

MINUTES OF REGULAR MEETING
OF THE
BOARD OF DIRECTORS

February 21, 2018

THE STATE OF TEXAS §
COUNTY OF FORT BEND §
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185 §

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 185 (the "District") met in special session, open to the public, at 12:00 p.m., Wednesday, February 21, 2018, at 9 Greenway Plaza, Suite 1100, Houston, Texas 77046, a designated meeting place outside the boundaries of the District; whereupon, the roll was called of the members of the Board of Directors, to-wit:

Allen Thomas	President
Scott Donahue	Vice President
Wesley Noonan	Secretary
Al Menconi	Assistant Secretary
Terrell W. Berger	Assistant Secretary

All members of the Board of Directors were present thus constituting a quorum.

Also present at the meeting were Amy Symmank with Myrtle Cruz, Inc., the District's Bookkeeper; Nick Bailey of Brown & Gay Engineers, Inc., the District's Engineer ("BGE"); Travis Benes with Environmental Allies ("Environmental"); Breah Campbell and Bart Downum with Environmental Development Partners, L.L.C., ("EDP"), Operator for the District; Kristen Scott with Bob Leared Interests ("BLI"), the District's Tax Assessor/Collector ("TAC"); Shannon Waugh with OffCinco, the District's webmaster; and John Cannon, Attorney, and Beth Van Doren, Paralegal with Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel. Also in attendance was Paul Odiachi with NPC Analytics.

Whereupon, the meeting was called to order. A copy of the notice of the meeting is attached hereto as Exhibit "A".

COMMENTS FROM THE PUBLIC

The Board recognized Mr. Odiachi who gave a brief summary of his company, NPC Analytics, and what it has to offer the District.

HEAR REPORT FROM OFFCINCO

The Board recognized Ms. Waugh who presented an amendment to the current district agreement with OffCinco, a copy of which is attached hereto as Exhibit "B". The amended agreement proposes a flat fee of \$400 per month and an unlimited text alert fee of \$100 per month. After further discussion, and based on a motion by Director Noonan which was seconded by Director Thomas, the Board voted unanimously to approve amending the district's contract to a flat rate of \$400 per month and an unlimited text alert fee of \$100 per month.

APPROVE MINUTES OF MEETING OF JANUARY 25, 2018

The proposed minutes of the special meeting held on January 25, 2018 previously distributed to the Board, were presented for consideration and approval. Upon a motion duly made by Director Noonan and seconded by Director Thomas, the Board voted unanimously to approve the minutes of the special meeting of January 25, 2018.

HEAR REPORT FROM STORM WATER SOLUTIONS

In the absence of a Storm Water Solutions representative, no report was offered.

TAX ASSESSOR/ COLLECTOR REPORT

The Board recognized Ms. Scott who delivered the tax collection report, a copy of which is attached hereto as Exhibit "C". She noted that the District is 96.8% collected on its 2017 taxes.

Adopt Resolution Regarding Tax Exemptions for 2018

The Board considered a proposed Resolution Regarding Tax Exemptions for 2018, a copy of which is attached hereto as Exhibit "D". The Resolution grants an exemption of \$10,000.00 for residence homesteads of individuals who are disabled or are sixty-five years of age or older, as authorized by Section 11.13 of the Property Tax Code, as amended.

Approve Resolution Implementing 20% Penalty on 2017 delinquent taxes

Next, Ms. Scott discussed with the Board the District's authority to grant tax exemptions and discussed the District's authority to apply a 20% penalty to delinquent tax accounts, a copy of which is attached hereto as Exhibit "E". She then advised the Board that the District is authorized as a taxing authority to engage a delinquent tax attorney to collect delinquent taxes on behalf of the District.

Ms. Scott said that delinquent accounts become subject to collection by the delinquent tax attorney as of April 1 for personal property and July 1 for real property. Mr. Cannon noted that the 20% penalty is applied to delinquent accounts to offset the expenses incurred by the District for delinquent tax collection.

After review and upon a motion by Director Noonan, second by Director Menconi and the question being put to the Board, the Board voted unanimously to (i) grant a \$10,000

exemption to residents 65 years of age and older or disabled for 2018, (ii) adopt the Resolution Implementing a 20% Penalty for 2017 Delinquent Taxes, and to hire Coats|Rose to collect delinquent taxes for the District, and (iii) approve the tax collector's report.

BOOKKEEPER'S REPORT

The Board recognized Ms. Symmank who reviewed the bookkeeper's report, a copy of which is attached hereto as Exhibit "F". Mr. Cannon noted that funds would receive better interest if the District opened a TexPool account.

After further discussion, and based on a motion duly made by Director Menconi, and seconded by Director Noonan, the Board voted unanimously to approve the bookkeeper's report, payment of the bills, and authorized Ms. Symmank to proceed with opening a District account at TexPool.

OPERATOR'S REPORT

The Board next recognized Ms. Campbell, who reviewed the Operator's report which includes the utility billing summary, accountability report, subsidence district report, North Fort Bend Water Authority ("NFBWA") report and the 30-day delinquent list for February 2018, a copy of which is attached hereto as Exhibit "G". Ms. Campbell reported that there are thirty-eight (38) delinquent accounts to consider for disconnection.

Substantial System Repairs and Maintenance

- Operator relieved blockage of Collection System from Canton to Bassfield Lane in the amount of \$2,168.50;
- Annual commercial meter testing was done in the amount of \$4,152.75;
- Conducted bottom clean wet well at Lift Station No. 1 in the amount of \$3,602.79;
- Conducted bottom clean wet well at Lift Station No. 2 in the amount of \$1,799.30; and
- Conducted force main sewer haul at Lift Station No. 3 in the amount of \$7,777.50.

Wastewater Treatment Plant Blower No. 3 Replacement

- Blower #3 is currently being replaced.

Wastewater Treatment Plant Blower No. 6 Replacement

- Blower #6 is currently being replaced.

Water Plant Lead Pump Motor Replacement

- Ms. Campbell requested authorization to replace the jockey pump motor at the water plant for approximately \$4,000.00, plus an estimated \$1,200.00 for installation. The cause of failure is wear and tear.

Water Plant Lead Pump Repair

- Ms. Campbell requested authorization to replace the jockey pump at the water plant for approximately \$5,500.00, plus an estimated \$1,200.00 for installation. The cause of failure was worn pump bearings.

Broadstone Falcon Landing Apartment – Late Fee Removal Request

- Please see the attached letter from the customer at the address listed above. The customer is requesting a late payment fee refund of \$2,432.74 because the payment was sent to the wrong P.O. Box and would not have been late. Attached is the customer’s usage history.
 - The Board reviewed the account’s history and requested the operator refund the customer \$2,432.74.

Sanitary Sewer Overflow

- A manhole overflow occurred at 4235 Canton Cresti Drive was reported on January 15, 2018. The backup was caused by a grease blockage. Contractor completed a site cleanup and filed an SSO report with the TCEQ.

Delinquent Accounts and Service Terminations

- Please see attached the list of customers that received a delinquent letter by mail and are subject to disconnection of service.

Ms. Campbell noted that the District accountability numbers one incorrect because of meter issues. Repairs to the meters are being addressed. After review, upon a motion brought by Director Noