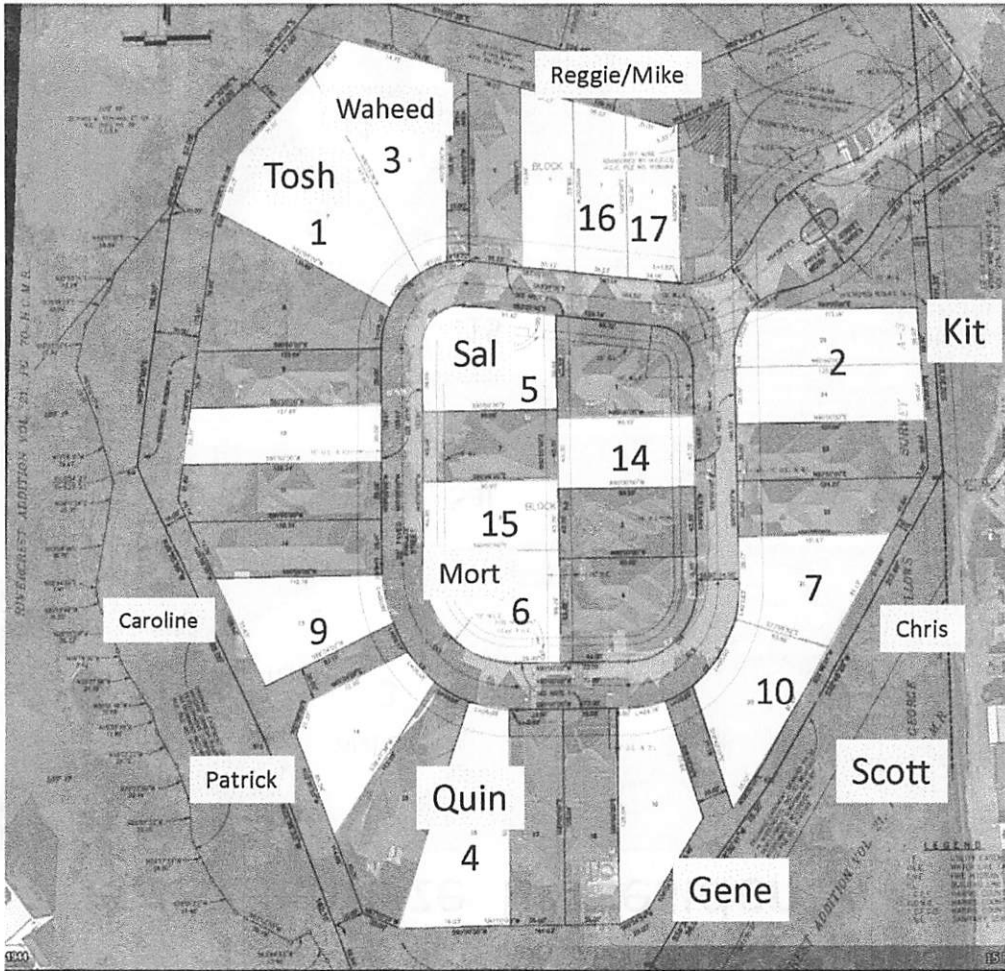


Lots Sizes and Watering Areas Ranked

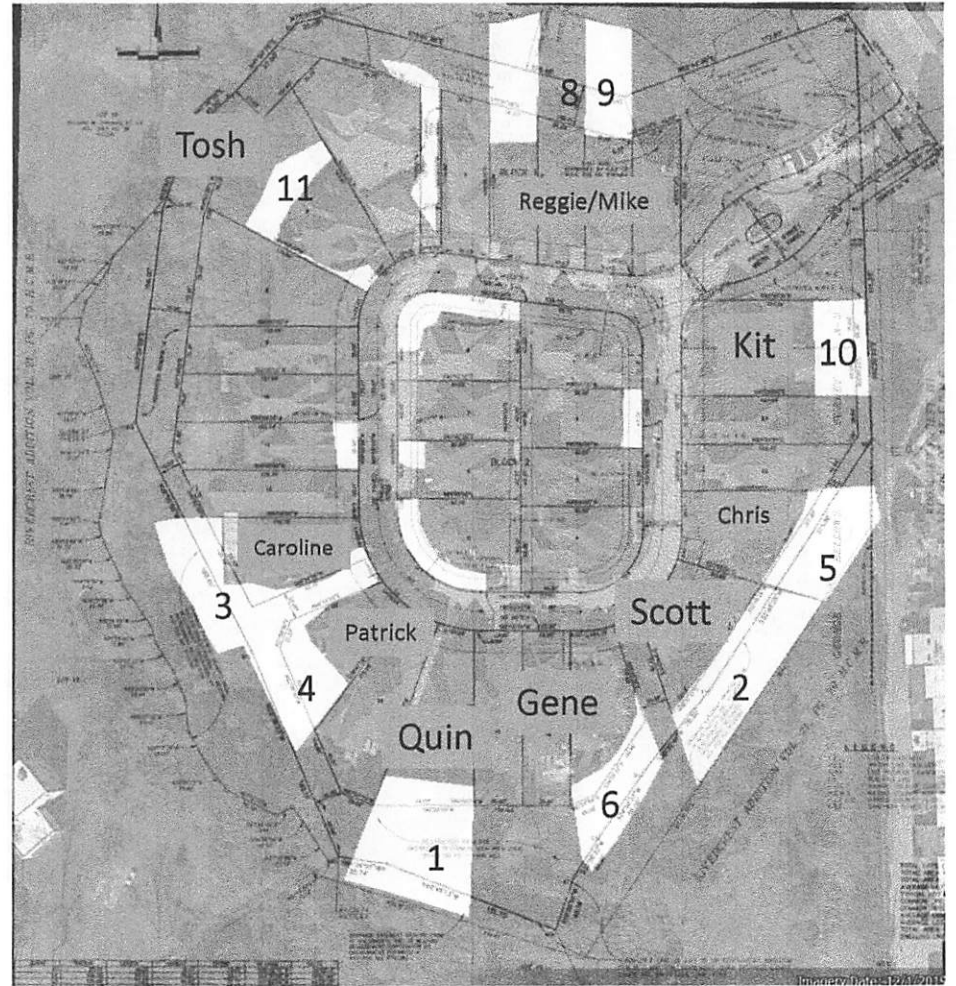
	Lot size	Water area	Ranked	
			Top Lot sizes	Top water users
Outside Lots				
1146 Kit	9285	2911	2	10
1130 Cantelle	5400	4535	7	5
Scott	5323	6391	10	2
Quinn	7043	7463	4	1
Gene	5225	3914	12	6
Patrick	5253	5070	11	4
Carolyn	5342	6338	9	3
Santosh	10418	2217	1	11
Hassan	4936	602	13	16
Wahed	8810	1719	3	12
Louise	4211	3502	14	7
Reggie	4033	3083	16	8
Mike	3765	3004	17	9
Inside Lots				
Hernan	4101	370	15	17
Sel	5902	1923	5	14
Mort	5808	1464	6	13
Yuhya	4265	653	16	15



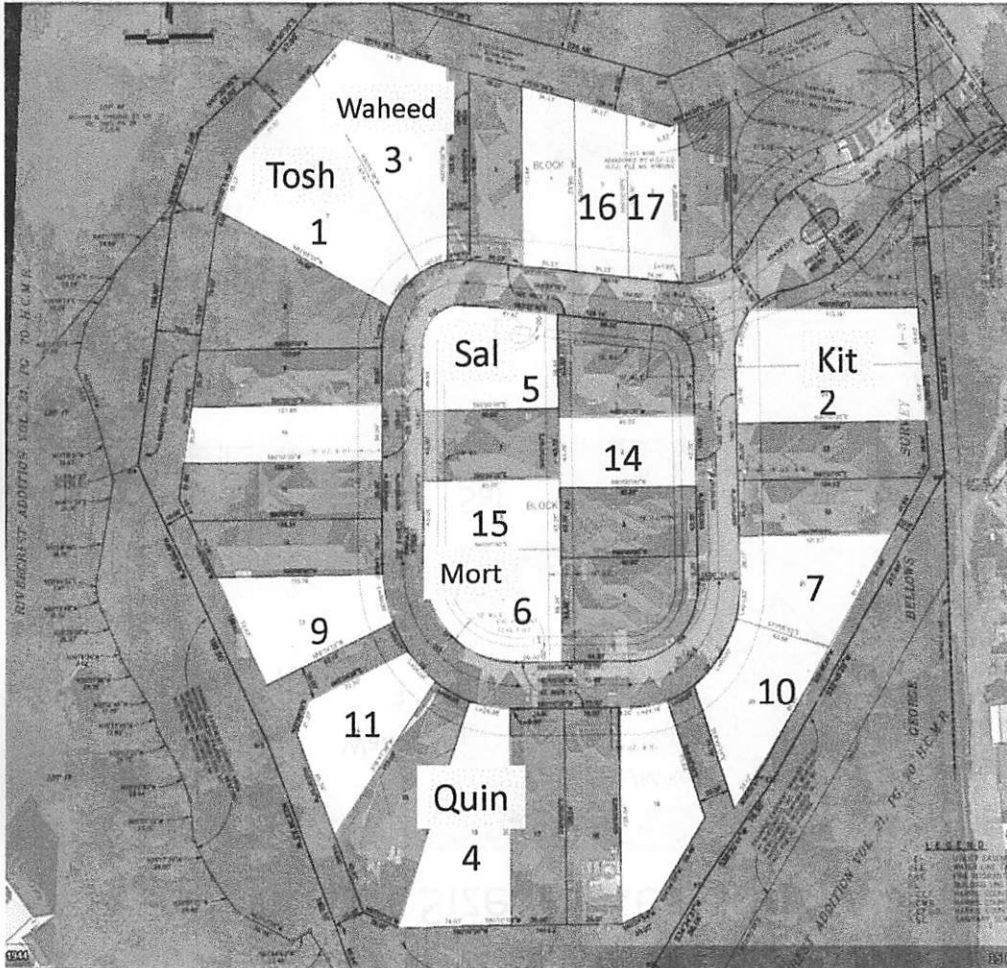
Top Lot Size By Resident



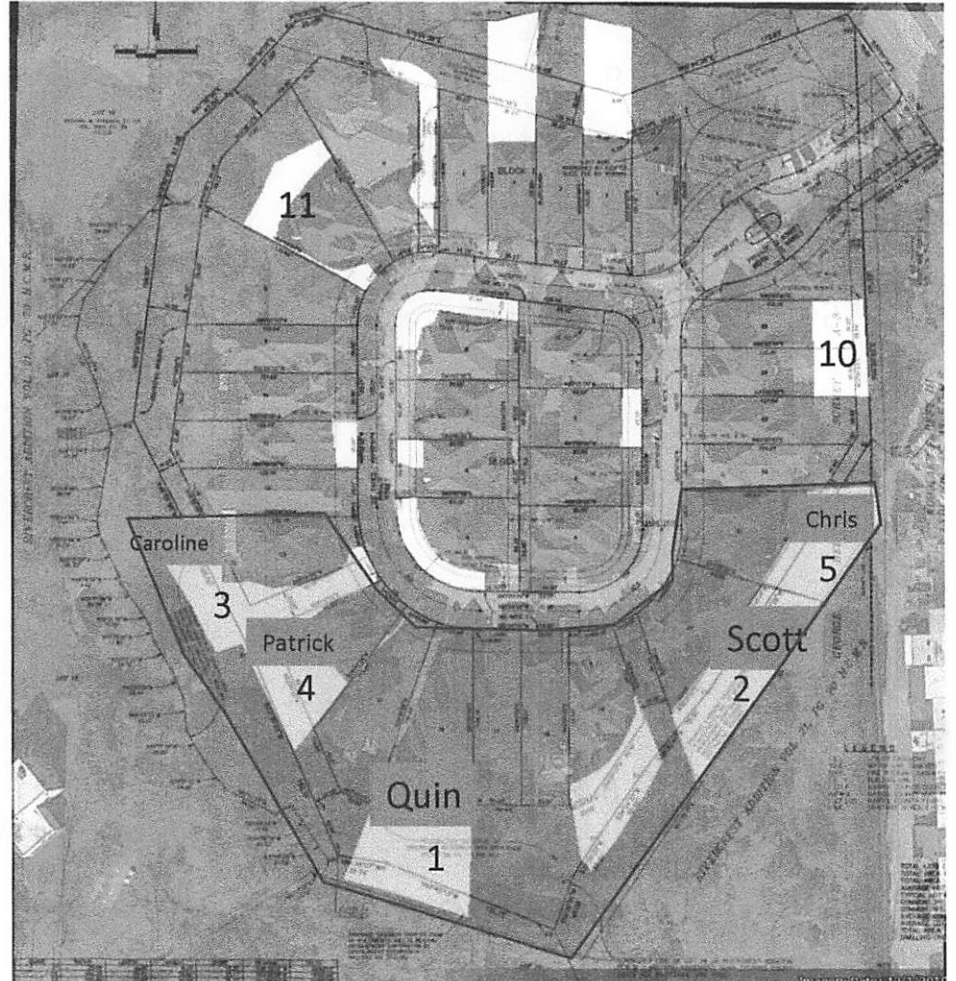
Top Lawn Watering Areas By Resident



Lot Size By Resident



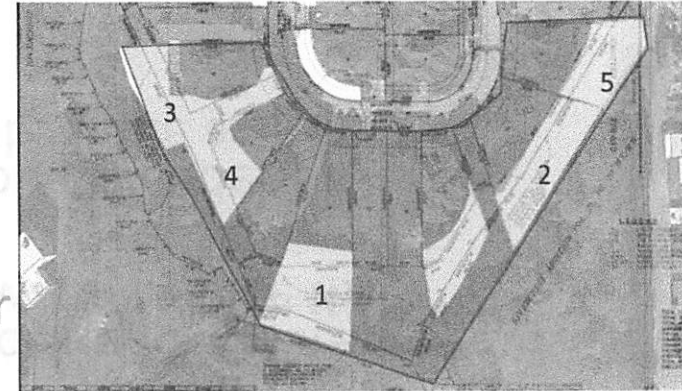
60-70% of water usage 9 homes



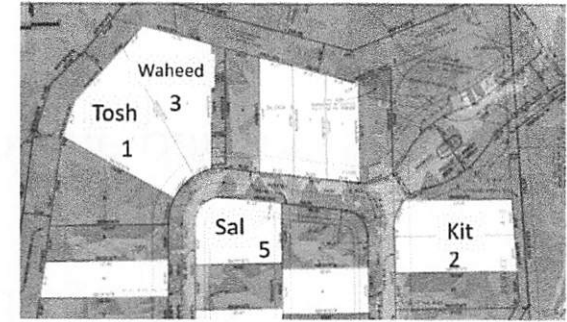
Conclusions

- The Back Lots of BIP are using 60-70% of the water
- 9 systems (27%) use 60-70% of the water
- @ annual water rates of \$24,000 per year, 9 residents use \$14,000-17,000 dollars of the water bill
- Smaller homes and lots are being burdened.
- The new system will help reduce over all cost however there appears to still be an inequity on how water is used by a few residents.

At some point we may need to consider having each home pay for its own water usage



Lot Size By Resident



Regarding Lots 25 and 26

- Lot 25 and 26 combined(Kits lots) are smaller than the largest lot in the community. 9285 sq ft vs 10,418 sq ft
- Lots 25, and 26 rank in the 50% percentile of water usage and area watered.
- Kit was assessed 2 years in a row (2019 and 2020) as one lot
- Special assessments have now been issued for only 1 house
- I see no reason why Lots 25 and 26 should be assessed double for future assessments and would support a change to the by laws to change this provision.
- We would need to assess Kits lot this year as 2 lots properly under the bylaws but put forth a vote to the community to combine the as 1 lot.
- Voting rights would be reduced from 2 to 1 vote.

September BIP Board Meeting October 1st 2020

- 1. Treasury/ Budget update Kit/ Reggie
- 2. Status of \$500 dollar special assessment and who has not paid. Kit
- 3. Status of Topside Erosion Project Reggie
- 4. Status of Sprinkler Installs and outstanding payments by residents. Hernan/ Kit
- 5. Discussion on the request to combine lots 25 and 26 into one assessed lot base on size of lot compared to other existing lots as well as water usage. Reggie/ Mike
- 6. Pest Control Extension- Other maintenance (Solar timer replacement) (Flower replacement?)
- 7. Request for open gates for party (Not)

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**Bayou Island Park HOA
Board of Directors Meeting
October 28, 2020**

The board of directors of the Bayou Island Park HOA met via Zoom on October 28, 2020 at 7 pm. Present were Reggie Spiller, Kit La, Santosh Kedia, Hernan Guajardo, and Jody Harrington. Board counsel Mike Harrington was also in attendance.

Treasurer's Report: President Reggie Spiller called the meeting to order and asked Treasurer Kit La for a financial report. As of the end of September \$8500 was in the checking account and \$12,500 was in the savings account. The Smart Sprinkler Control project has so far netted \$4500 in savings of the HOA's water bill over the last 3 months. Kit projected the year end balance will be \$6500 in checking and \$12,500 in savings barring unanticipated expenses.

Waheed Project Update: Reggie and Santosh reported that the rock was now in its final placement and the immediate neighbors are satisfied with the work. The remaining topside work is being completed by John Halvorson, hopefully over the coming weekend.

Front Light Repair: Reggie reported that 3 lights on the north side of the entrance to BIP are not functioning and will be repaired by John Halvorson, hopefully tomorrow.

Side Gate Repair: Reggie reported that part of that gate has rusted out and he will get a bid to repair the rusted portion.

Ravine Cleaning Update: Reggie shared slides showing the before and after of the area after it had been cleared of debris. The drains were also cleaned out.

Walk In Gate Issue: Hernan mentioned that the walk in gate latch needs adjustment or replacement and also said that the keypad should be replaced and a new code assigned to it. Reggie will get a quote to replace these items.

Sprinkler Project Update: Hernan will get an estimate for new sprinkler heads to replace damaged ones that are wasting water. Reggie shared a slide showing that the project was almost complete with only a couple of homeowners who have agreed to install smart sprinkler controls remaining to complete the work. There are 8 homeowners who have not paid for their installations.

Annual Meeting Planning: The board discussed plans for the annual meeting of the HOA. Mike Harrington advised that current Texas law required HOA members to vote a ballot so a Zoom meeting is not a possibility. He will circulate the required paperwork for the meeting to the board next week. The date was set for Thursday, January 7, 2021 at 7 pm at Memorial Drive Presbyterian Church. Jody Harrington reserved the Amphitheater in the church's Community Life Center for that date from 6:30 to 9 pm. The Amphitheater seats 175 people so there will be ample room to provide social distancing and masks will be required for those attending. The church charges \$300 facility fee for this reservation.

Slate of officers: The board discussed the need to recruit a slate of officers for next year. Reggie, Santosh and Hernan will not serve another term. Jody is willing to serve another year as Secretary and Mike is willing to serve pro bono as counsel to the HOA if the next board requests his service. Kit was undecided at the time of the meeting and there was discussion about making some changes to the Treasurer's role to address her concerns. The board dis-

cussed some good candidates for election to the board in different roles and will continue that discussion at the next meeting.

Agenda Items: Other than election of officers and directors for 2021, the proposed Amendment to the Bylaws regarding the La family's lots will be on the agenda. The board will not propose an increase in the annual assessment for 2021.

Reggie said he will call the next board meeting before Thanksgiving which is November 26, 2020.

The presentation Reggie shared with the board during the meeting is attached to these minutes and incorporated into them for all purposes.

Respectfully submitted,

Jody Harrington
BIP HOA Secretary

Zero Based Planning Budget Through September

BIP Monthly Expenditures Zero Based Planning Budget

Code	Actuals from 2020									Projected from 2020			Annual	Avg Monthly
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	73	83.75	82.63	0	174.7	82.9	986.1	
AT&T 1520	0	76.4	75.52	75.52	75.52	75.37	81	76.04	76.05	75.35	83.55	75.84	844.57	
AT&T 5544	23.56	23.56	23.56	23.56	23.56	23.56	121	23.18	23.63	23.58	23.54	23.54	360.43	182.41
Water 9012	0	16.15	0	0	16.76	0	0	16.76	0	0	0	0	83.52	
Water 6021	1212.56	964.4	893.71	1471.37	1817.24	2077.43	2792	1628.64	1771.84	2261.04	1933.83	1488.97	27942.23	1496.83
Water 9019	0	493.54	0	0	247	0	0	247	0	0	0	0	1238.53	
Trash	512	512	512	512	512	512	512	512	512	512	512	512	6444	512.00
Lawn and Maintenance	680	680	1,100	680	1,350	1,810	360	680	670	1,440	1,320	1,330	11,840	986.67
Pest	9	9	9	115.99	128	128	115	115	120	128	142	100	1024	85.3
Electric	68.33	17.12	18.83	14.95	19.11	13.76	29	29.11	29.36	16.61	17.96	47.27	454.54	37.53
Total Monthly	2679.37	2830.18	2783.53	2660.32	4083.71	4672.04	4250	3588.69	3342.05	4396.73	3573.21	3722.33	43129.85	
One time expenses														
Insurance													5757.4	
Lighting Install			1028	1891									2919	
Tractor Control													1541	
Convertible					4000								4000	
Sprinkler boxes						1500							1412	
Board Meeting													715	
Printing of HOA Documents													383	
Board Meeting													2427.4	

Expected Year End Total Cost \$69,857

Projected Year End Balances

Year End Total	\$1750 each	27	Projected Deficit	Repayment \$500 each	Net after Requested Expenses at 31	Savings	Checking Net Year End	Total Checking and savings
Projected Cost	69857.45	56000	-13857.45	4941	15200	6583.55	12000	6583.55

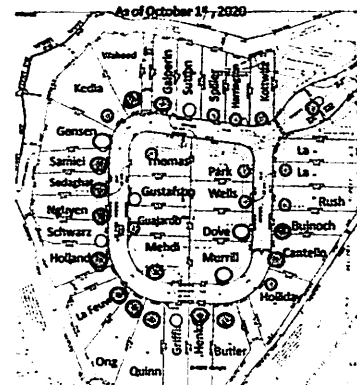
Savings \$12,000 Checking \$6,583

Agenda October 28th Meeting

- Call to Order- Treasures Report-
- Waheed Project Update-
- Front Light Repair
- Side gate Repair
- Ravine Cleaning Update-
- Sprinkler Project Update
- Jan 1 HOA Planning
 - Location, Slate of officers, Amendments to the Bylaws

Total Water Savings Aug + Sept= \$3657
Expect a October savings of at least \$850

Water Sprinkler System Implementation Plan



33 Sprinklers Running in BIP
Purchased 28

- 26 on new system - 78%
- Final Phase Completion 3? -10%
- Opt Out 4 -12%

Note- We have 3 remaining units in boxes and are kept in the Guard House

\$4500+ Dollars savings in 3 months!!!!

BIP Board Meeting

October 28, 2020

September Cost

	Projected	Actual	Difference
AT&T 0244	81.74	80.65	-1.09
AT&T 1520	83.15	76.04	-7.11
AT&T 5544	23.63	23.58	-0.05
Water 9012	0	16.76	16.76
Water 6021	3613.56	1771.66	-1841.90
Water 9019	0	247	247
Trash	512	512	0
Lawn and Maintenance	1,810	450	-1,360
Pest	108	135	27
Electric	68.45	29.36	-39.09
Total	6300.53	3342.05	-2958.48

Water Down \$1841
Lawn Down \$1360

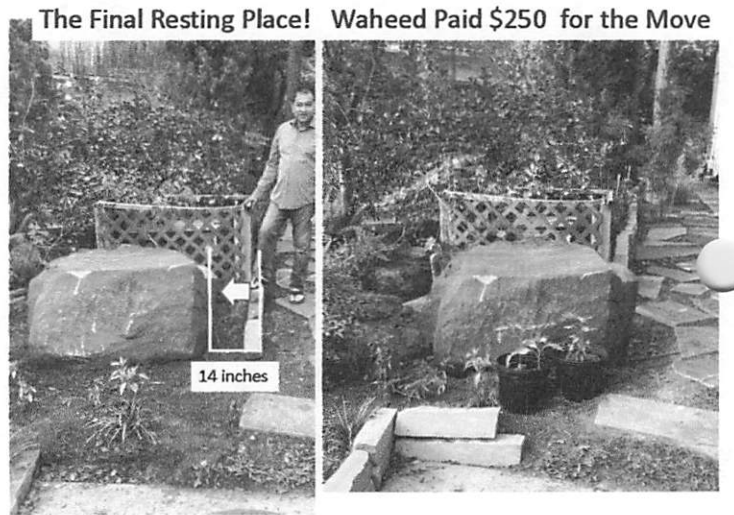
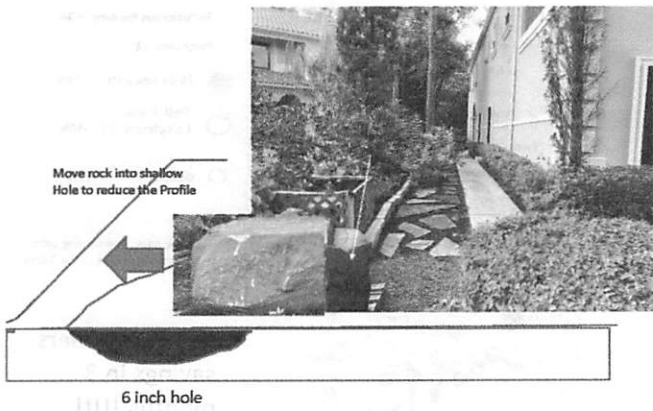


Sprinkler boxes



Top Side is being Completed by John Halvorsen

The Final Resting Place for the Rock



The Final Resting Place! Waheed Paid \$250 for the Move

Projects to be completed and Included in Analysis

- Waheed Top Side- \$1541
- Front Light Repair- \$ 300
- Side Gate Repair - \$300



To This



Side Gate Needs Repair



Bayou Ravine Cleaning from This to.....



Fixing Broken Pipes and Sprinklers Heads



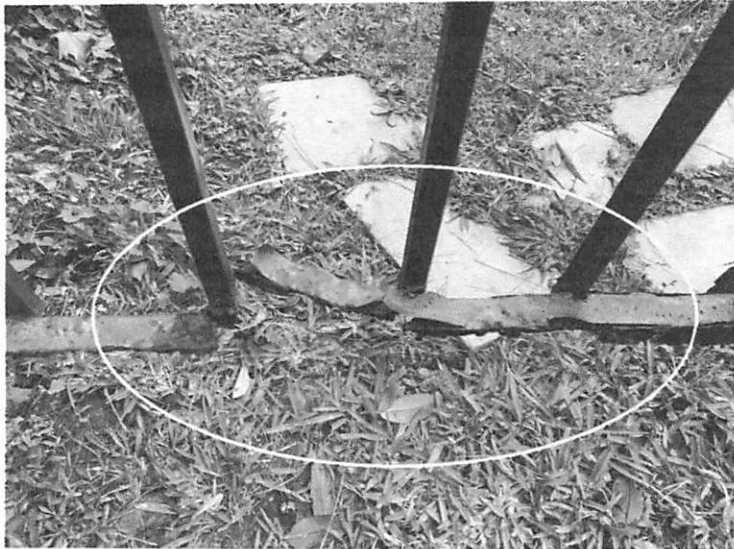
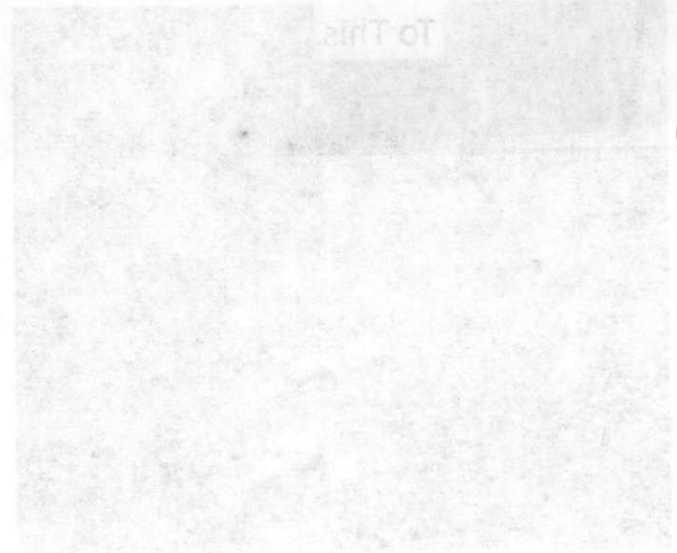
Clogged Side Drain



Clean Side Drain

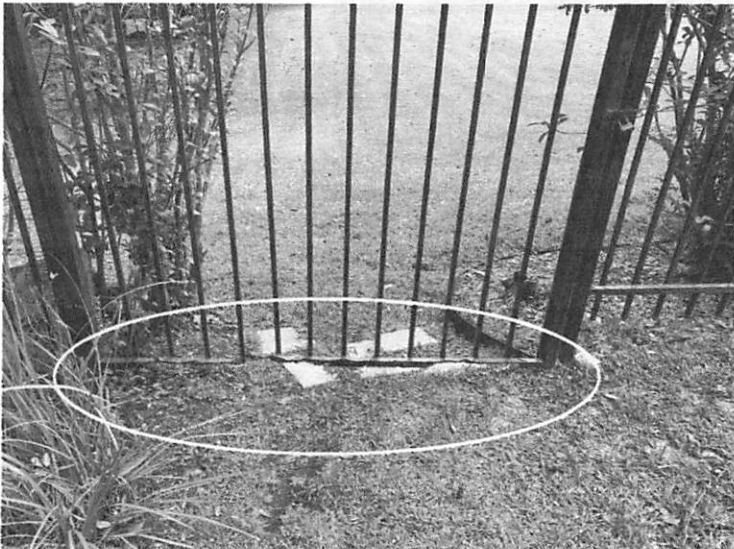


Front Lights Were Damaged



HOA Annual Meeting- To Be lead by Mike Harrington

- "Bylaw" amendment relative to the La family lots.
- The Notice of 2021 Annual Meeting
- An in-person meeting for several reasons.
- Location - In recent years, our HOA meetings have been held at MDPC.
- New Board and Continuing Members
- Recruiting replacements for directors going off the Board.
- Our Successes- What we have accomplished this year as a board- A summary presentation



**Bayou Island Park
HOA Board of Directors
Minutes of Meeting
11.29.20**

The Board of Directors of the Bayou Island Park HOA met via Zoom at 7 pm on Sunday, November 29. Present were Reggie Spiller, Santosh Kedia, Kit La, Hernan Guajardo and Jody Harrington. Board counsel Mike Harrington also attended.

Treasurer's Report

Kit La reported that \$3,300 is in the checking account and \$12,493.93 is in the savings account. The Board discussed anticipated year end balances and expenses, noting that the electric bill was higher than budgeted for October because the front lights which were damaged could not be turned off until repaired which caused the increase. Kit will distribute the invoices for the 2021 annual fees and proxies for the annual meeting to homeowner mailboxes in the coming week. Even without the addition of paid fees for the coming year, the HOA is able to meet all obligations through year end.

Smart Sprinkler Project

Seven homeowners have not yet paid for the installation of their smart sprinklers. Hernan and Reggie pledged to contact them and get the payments made.

Hernan proposed that old sprinkler heads should be replaced with more efficient modern heads, increasing the savings the HOA water bill another 20 to 30%. Kit suggested this should be considered in 2021 and that homeowners should pay for their new heads and labor to replace them individually avoiding the need for the HOA to purchase them and then try to collect payments again. All agreed to her suggestion. Hernan also suggested we look into having water connected to individual homes so each homeowner pays for their use. Hernan will work with Portillo Landscaping about inspection of all sprinkler heads and make recommendations on which to replace with a more efficient option. The information will be conveyed to the neighbors who can schedule and pay Portillo directly if they choose to install replacement heads.

Although Hernan is stepping off the Board, he agreed to continue coordinating the Smart Sprinkler project in 2021 to get it completed and have the most possible savings for the HOA realized.

Topside Project

Reggie reviewed the completion of the Topside project. See the photos and financial information in his attached presentation for the details. There was discussion about the projected 2021 project to remediate erosion and Reggie pledged to coordinate that project although he was not continuing on the Board.

Newsletter

Jody shared the current draft of the 2020 Newsletter for our members previously shared with the directors. Kit and Reggie provided updated financial information and an updated property map which she will include in the final document. The Board agreed that the newsletter should be emailed to all members on Monday.

Property Encroachment — Holliday property greenhouse

Reggie shared a proposed letter to the Hollidays asking that they remove the greenhouse that they erected on HOA property. Reggie received a couple of complaints about the location of that greenhouse and after he and other board members investigated, it was clear that the

greenhouse was built without any request for approval on the property owned by the HOA and that it would interfere with water drainage, unlike other encroachments into HOA property by the Hollidays and a few other residents. The Board discussed the letter and after discussion agreed that it should be sent certified mail on December 2.

Gate and Lock Repairs

Reggie shared photos of the walk in gate lock and the gate and fence on the east side of BIP which need repair (see attached presentation for details). He has requested a bid for the repairs and will report back to the Board. The Board approved changing the code for the walk in gate lock to 1453. The new code will be shared with all residents once the lock code is changed. This Board had agreed the old code presented a possible security risk.

Annual Meeting Preparations

The annual meeting will be held in the Amphitheater at MDPC at 7 pm on Thursday, January 7, 2021. Masks will be required for all attending and since the Amphitheater has a capacity of 175 there will be plenty of room for social distancing. The Board discussed offering a Zoom meeting for those who prefer not to attend in person but because it is very important to have proxies or in person votes to secure a quorum for the meeting, we will not mention this until shortly before the meeting. Jody and Reggie will go to MDPC a day or two in advance to rehearse the meeting and be sure that could work.

The notice of meeting and proxies will be emailed to all residents on December 2. Signed proxies and nominations will be returned to Jody Harrington.

New Board Members

Reggie, Santosh and Hernan are not continuing on the Board, although each one offered to help the new Board as needed. The Board discussed recruitment of new directors and Santosh and Reggie agreed to speak to several residents and encourage them to run. Both Jody and Kit agreed to run for another term on the Board.

Next Meeting

There will be at least one more meeting of the Board before the Annual Meeting. The date is to be determined, but Reggie may try to schedule it between Christmas and New Year's Day.

There being no further business, the meeting was adjourned.

Respectfully submitted,
Jody Harrington
Secretary

Agenda November 29th 2020

- Call to Order- Treasures Report-
- Water savings Report-
- Topside Project Completion Report-
- BIP Newsletter-
- Holliday Greenhouse Letter -
- Gate and Fence Repair Work
- Jan 7 HOA Planning
 - Slate of officers, Amendments to the Bylaws
- Potential New Board Members-

October Opex Cost

	Projected	Actual	
	19-Oct	20-Oct	Difference
AT&T 0244	80.65	80.65	0
AT&T 1520	75.35	77.97	2.62
AT&T 5544	23.63	47.5	23.87
Water 9012	0	16.76	16.76
Water 6021	2263.64	1803.4	-460.22
Water 9019	0	247	247
Trash	512	512	0
Lawn and Maintenance	1640	1866	226
Pest	135	108	-27
Electric	36.61	81.41	44.8
	4766.83	4840.71	73.83

Water Down \$460

Lawn up \$226



BIP Board Meeting

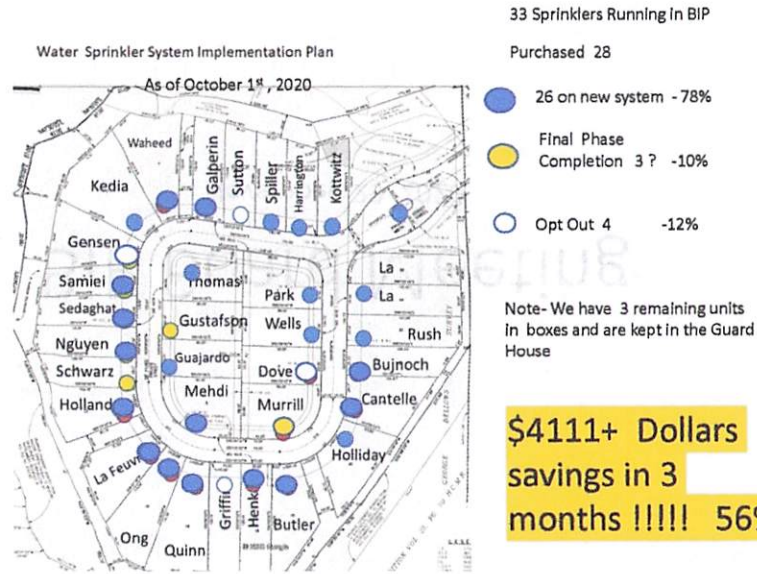
November 29, 2020

Zero Based Planning Budget Through October

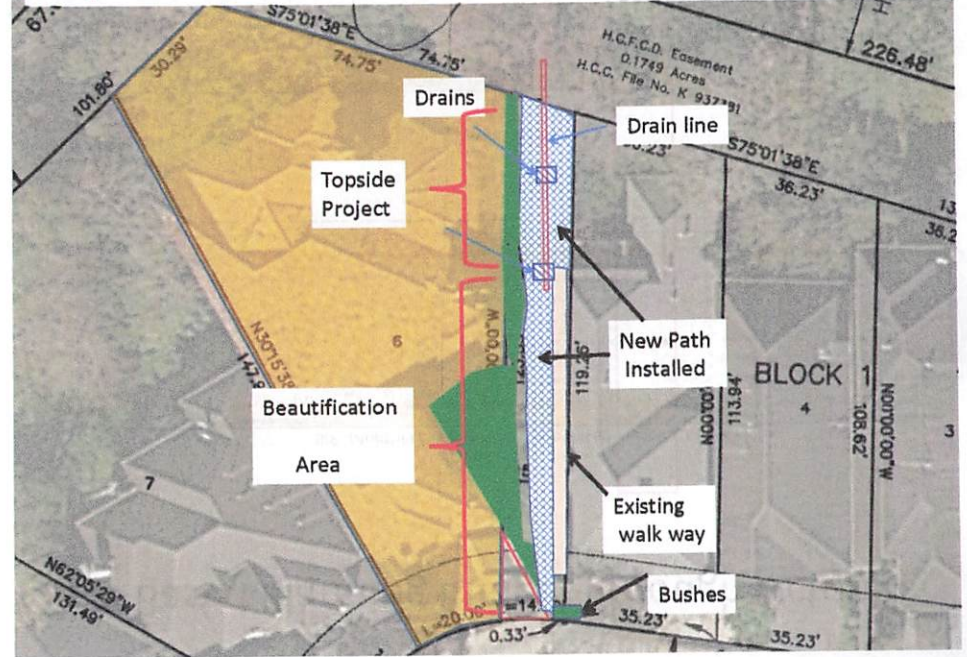
	Actuals from 2020									Projected from 2020			Annual	Ave Monthly	Income	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
Opex																
AT&T 0244	82.9	82.9	82.9	82.9	82.9	82.9	70	80.65	80.65	80.65	174.7	82.9	1056.95			
AT&T 1520	0	75.4	75.52	75.52	75.32	75.37	81	76.04	76.04	77.97	83.15	75.86	847.19			
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	101	23.58	23.58	47.5	23.58	23.58	384.3	191.54		
Water 9012	0	33.15	0	0	16.76	0	0	16.76	16.76	0	0	0	100.19			
Water 6021	1312.56	944.4	890.71	1471.37	1827.24	2027.43	2762	1668.48	1771.64	1803.42	1933.83	1488.97	19902.03	1658.50		
Water 9019	0	491.51	0	0	247	0	0	247	247	247	0	0	1478.53			
Trash	512	512	512	512	512	512	512	512	512	512	512	512	6144	512.00		
Lawn and Maintenance	680	690	1,160	460	1,560	1,810	360	600	450	1866	1,100	1,330	32,266	1005.50		
Pest	0	0	0	135.00	308	308	135	135	135	108	108	142	999	83.25		
Electric	68.33	37.22	38.82	34.95	28.91	32.76	29	79.41	29.38	81.41	37.95	47.22	495.34	41.28		
	2679.37	2890.18	2283.53	2640.37	4841.71	4672.04	8090	1388.88	5342.09	4862.71	3973.21	3222.53	43464.53			
Other line expenses																
Exits Light Purchase												421	573.4			
Insurance													5160			
Lights Install/repair				1028	1091			5257.4					5541			
Erosion Control								4000					4000			
Constable								1500	5412				6912			
Sprinkler boxes													715			
Book keeping													383			
Filing of HOA Governance													7			
Walk in Gate Repair / fence																
Total Monthly A/B	3777.37	2890.18	2811.53	4351.32	4841.71	11579.04	15562	1388.88	1342.09	6833.71	4944.21	3722.53				70932.93

Expected Year End
Total Cost \$70,932

Total Water Savings Aug , Sept ,Oct = **\$4111**
 October \$460(was projected @\$850)



Top Side and Beautification Plan Location



Other 1 Time Expenses

Completion of Topside Project	\$1541
Front Light Repair	450
Xmas Lights	421
Walk In Gate Repair	550
Fence Repair	TBD

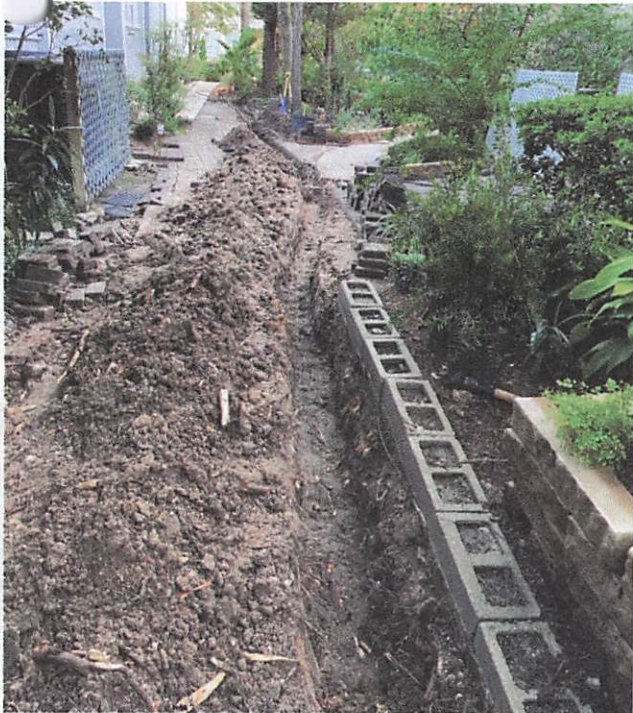
	Oct	Nov	Dec
One time expenses			
Xmas Light Purchase			421
Insurance	575.4		
Lights Install/repair	1028	1691	450
Erosion Control			1541
Constable	4000		
Sprinkler boxes	1500	5412	
Book keeping	715		
Filing of HOA Covenants	383		
Walk In Gate Repair /Fence			550 ?
Total Monthly A+B	3777.37	2890.18	3811.53

Projected Year End Balances

Year End Total	\$1750 each Total 2020 Collections	Projected Deficit	27 Repayment Instalations	27 Net after Requested Expenses at 31	Savings	Checking Net Year End	Total Checking and savings
70932.93	56000	-14932.93	4941	15500	5508.1	12000	5508.07

Savings **\$12,000**

Checking **\$5,508**

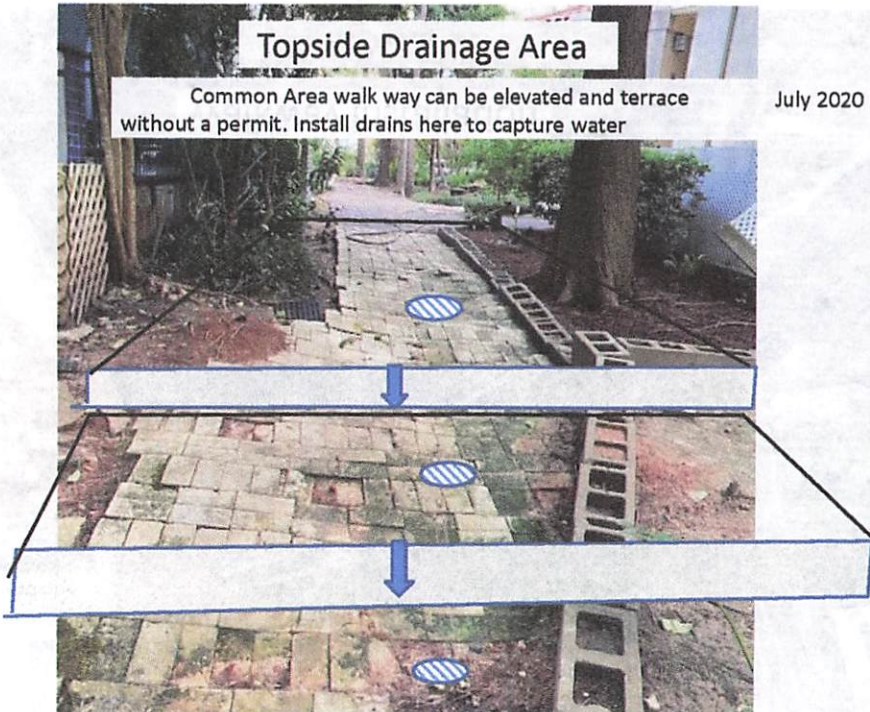


August 2020



Topside Project Area

Sept 25, 2020



Topside Drainage Area

Common Area walk way can be elevated and terrace without a permit. Install drains here to capture water

July 2020



Completed Topside Project

November

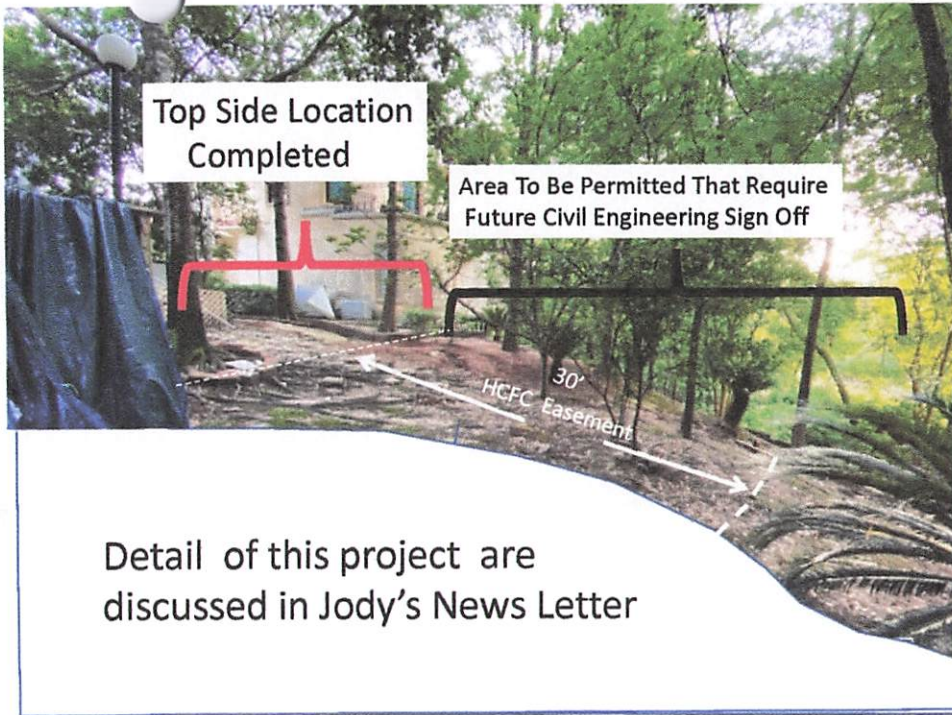
Drain



Total Cost Of the Project


• John Waheed	\$8500	47%
• Pavel Galperin	\$4000	22%
• <u>HOA</u>	\$5541	31%
• Total Cost	\$18,041	100%





Detail of this project are discussed in Jody's News Letter

BIP BAYOU ISLAND PARK
2020 NEWSLETTER

Annual Meeting

January 7, 2021
6:30 pm
Memorial Drive Presbyterian Church Amphitheater
Masks are required at all times in the MDPC buildings.
The Amphitheater

Smart Sprinkler Savings

Board member Hernan Guajardo coordinated the effort to assist residents to install **Rachio** smart sprinkler systems at their homes to reduce the cost to the HOA of watering the areas belonging to the HOA. There are 33 sprinklers running in BIP and to date 78% of the homeowners have installed the new system. For the **three** months ended **October 30, 2020**, the HOA **realized \$4116 (56%)** savings in its water bill compared with the same period for the prior year.

A big thank you to Hernan for his hard work in scheduling and assisting homeowners in the installations and to all who have participated in this cost savings effort.

Special Assessment Report

Work To be Considered for Next Year

Heads Up to the New Board and Residents



Certified Civil Engineer

Home About Us Sen

- Referred by Gauge Engineering Specialist in this kind of work.
- Knows the Process

<https://prestonhydro.com/about-us>



Jerry P. Preston, P.E., CFM - President

Preston HydroLogic Inc. is led by Jerry P. Preston. Jerry is a Professional Engineer licensed in the State of Texas (P.E. #90264) and a Certified Floodplain Manager (1788-09N). Since graduating from the University of Houston with a B.S. in Civil Engineering in 1996, Jerry has worked on hundreds of projects in Houston/Harris County, Texas and the surrounding areas.



Efficient, Innovative, Sustainable

At Preston HydroLogic we understand that your project's bottom line is one of the keys to your success. You need efficient drainage solutions that minimize land use and construction costs and maximize revenues. Sometimes that requires an innovative, "outside the box" solution...but sometimes the best solution is the simplest solution.

Proposed Engineering Firm for the Scoping Work

Letter to the Holidays Requesting Removal of the Greenhouse



December [], 2020

Mr. and Mrs. Scott Holliday
1126 Bayou Island Drive
Houston, TX 77063

Letter to be sent Certified Mail
On December 2nd

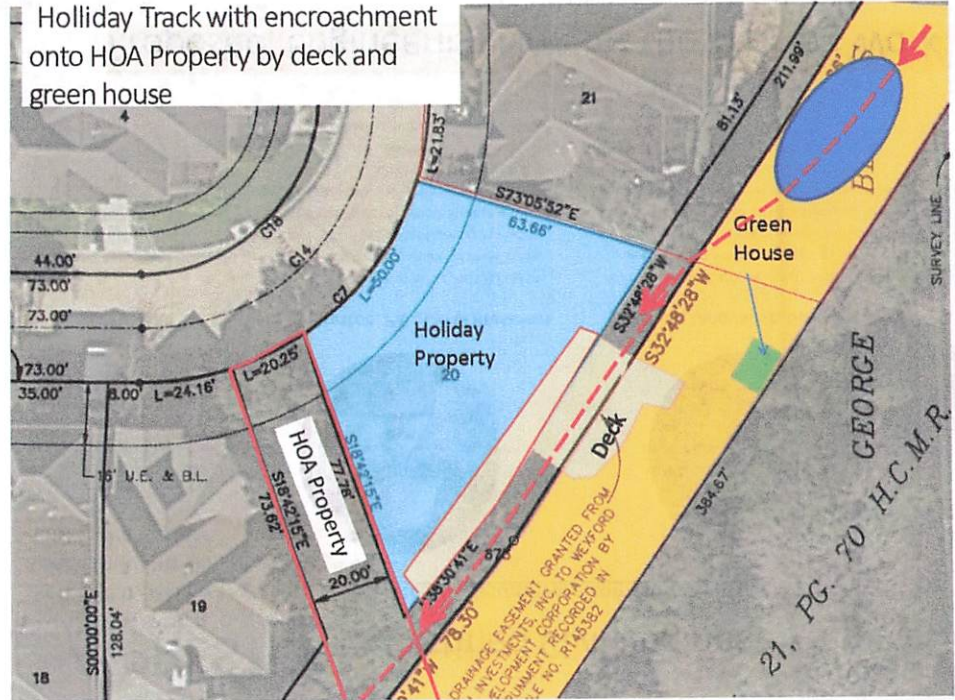
Dear Scott and Suzanne:

I am writing you on behalf of the Board of Directors of Bayou Island Park Homeowners Association, Inc. The purpose of this letter is to request that you remove, at your earliest convenience, the greenhouse that you have erected behind your home on HOA common property.

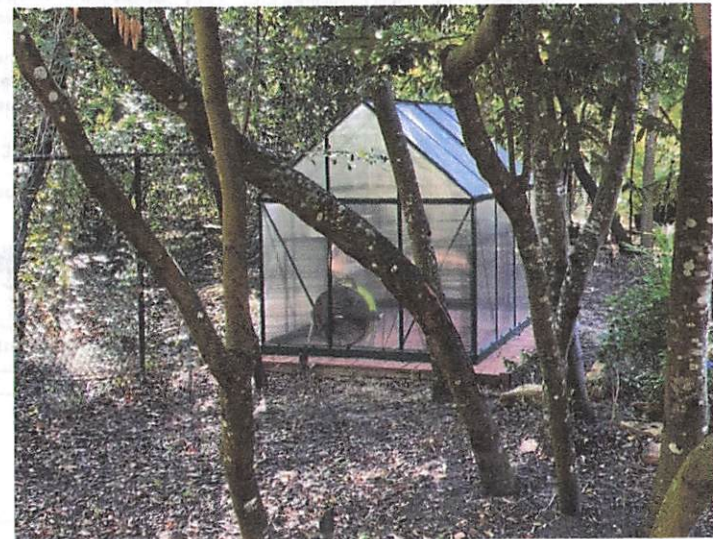
On a personal note, I regret having to send you this demand letter. The other directors feel likewise. None of us relishes putting you to the time, trouble and expense of removing the greenhouse. If only you had requested permission from the Board (or its Architectural Control Committee) to construct the greenhouse as required by Article IV of the so-called "Bylaws" of the HOA, this matter could have been avoided. Also, we have received a complaint from one of your neighbors about the location of the greenhouse, and we cannot in good faith allow it to go unaddressed.

The legal issue here goes well beyond your non-compliance with the Bvlaws. Your unauthorized placement

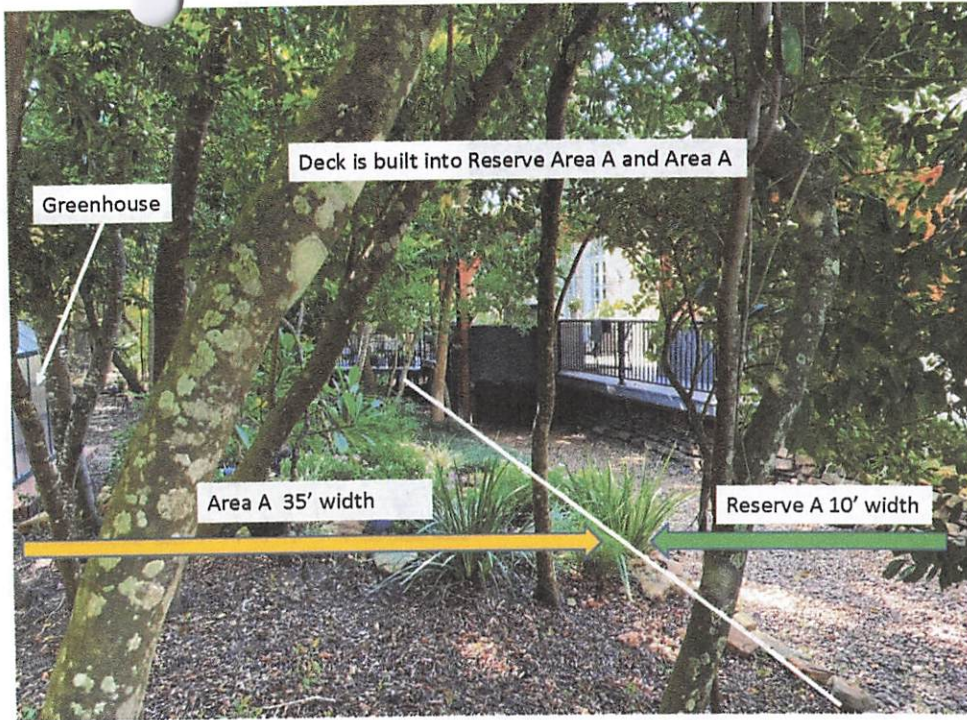
Holliday Track with encroachment onto HOA Property by deck and green house



Encroachment By the Holidays'



News Letter Discussion

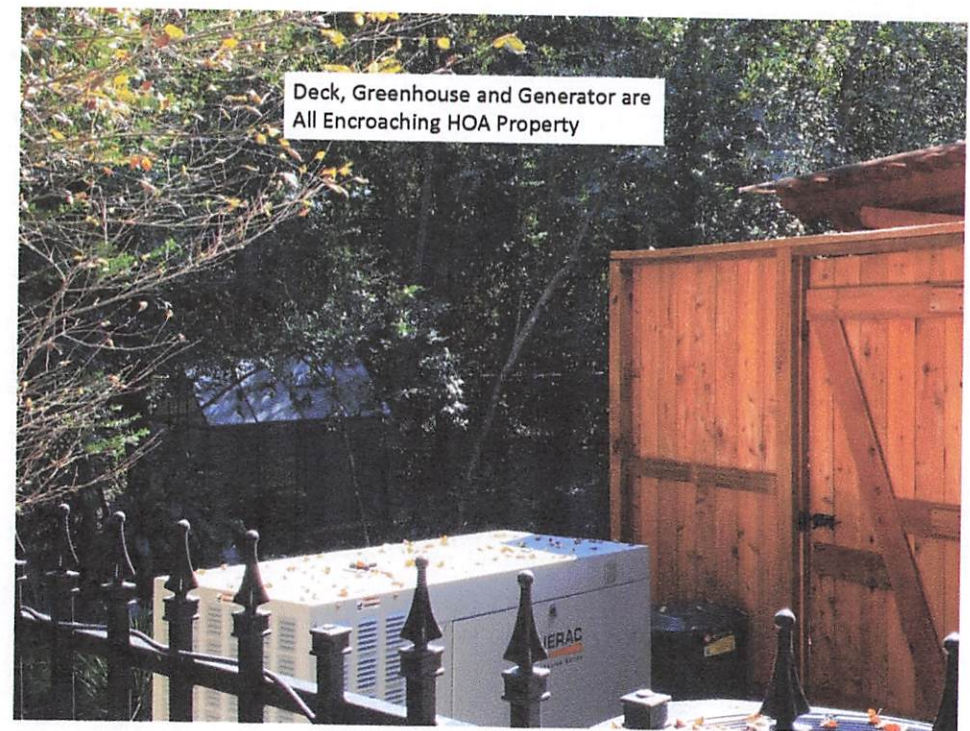


Walk in Gate and Lock Repair

Estimated Cost \$550



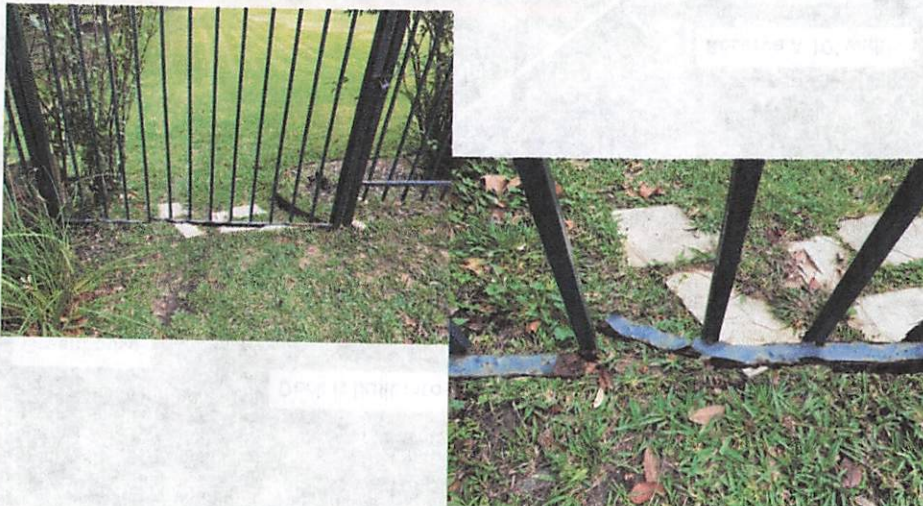
Proposed New Code 1453



HOA Annual Meeting

- "Bylaw" amendment relative to the La family lots.
- The Notice of 2021 Annual Meeting
- An **in-person** meeting for several reasons.
- Location - In recent years, our HOA meetings have been held at MDPC.
- New Board and Continuing Members
- Recruiting replacements for directors going off the Board.
- Our Success- What we have accomplished this year as a board- A summary captured in the News Letter

Fence Repair Waiting on bid Estimate From John Halvorsen



Potential New Board Members for Consideration

- Kim Gustafson
- Joe Hensel
- Hassan Sedaghat
- Sal Thomas



BAYOU ISLAND PARK 2020 NEWSLETTER

Annual Meeting



January 7, 2021

6:30 pm

**Memorial Drive
Presbyterian Church
Amphitheater**

**Masks are required at
all times in the MDPC
buildings.**

**The Amphitheater seats
150 people, allowing
plenty of room for
social distancing at the
meeting.**

Treasurer's Report

**Balances as of November
30, 2020**

Checking Account: \$3,300

Savings Account: \$12,500

Kit La, 2020 Treasurer

Special Assessment Report

The Board approved a special assessment of \$500 per household to cover a portion of number of unanticipated expenses in 2020. Below is a summary of how it was spent.

Purpose	Amount	%Total Cost
Smart Sprinklers	6,000	32%
Entrance Light Repairs	3,580	19%
Drainage pipe. tree trimming, bayou maintenance	3,550	19%
Topside erosion control	<u>5,541</u>	<u>30%</u>
Total	<u>\$18,671</u>	<u>100%</u>

Proposed Amendment to Bylaws

Members will be asked to vote at the Annual Meeting upon an amendment to what is popularly called the "Bylaws" of our HOA. This amendment would treat the two lots owned by Core and Kit La as a single lot for purposes of amendments and voting rights. The amendment has been unanimously approved by the Board of Directors and requires an affirmative vote of two thirds of the members.

This amendment would correct an historical anomaly that imposes a double assessment on the La's property, a result not justified by the size of their property (not the largest within BIP), water usage (ten other properties consume more water than these 2 lots combined) or other HOA services, such as trash pickup. The Board concluded there is no justification for this "double taxation" or for giving this property two votes instead of the single vote all other BIP homeowners possess.

The Notice of Annual Meeting contains additional information about this proposed amendment.

Smart Sprinkler Savings for HOA

Board member Hernan Guajardo coordinated the effort to assist residents to install Rachio smart sprinkler systems at their homes to reduce the cost to the HOA of watering the areas belonging to the HOA. There are 33 sprinklers running in BIP and to date 78% of the homeowners have installed the new system. For the three months ended October 31, the HOA realized \$4,116 (56%) savings in its water bill compared with the same period for the prior year.

A big thank you to Hernan for his hard work scheduling installations and to the homeowners who participated in in this cost savings effort.



Retiring board members **Reggie Spiller, Santosh Kedia, and Hernan Guajardo** have given many hours of their time to our neighborhood without compensation. Please take a moment to thank each of them for their efforts on behalf of all of us!

LOOKING AHEAD: Bayou Erosion Concerns

Erosion behind several houses on the northwest side of BIP has created a relatively steep grade along the high bank of Buffalo Bayou and its adjacent "gully." Surface water runoff in the Topside area has been remediated by the HOA, but work remains to alleviate down slope erosion caused by Hurricane Harvey. The Board consulted several certified civil engineering companies about a proposed solution to flatten the existing grade and minimize future erosion by constructing a series of low profile terraces behind these properties.

Items of Concern:

-Floodplain: Proposed terrace site is located within the FEMA 100-yr (and 500-yr) floodplain of Buffalo Bayou. Site is also within the regulatory Floodway shown on FEMA maps. City of Houston (COH) is the Floodplain Administrator for this area. The proposed work will require a Floodplain Development Permit from the City that requires the following:

-No Net Fill: COH regulations require "no net fill" in the 100-yr and 500-yr floodplain. Any fill in floodplain must be offset by an equal amount of cut in the floodplain.

-Floodplain Conveyance: Due to location adjacent to Floodway, COH (and HCFCD) will require a floodplain analysis comparing existing and proposed conditions geometrics to confirm that the proposed project fill will not cause any adverse impacts to water surface elevations of Buffalo Bayou.

-HCFCD Easement: Proposed terrace site is located within an HCFCD easement on HOA property. Any work in the HCFCD easement will require permission/approval by HCFCD.

Expected Permit Requirements:

COH Floodplain Development Permit, Hydraulic Impact Analysis of Buffalo Bayou, and construction drawings must be approved by HCFCD and COH.

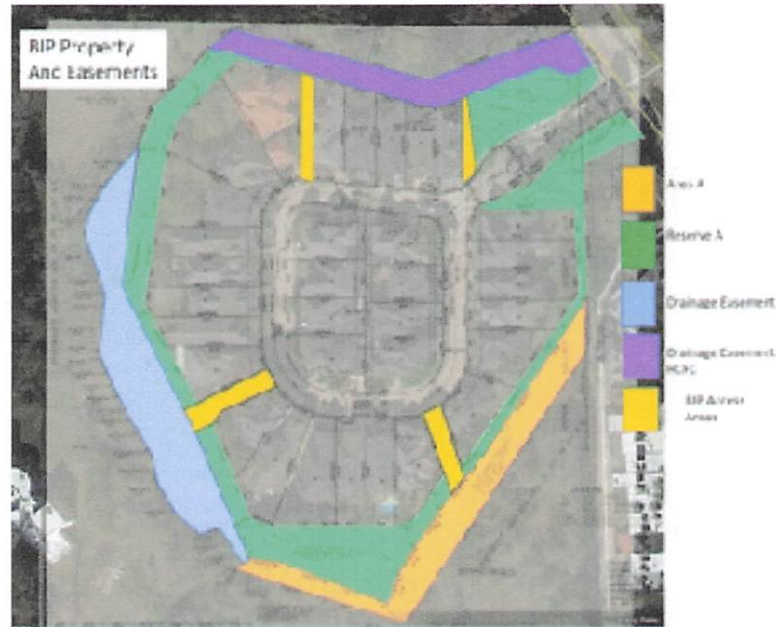
Schedule (7-9 months to Approved Permits):

- Preliminary Discussions with COH and HCFCD to determine potential obstacles (6 weeks)
- Prepare Hydraulic Impact Analysis and Plans (2 months)
- Submit Analysis and Plans for Review by HCFCD and COH (6 week review)
- Address Comments (4 weeks)
- HCFCD and COH 2nd Review and Approval (6 weeks)
- Any additional review cycles would require additional time

Initial cost of the engineering study could be in the \$5000 dollar range. Cost to remediate would be determined by an acceptable engineering proposal by the City. The HOA would request joint venture assistance from the City to complete the project. The HOA will keep members updated on the progress of this remediation project.

Board Review of HOA Owned Property

During 2020 the Board spent time unraveling exactly what property within BIP is owned by the HOA or is subject to water drainage easements. The tracts colored yellow and green on the accompanying map are Community Properties owned by the HOA and held by it in common for all residents. The developer of BIP, Wexford Development Corp., originally laid out these two tracts as drainage easements in favor of the HOA, but after completion of development the HOA acquired outright ownership of them.



The violet colored tract shown at the top of the map is HOA property, but it is subject to an easement for drainage and flood control in favor of the Harris County Flood Control District. HCFCD approval is required for any development of the property by the HOA to insure against any impediment to the waterway. The light blue colored tract on the far left of the map is owned by a third party, but the HOA acquired a drainage easement across it about six years ago that protects the tract from development. The four bright yellow strips are the walkways giving access to the bayou that are owned by the HOA.

After this review, the Board sent an email to all homeowners on August 6, 2020 including a copy of this map and of the resolution adopted by the board affirming that no property interest in Community Properties would be disposed of and that no landscaping, building, or improvements would be permitted unless the proposed improvements were determined to be consistent with proper flood control, drainage purposes and in compliance with all applicable governmental regulations.

Bayou Island Park Homeowners Association, Inc.

Notice of Annual Meeting

December 1, 2020

The Annual Meeting of the members (lot owners) of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), will be held on **Thursday, January 7, 2021, beginning at 7:00 p.m., in the Amphitheater of the Community Life Building of Memorial Drive Presbyterian Church, 11612 Memorial Drive, Houston, Texas.** This venue will allow plenty of space for social distancing, even if all of our members attend the meeting.

Besides the election of Directors of the Association for 2021, members will be asked to vote for approval of an amendment to what is popularly called the "Bylaws" of our HOA. (A form of this amendment accompanies this letter.) In substance, this amendment would treat the two lots now owned by Dr. and Mrs. La as a single lot for purposes of assessments and voting rights. All of the members of our Board of Directors have approved this amendment and recommend that members do likewise. In the Board's view, this amendment corrects a historical anomaly that imposes a double annual assessment on the La family's property, something that is not justified by the size of their property (which is not the largest in terms of square footage within BIP), water usage (as at least ten other properties within BIP consume more water than the two La family lots combined) or other HOA services (like trash collection). The Board is aware of no current justification for this "double taxation," and the Board is also unaware of any rationale for giving the owner of the La family property two votes instead of the single vote that all other BIP homeowners possess.

To be eligible to vote on the amendment at the Annual Meeting, whether by proxy or in person, you must be current on your annual dues. The annual dues invoices will be delivered soon to homeowners' mailboxes. Payments are due by December 31, 2020.

There will be three open positions on the Board of Directors as Santosh Kedia, Hernan Guajardo and I will not be standing for re-election. If you wish to nominate somebody for election to the Board, please complete the accompanying Director

Nomination Form and deliver it to the Secretary of the Association, Jody Harrington, by **Monday, January 4, 2021**, so that she may prepare a ballot for use at the meeting.

Approval of the amendment to the Bylaws will require the favorable vote of two-thirds of all members of the Association, so it is very important that you be represented at the meeting, either in person or by proxy. Consequently, I urge everyone to attend the meeting, but if you are unable to attend in person, please complete the accompanying Proxy and deliver it to Jody Harrington, preferably by **Monday, January 4, 2021** and, in any event, prior to the Annual Meeting.

When delivering documents to Jody Harrington, please feel free to put them in her mailbox at 1010 Bayou Island Dr.

Happy Holidays,

Reggie Spiller
President

CERTIFICATION AND ATTESTATION

I, _____, am the duly elected, qualified and acting President of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation, and in such capacity I hereby certify and attest that the foregoing document has been approved by all of the members of the Board of Directors of the Association and by the votes of the requisite number of Owners, __, which is more than sixty-seven percent (67%) of the total number of Lots within the Association and that such document now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

In witness whereof, I have hereunto set my hand, this __ day of January, 2021.

President

State of Texas §

County of Harris §

Before me the undersigned authority did personally appear _____, and after being duly sworn declared that he is the person who signed the foregoing document as President, and that his statements hereinabove are true.

In witness whereof, I have hereunto set my hand and seal this __ day of January, 2021.

Notary Public, State of Texas

BAYOU ISLAND PARK



FIRST AMENDMENT

TO

SECOND RESTATED AND AMENDED COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BAYOU ISLAND PARK, A SUBDIVISION IN HOUSTON, HARRIS COUNTY, TEXAS

Return Address: [illegible]

BAYOU ISLAND PARK

FIRST AMENDMENT

TO

SECOND RESTATED AND AMENDED COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BAYOU ISLAND PARK, SUBDIVISION IN HOUSTON, HARRIS COUNTY, TEXAS

The restriction attached to the lots in this subdivision (hereinafter referred to as the "Restrictions") were established by the Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a subdivision in Houston, Harris County, Texas, which was recorded in the Official Public Records of that county on January 14, 2010 under File Number 2010-01171 and (hereinafter referred to as the "Original Restrictions"). A first amendment to the Original Restrictions was recorded in the Official Public Records of that county on January 14, 2010 under File Number 2010-01171-1 and (hereinafter referred to as the "First Amendment"). The purpose of this First Amendment is to amend the Original Restrictions and the First Amendment in the following respects:

1. To amend the definition of "Guest" in Article I, Section 1.1 of the Original Restrictions to include the following: "Guest" shall mean any person who is invited to the property by a resident of the property for a social occasion and who is not a member of the Homeowners' Association.

2. To amend the definition of "Resident" in Article I, Section 1.2 of the Original Restrictions to include the following: "Resident" shall mean any person who is a member of the Homeowners' Association and who is a resident of the property.

3. To amend the definition of "Transfer" in Article I, Section 1.3 of the Original Restrictions to include the following: "Transfer" shall mean any conveyance of the property, including but not limited to a sale, lease, gift, or other transfer, and shall include the transfer of the property to a trust or other legal entity.

4. To amend the definition of "Transferor" in Article I, Section 1.4 of the Original Restrictions to include the following: "Transferor" shall mean any person who transfers the property, including but not limited to a sale, lease, gift, or other transfer, and shall include the transferor to a trust or other legal entity.

5. To amend the definition of "Transferee" in Article I, Section 1.5 of the Original Restrictions to include the following: "Transferee" shall mean any person who receives the property, including but not limited to a sale, lease, gift, or other transfer, and shall include the transferee to a trust or other legal entity.

6. To amend the definition of "Homeowners' Association" in Article I, Section 1.6 of the Original Restrictions to include the following: "Homeowners' Association" shall mean the Homeowners' Association established for the property, and shall include any successor Homeowners' Association.

7. To amend the definition of "Homeowners' Association" in Article I, Section 1.7 of the Original Restrictions to include the following: "Homeowners' Association" shall mean the Homeowners' Association established for the property, and shall include any successor Homeowners' Association.

8. To amend the definition of "Homeowners' Association" in Article I, Section 1.8 of the Original Restrictions to include the following: "Homeowners' Association" shall mean the Homeowners' Association established for the property, and shall include any successor Homeowners' Association.

9. To amend the definition of "Homeowners' Association" in Article I, Section 1.9 of the Original Restrictions to include the following: "Homeowners' Association" shall mean the Homeowners' Association established for the property, and shall include any successor Homeowners' Association.

10. To amend the definition of "Homeowners' Association" in Article I, Section 1.10 of the Original Restrictions to include the following: "Homeowners' Association" shall mean the Homeowners' Association established for the property, and shall include any successor Homeowners' Association.

Return Acknowledgement to:

BAYOU ISLAND PARK

FIRST AMENDMENT

TO

**SECOND RESTATED AND AMENDED COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR BAYOU ISLAND PARK, A
SUBDIVISION IN HOUSTON, HARRIS COUNTY, TEXAS**

This instrument (herein referred to as this "Amendment") amends the Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a Subdivision in Houston, Harris, County, Texas, which was recorded in the Official Public Records of Real Property of Harris County, Texas, on January 16, 2020, under Film Code Nos. RP-2020-21351 et seq. (hereinafter referred to as the "Second Restatement of the Restrictions"). Unless otherwise defined herein, all capitalized terms used in this Amendment have the meanings ascribed thereto in the Second Restatement of the Restrictions.

As indicated in the attestation and certification of the President given on behalf of the Association and set forth at the end of this Amendment, this Amendment has been approved by (i) all of the members of the Board of Directors of the Association and (ii) the votes of the requisite number of Owners, __, which is more than sixty-seven percent (67%) of the total number of Lots, 33, within the Association.

Section 2.12 of the Second Restatement of the Restrictions is hereby amended by adding to the end thereof the following sentence: Notwithstanding any other provision of this Declaration or the Bylaws, the two adjoining Lots 24 and 25 with the street address of 1146 Bayou Island Drive, Houston, Texas, shall be deemed to be a single Lot for purposes of determining regular or special assessments under Article V of this Declaration and for purposes of determining voting rights under Section 3.04 hereof, so long as (and only for so long as) only one single-family residential dwelling is located on such two Lots.

Bayou Island Park Homeowners Association, Inc.

Annual Meeting of Members

Director Nomination Form

I would like to have the name of the person indicated below placed on the ballot for election to the Board of Directors of Bayou Island Park Homeowners Association, Inc. at the Annual Meeting of Members to be held on Thursday, January 7, 2021. In making this nomination, I affirm that this person is willing to serve on the Board of Directors, if elected.

Printed Name:

My name is: _____

My address is:

_____ Bayou Island Drive

Please return this form by Monday, January 4, 2020, to Jody Harrington, 1010 Bayou Island Drive. Feel free to drop it into her mailbox.

Bayou Island Park Homeowners Association, Inc.

Annual Meeting of Members

PROXY

The undersigned member (Lot Owner) of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), hereby appoints

or, in the event no person is named herein, the President of the Association, as my true and lawful proxy, with full power of substitution in the event that he/she is unable or declines to serve as my proxy, to exercise the entire vote of the undersigned at the annual meeting of the members of the Association to be held on Thursday, January 7, 2021 at Memorial Drive Presbyterian Church, 11612 Memorial Dr., Houston, Texas, beginning at 7:00 p.m., and at any adjournment thereof, in accordance with the following instructions that I have indicated by an "x" or a check mark(✓):

FOR or AGAINST approval of the First Amendment to Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a Subdivision in Houston, Harris County, Texas, in the form heretofore provided to the members of the Association; and

WITH or WITHOUT authority to vote for the election of such persons as Directors of the Association as such proxy may, in his/her sole discretion, deem appropriate; and

WITH or WITHOUT authority to vote on any other matter properly brought before the meeting or any adjournment thereof.

This day of , 20 .

Signature of Member
(Lot Owner)

Printed name of
Member (Lot Owner)

_____ Bayou Island
Drive

Address of Member

**Please return this Proxy by Monday, January 4, 2020,
to Jody Harrington, 1010 Bayou Island Drive. Feel free
to drop it into her mailbox.**

Bayou Island Park HOA
Board of Directors
Minutes of Meeting 12.30.2020

The board of directors of Bayou Island Park Homeowners Association met via Zoom at 7 pm December 30, 2020. Reggie Spiller, Kit La, Santosh Kedia, Jody Harrington and board counsel Mike Harrington were present. Hernan Guajardo did not attend.

Board President Reggie Spiller hosted the meeting and provided an agenda and additional information which is attached to these minutes.

Treasurer's Report: Kit La reported that 25 annual assessments have been paid with 8 still outstanding. All special assessments have been paid. The HOA checking account has \$40,000 with \$12,000 in the savings account. No withdrawals from the savings account have been made although she was authorized to do so if needed. HOA Secretary Jody Harrington will include a reminder about paying the annual assessments in an email to the neighbors and board members will remind those who have not yet paid to do so before the annual meeting January 7.

The HOA accountant will send a year end financial report to Kit before the annual meeting and Jody will forward it to all homeowners as soon as it is received. Kit's financial report is attached to these minutes in the information provided by Reggie.

Zero Based Budget Review: Reggie led a discussion reviewing the budget. The water bill is down 25% in November compared to November 2019, thanks to the smart sprinkler project led by Hernan Guajardo.

HOA December Projects: There are 3 maintenance projects which the HOA addressed this month. The Walk In Gate lock was repaired and the code changed. The closing hinge was also replaced. The main water pipe for the HOA sprinkler system was broken and leaking between two homes and has now been repaired. The fence and gate on the east side of the neighborhood by the Kottwitz property and a section of the west side of the metal fence along the La property need repair and an estimate has been requested from John Halvorsen who said he will have that in the next few days.

Annual Meeting: The board discussed logistics and plans for the Annual Meeting scheduled for 7 pm at MDPC in the Amphitheater.

1. Zoom: Reggie will schedule a Zoom meeting for those who prefer not to attend due to Covid or who are unable to attend. Jody will let neighbors know that they can join the Zoom meeting if they provide a proxy in advance of the meeting. Those who have provided proxies will be sent an invitation and link to the meeting. Those joining will all be muted by Reggie and the chat room will be disabled. Those joining the Zoom meeting can send questions to Reggie before the meeting and he will address them during the meeting.

2. Proposed Agenda: the board reviewed and approved the agenda for the meeting, after discussion.

3. Election of Directors: The following neighbors have been nominated to serve on the 2021 board and have agreed to serve if elected: Gene Butler, Kim Gustafson, Jody Harrington, Joe Henkel, Suzanne Holliday, Kit La, and Hassan Sedaghat. Kit will drop off proxies in the mailboxes of neighbors and Jody will attach a proxy to her email reminder about the meeting. Reggie urged the directors to speak to neighbors about the importance of attending or sending a proxy for the meeting and encouraging support for the proposed amendment to the by-laws.

4. Possible Cancellation: Jody pointed out that today Harris County sent an emergency notice to residents advising not to have large gatherings due to the rise in Covid cases in the

area. In the event the church cancels our meeting because of that we will try to reschedule the meeting at the earliest opportunity. In that event, the current board will remain in place until a new board can be elected since Texas law requires HOA meetings to be held in person and not virtually.

Other Business:

1. Notice to Scott and Suzanne Holliday requesting removal of the greenhouse they placed on HOA property: Reggie reported that the post office has attempted to deliver a certified letter to them and given notice for them to pick it up but they have not done so. Reggie did send the notice by regular mail as well but to date there has been no response from the Hollidays.

2. Tree Trunk Removal from Bayou — Santosh noted there are several piles of broken tree branches and some large tree trunks from the last clean up in the ravine on the west side of our area which could cause damage if that area collects enough water. Reggie agreed to get Rene and his crew to remove them.

The meeting was adjourned at 8:15 with thanks to all for their cooperation.

Respectfully submitted,

Jody Harrington
Secretary

BIP Monthly Expenditures Zero Based Planning Budget

Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	Year to Date
AT&T 0244	83.9	83.9	83.9	83.9	83.9	83.9	83.9	83.9	83.9	83.9	83.9	83.9	1006.8	1006.8
AT&T 1520	0	75.4	75.4	75.4	75.4	75.4	75.4	75.4	75.4	75.4	75.4	75.4	900.6	900.6
AT&T 5544	23.58	23.58	23.58	23.58	23.58	23.58	23.58	23.58	23.58	23.58	23.58	23.58	282.96	282.96
Water 9012	0	11.51	0	0	26.76	0	0	16.76	16.76	16.76	16.76	16.76	116.53	116.53
Water 9021	1312.56	944.4	890.71	1471.11	1827.54	2277.43	2762.14	3246.84	3731.54	4216.24	4700.94	5185.64	37000.24	37000.24
Water 9029	0	492.51	0	0	247	0	0	247	247	247	247	247	1762.51	1762.51
Trash	512	512	512	512	512	512	512	512	512	512	512	512	6144	6144
Lawn and Maintenance	640	640	1240	640	1240	1840	640	640	640	640	640	640	11200	11200
Pest	0	0	219.66	108	108	108	108	108	108	108	108	108	1080	1080
Electric	49.33	37.22	34.62	34.95	29.91	32.76	29.29	29.41	29.36	31.41	34.04	31.27	392.58	392.58
Total	2679.17	2890.18	2792.53	2660.12	4491.71	4672.04	6252	1388.88	1342.95	4840.71	4762.17	1367.53	43064.51	43064.51

Total Expenditures= \$73,086.91

December 2020 BIP HOA Agenda

- Treasures Report
- Zero Based Budget Review
- Projects this month
- Annual Meeting- Jan 7th
 - In person, Zoom connections,
 - Proposed Agenda
 - The Consent to the Amendment to the "Bylaws
 - The Ballot for election of Directors
- New Director Candidates- Discussion

December 2020 BIP HOA Agenda

- Treasures Report
- Zero Based Budget Review
- Projects this month
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- New Director Candidates- Discussion
- Other Business

Zero Based Year End Projections

Year End	\$1750 each	Projected	21	Repayment \$500 each	Net after	Savings	Checking Net	Total Checking	
Total	Total 2020	Deficit	Installations	Requested Expenses	at 32		Year End	and savings	
Projected Cost	73086.91	56000	-17086.91	3843	18000	2756.09	12000	2756.09	14756.09

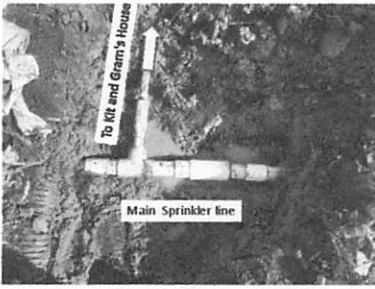
BIP December Board Meeting

December 30th 2020

November and December Projected vs Actuals

Category	Projected			Actual					
	Nov	Nov	Difference	Dec	Dec	Difference			
AT&T 0244	174.7	80.65	-94.05	82.9	80.65	2.25			
AT&T 1520	83.15	77.22	-5.93	75.86	77.32	-1.46			
AT&T 5544	23.58	47.5	23.92	23.58	28.58	-5			
Water 9012	0	16.76	16.76	0	0	0			
Water 9021	-24%	1933.83	1469	-464.83	1488.97	1096	392.97	-26%	25%
Water 9019	0	247	247	0	0	0			
Trash	512	512	0	512	512	0			
Lawn and Maintenance	1,100	2170	1,070	1,330	1330	0	No bill yet		
Pest	108	108	0	162	108	54			
Electric	37.95	34.04	-3.91	47.22	75	-27.78			
Total	3973.21	4762.17	788.96	3722.53	3307.55	-414.98			

Final Repair



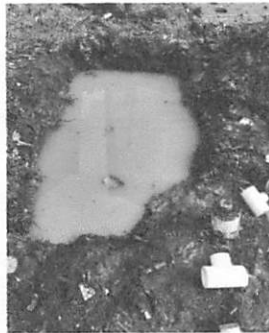
Fence Repair Still Waiting on bid Estimate From John Halvorsen est 1/4/2021



Pipe was broken directly under the Tree



Someone turned on the Water Valve!!!



Broken 2 inch Main Line Sprinkler Pipe
Leaking water for Several weeks

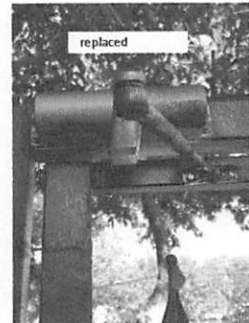


Walk in Gate and Lock Repair

Estimated Cost \$550 (Actual \$765)



New Code 1453



HOA Meeting Agenda

- 1. Call to Order.
- 2. Declaration of Quorum
- 3. Presentation of Accomplishments (Year in Review)
- 4. Nomination and Election of Directors.
- 5. Report on Financial Matters
- 6. Approval of Proposed Amendment to HOA Covenants.
- 7. Adjournment

December 2020 BIP HOA Agenda

- Treasures Report
- Zero Based Budget Review
- Projects this month
- Annual Meeting- Jan 7th
In person, Zoom connections,
-Proposed Agenda
-The Consent to the Amendment to the "Bylaws"
-The Ballot for election of Directors
- New Director Candidates- Discussion
- Other Business

Annual Meeting Material Sent by Mike Harrington

- The Agenda for the meeting
- The Consent to the Amendment to the "Bylaws"
- The Ballot for election of Directors

AMENDMENT
FIRST AMENDMENT TO SECOND RESTATED AND AMENDED
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR BAYOU ISLAND PARK,
A SUBDIVISION IN HOUSTON, HARRIS COUNTY, TEXAS

The undersigned for and on behalf of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), hereby approves the First Amendment to Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a Subdivision in Houston, Harris County, Texas, in substantially the form submitted to the Annual Meeting of the Members of the Association, and authorizes the President of the Association to execute such document on the undersigned's behalf as attorney-in-fact and in the name of the Harris County Clerk's Office.

Printed Name of Member (Lot Owner) _____
Signature of Member or Member's Proxy _____
Dated as of: January 7, 2021

December 2020 BIP HOA Agenda

- Treasures Report
- Zero Based Budget Review
- Projects this month
- Annual Meeting- Jan 7th
In person, Zoom connections,
-Proposed Agenda
-The Consent to the Amendment to the "Bylaws"
-The Ballot for election of Directors
- New Director Candidates- Discussion
- Other Business

2020 BIP HOA Ballot
Board of Directors

Please vote for up to five candidates by inserting an "x" or a check mark (✓) by the names of your preferred candidates. If any candidate you prefer is not named, feel free to insert his or her name. You must sign this ballot.

_____ Gene Butler
_____ Kim Gunderson
_____ Judy Harrington
_____ Suzanne Holliday
_____ Kim La
_____ Hannah Testaghi
_____ Joe Havelle

This ballot is signed by the following HOA member or proxy:
Printed name: _____

Bayou Island Park
Profit & Loss
 January through December 2020

	<u>Jan - Dec 20</u>
Ordinary Income/Expense	
Income	
Homeowner Assessments	
2019 Assessment	21,000.00
2020 Spec Assess-Erosion Proj	16,750.00
2021 Assessment	48,610.00
Late Fees	200.00
Total Homeowner Assessments	<u>86,560.00</u>
Interest Income	13.40
Other Income	
Gate Controls	135.50
Total Other Income	<u>135.50</u>
Total Income	<u>86,708.90</u>
Gross Profit	86,708.90
Expense	
Annual Meeting	150.00
Bank Service Charge	46.00
Capital Improvement	
Smart Sprinkler Installation	9,100.00
Total Capital Improvement	9,100.00
Computer and Internet Expenses	518.44
Holiday Decorations	397.98
Insurance	5,757.40
Landscaping	
Lawn Maintenance Monthly	5,460.00
Maintenance Projects	7,247.00
Total Landscaping	12,707.00
Landscaping and Groundskeeping	1,200.00
Locks and Keys	100.00
Professional Fees	1,078.00
Repairs and Maintenance	
Electrical	632.52
Guard House	437.63
Lights	2,719.81
Security Gate	904.83
Security Gate Remotes	102.93
Total Repairs and Maintenance	4,797.72
Security - Constable	4,000.00
Taxes	
Harris County	20.00
Spring Branch Ind. School Dist	3.23
Total Taxes	<u>23.23</u>
Utilities	
Electric	519.97
Pest Control	1,053.00
Security Monitoring	911.20
Telephone	1,264.97
Trash Collection	5,632.00
Water	20,362.56
Total Utilities	<u>29,743.70</u>
Total Expense	<u>69,619.47</u>
Net Ordinary Income	<u>17,089.43</u>

Bayou Island Park
Balance Sheet
As of December 31, 2020

	<u>Dec 31, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
Wells Fargo - Checking	47,881.25
Wells Fargo - Savings	12,494.14
Total Checking/Savings	<u>60,375.39</u>
Total Current Assets	60,375.39
Fixed Assets	
New Entry Gate System	4,547.04
Total Fixed Assets	<u>4,547.04</u>
TOTAL ASSETS	<u><u>64,922.43</u></u>
LIABILITIES & EQUITY	
Equity	
Opening Balance Equity	12,436.89
Retained Earnings	35,396.11
Net Income	17,089.43
Total Equity	<u>64,922.43</u>
TOTAL LIABILITIES & EQUITY	<u><u>64,922.43</u></u>



Bayou Island Park Homeowners Association, Inc.

Notice of Annual Meeting

December 1, 2020

The Annual Meeting of the members (lot owners) of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), **will be held on Thursday, January 7, 2021, beginning at 7:00 p.m., in the Amphitheater of the Community Life Building of Memorial Drive Presbyterian Church, 11612 Memorial Drive, Houston, Texas.** This venue will allow plenty of space for social distancing, even if all of our members attend the meeting.

Besides the election of Directors of the Association for 2021, members will be asked to vote for approval of an amendment to what is popularly called the "Bylaws" of our HOA. (A form of this amendment accompanies this letter.) In substance, this amendment would treat the two lots now owned by Dr. and Mrs. La as a single lot for purposes of assessments and voting rights. All of the members of our Board of Directors have approved this amendment and recommend that members do likewise. In the Board's view, this amendment corrects a historical anomaly that imposes a double annual assessment on the La family's property, something that is not justified by the size of their property (which is not the largest in terms of square footage within BIP), water usage (as at least ten other properties within BIP consume more water than the two La family lots combined) or other HOA services (like trash collection). The Board is aware of no current justification for this "double taxation," and the Board is also unaware of any rationale for giving the owner of the La family property two votes instead of the single vote that all other BIP homeowners possess.

To be eligible to vote on the amendment at the Annual Meeting, whether by proxy or in person, you must be current on your annual dues. The annual dues invoices will be delivered soon to homeowners' mailboxes. Payments are due by December 31, 2020.

There will be three open positions on the Board of Directors as Santosh Kedia, Hernan Guajardo and I will not be standing for re-election. If you wish to nominate somebody for election to the Board, please complete the accompanying Director Nomination Form and deliver it to the Secretary of the Association, Jody Harrington, by **Monday, January 4, 2021**, so that she may prepare a ballot for use at the meeting.

Approval of the amendment to the Bylaws will require the favorable vote of two-thirds of all members of the Association, so it is very important that you be represented at the meeting, either in person or by proxy. Consequently, I urge everyone to attend the meeting, but if you are unable to attend in person, please complete the accompanying Proxy and deliver it to Jody Harrington, preferably by **Monday, January 4, 2021** and, in any event, prior to the Annual Meeting.

When delivering documents to Jody Harrington, please feel free to put them in her mailbox at 1010 Bayou Island Dr.

Happy Holidays,

Reggie Spiller
President

us 7471104v2



Bayou Island Park Homeowners Association, Inc.

Annual Meeting of Members

PROXY

The undersigned member (Lot Owner) of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), hereby appoints _____ or, in the event no person is named herein, the President of the Association, as my true and lawful proxy, with full power of substitution in the event that he/she is unable or declines to serve as my proxy, to exercise the entire vote of the undersigned at the annual meeting of the members of the Association to be held on Thursday, January 7, 2021 at Memorial Drive Presbyterian Church, 11612 Memorial Dr., Houston, Texas, beginning at 7:00 p.m., and at any adjournment thereof, in accordance with the following instructions that I have indicated by an "x" or a check mark(✓):

___ FOR or ___ AGAINST approval of the First Amendment to Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a Subdivision in Houston, Harris County, Texas, in the form heretofore provided to the members of the Association; and

___ WITH or ___ WITHOUT authority to vote for the election of such persons as Directors of the Association as such proxy may, in his/her sole discretion, deem appropriate; and

___ WITH or ___ WITHOUT authority to vote on any other matter properly brought before the meeting or any adjournment thereof.

This _____ day of _____, 20__.

Signature of Member (Lot Owner)

Printed name of Member (Lot Owner)

Address of Member

Please return this Proxy by Monday, January 4, 2021, to Jody Harrington, 1010 Bayou Island Drive. Feel free to drop it into her mailbox.

us 7471107v1



Bayou Island Park Homeowners Association, Inc.

Annual Meeting of Members

Director Nomination Form

I would like to have the name of the person indicated below placed on the ballot for election to the Board of Directors of Bayou Island Park Homeowners Association, Inc. at the Annual Meeting of Members to be held on Thursday, January 7, 2021. In making this nomination, I affirm that this person is willing to serve on the Board of Directors, if elected.

Printed Name:

My name is: _____

My address is:

_____ Bayou Island Drive

Please return this form by Monday, January 4, 2021, to Jody Harrington, 1010 Bayou Island Drive. Feel free to drop it into her mailbox.

US 7471110J1

AGENDA

ANNUAL MEETING OF MEMBERS of BAYOU ISLAND HOMEOWNERS ASSOCIATION, INC.

Thursday, January 7, 2021

Amphitheater of the Community Life Bldg., Memorial Drive Presbyterian Church

1. **Call to Order.** The President, acting as Chairman of the meeting, calls the meeting to order at 7 o'clock and announces that this is the annual meeting of members of the Bayou Island Homeowners Association, Inc. and that the Secretary of the HOA gave written notice of the meeting to all homeowners on December 1, 2019. He then calls on the Secretary of the Association.

2. **Declaration of Quorum.** The Secretary requests anybody who is holding a Proxy from another member that has not already been given to her or Reggie Spiller to give it to her now so that she can determine the number of members present at the meeting.

She then announces the presence at the meeting, in person or by proxy, of at least 17 members who are qualified to vote at the meeting, thus constituting a quorum.¹

3. **Presentation of Accomplishments.** The Chairman presents an overview of the Board's accomplishments during 2020 and some items remaining for future resolution.

4. **Nomination and Election of Directors.** The Chairman informs the meeting that the first order of business is the nomination and election of directors.

He states that the bylaws of the Association provide for a five-person Board of Directors, with each director serving until the next annual meeting of the members.

The Chairman announces that he and two other directors, Santosh Kedia and Hernan Guajardo, will not be standing for re-election, and he thanks Santosh and Hernan for their service.

Next, the Chairman informs the meeting that the Board of Directors has nominated Jody Harrington and Kit La for re-election. In addition, members of the HOA have nominated five other persons for election: Gene Butler, Kim Gustafson, Joe Henkel, Suzanne Holliday and Hassan Sedaghat.

He then calls upon the members wishing to nominate anybody else for election to the board.

¹ Any member who has not paid the 2021 annual assessment will not be entitled to vote (except for directors as per state law) and will not be counted towards a quorum.

When nominations are complete, the Chairman calls upon Santosh and Aruna Kedia to pass out written ballots.

While ballots are being passed out, the Chairman informs the meeting that the vote necessary to elect a director is the vote of a majority of those members present at the meeting, either in person or by proxy.

When voting is complete, Santosh and Aruna Kedia will collect and tabulate the ballots and inform the meeting of the results.²

5. **Report on Financial Matters.** The Treasurer, Kit La, briefs the meeting on financial matters.

6. **Approval of Proposed Amendment to HOA Covenants.** The Chairman announces that the next order of business is the approval of the proposed First Amendment to Second Restated and Amended Covenants, Conditions, Restrictions and Easements for the Association, and that a form of this document was distributed to all homeowners by the Secretary on December 1, 2020.

He points out that the vote of 67% of all members is necessary to approve of the document.³

The Chairman calls upon Mike Harrington, counsel to the Board, to explain the rationale for the proposed amendment.

Mr. Harrington then explains that, in the Board's view, the proposed amendment would correct a historical anomaly that imposes a double annual assessment on the La family's property, something that is not justified by the size of their property (which is not the largest in terms of square footage within BIP), water usage (as at least ten other properties within BIP consume more water than the two La family lots combined) or other HOA services (like trash collection). The Board, in short, is aware of no current justification for this "double taxation," and the Board is also unaware of any reason or rationale for giving the owner of the La family property two votes instead of the single vote that all other BIP homeowners possess.

The Chairman then asks if there are any questions before the vote, and, if he thinks necessary, he asks Mike Harrington to respond to them on behalf of the Board.

After any questions are addressed, the Chairman asks Mike Harrington to pass out Consents for approving the document. Mike Harrington explains that only those wishing to vote in favor of the amendment should sign and submit a Consent. Not voting on the amendment has the same effect as voting against it. So there is no need to cast a vote against the amendment.

When voting is completed, the Secretary will collect and tabulate the ballots and inform the meeting whether the amendment has been approved.

² The HOA Bylaws (as required by state law) prohibit any candidate for election to the Board (or a spouse) to collect or tabulate ballots.

³ With 33 Lots in the HOA, that equates to approval by a minimum of twenty-two homeowners, with the La family having two votes.

If they are approved, the Chairman will announce that Mike Harrington will proceed to put the document in final form and have it filed in the office of the County Clerk. At that time it will be effective, and the Board will see to it that the finalized document is distributed to the members in electronic form.

7. **Adjournment.** The Chairman will adjourn the meeting by noting that there is no further business qualified to come before the meeting.

2020 BIP HOA Ballot

Board of Directors

Please vote for up to five candidates by inserting an "x" or a check mark (✓) by the names of your preferred candidates. If any candidate you prefer is not named, feel free to insert his or her name. You must sign this ballot.

- Gene Butler
- Kim Gustafson
- Jody Harrington
- Joe Henkel
- Suzanne Holliday
- Kit La
- Hassan Sedaghat
-

This ballot is signed by the following HOA member or proxy:

Printed name: _____

CONSENT TO
FIRST AMENDMENT TO SECOND RESTATED AND AMENDED
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR BAYOU ISLAND PARK,
A SUBDIVISION IN HOUSTON, HARRIS COUNTY, TEXAS

The member (or lot owner) named below of Bayou Island Park Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), hereby approves the First Amendment to Second Restated and Amended Covenants, Conditions, Restrictions and Easements for Bayou Island Park, a Subdivision in Houston, Harris County, Texas, in substantially the form submitted to the Annual Meeting of the Members of the Association, and authorizes the President of the Association to execute such document on the member's behalf as attorney-in-fact and to file the same in the Harris County Clerk's Office.

Printed Name of Member (Lot Owner)

Signature of Member or Member's Proxy

Dated as of: January 7, 2021

Santosh

✓

Tallied by Santosh Kedia, VP				BIPHOA 2021 Board Vote Tally				7-Jan-21
House #	Names	Jody Harrington	Kit La	Gene Butler	Kim Gustafson	Joe Henkel	Suzanne Holliday	Hassan Sedaghat
	Votes Received	17+	17+	17+		17+		17+
	Votes Needed to Win	17	17	17		17		17
	Elected	✓	✓	✓		✓		✓

Bayou Island Park Homeowners Association
Minutes of Annual Meeting
January 7, 2021

The Annual Meeting of members of the Bayou Island Park Homeowners Association, Inc. was held a on January 7, 2021 beginning at 7pm, in the Amphitheater of Memorial Drive Presbyterian Church, Houston, Texas.

1. **Call To Order:** The President of the Association, Reggie Spiller, acting as Chairman of the meeting called the meeting to order at 7 pm. He announced that the Secretary, Jody Harrington, gave written notice of the meeting to all homeowners on December 1, 2019.
2. **Declaration of Quorum:** The Secretary announced that at least 17 members of the association qualified to vote are present at the meeting, either in person or by proxy, and therefore there is a quorum for the meeting.
3. **Presentation of Accomplishments:** The Chairman presented an overview of the accomplishments of the 2020 board of directors.
4. **Nomination and Election of Directors:** The first order of business for the meeting was the nomination and election of directors. The Chairman stated that the bylaws of the Association provide for a five person board of directors. He announced that he and two other directors, Santosh Kedia an Hernan Guajardo, would not be standing for re-election but Jody Harrington and Kit La had agreed to their nominations for another term on the board. The Chairman announced that five other members had been nominated for election: Gene Butler, Kim Gustafson, Joe Henkel, Suzanne Holliday and Hassan Sedaghat. Reggie Spiller asked if there were any additional nominations, and there being none, called upon Santosh and Aruna Kedia to distribute written ballots and stated that a vote of the majority of those present in person or by proxy is required to elect a director. Responding to a member request, the President called on Gene Butler, Kim Gustafson, Joe Henkel and Suzanne Holliday to introduce themselves and tell why they were willing to serve. Since Hassan Sedaghat was unable to attend because he is ill with Covid-19, Reggie Spiller, who nominated him, spoke on his behalf. Santosh and Aruna Kedia tabulated the votes and announced that the duly elected members of the board of directors for 2021 are Gene Butler, Joe Henkel, Kit La, Jody Harrington and Hassan Sedaghat.
5. **Financial Report:** The Treasurer, Kit La, presented a financial report, which is included in the presentation and incorporated for all purposes. The year-end financials prepared by the HOA accountant were emailed to all members in advance of the meeting and are incorporated for all purposes. The Treasurer answered several questions from members present at the meeting.

6. Approval of Proposed Amendment to HOA Covenants: The form for the proposed First Amendment to Second Restated Covenants, Conditions, Restrictions and Easements for the Association was distributed to all homeowners by the Secretary on December 1, 2020. The purpose of the amendment is to change the double assessment and two votes given the La family because their home sits on two lots to a single assessment and a single vote. The Chairman pointed out that approval of 67% of the members is required for approval of the document. Board Counsel Mike Harrington was called upon to explain the rationale for the proposed amendment, which had been unanimously recommended by the board of directors. Several questions from those present were addressed before the vote. Copies of the consent to the amendment were distributed and Mike Harrington stated that only those consenting to the amendment needed to sign and return them. Mike Harrington then distributed and tabulated the consents and announced that 24 consents were received, so the amendment was adopted. Mike Harrington will file the document in the office of the Harris County Clerk, at which time it will become effective. The Secretary will distribute it to the members in final form.

7. Adjournment: There being no further business, the Chairman adjourned the meeting.

Respectfully submitted,

Jody Harrington
Secretary, BIP HOA Board of Directors

SECRETARY BY HOW BOARD of Directors
Mike Hamilton

Respectfully submitted,

Secretary

There being no further business, the Chairman adjourned the

meeting and directed it to the members in this hall.

The office of the Home County Clerk, at which time it will become effective. The

secretary of the association was advised Mike Hamilton will be the secretary in

attendance and advised the secretary and authorized that the consent was

conferred to the amendment passed in 1971 and that Mike Hamilton then

appeared from those present were advised before the vote. Copies of the consent

which had been previously recommended by the Board of Directors. Several

minutes were called upon to explain the rationale for the proposed amendment

of the members is reported in approval of the amendment. Copies Mike

Hamilton and a signed vote. The Chairman thanked the secretary for

attendance and two votes given the resolution passed. The vote was 10 to 0 to

on December 1, 1971. The purpose of the amendment is to change the name

assessments for the association was directed to be recommended by the secretary

that amendment to be approved. Conditions, Resolutions and

of amendments to HOW. The time for the proposed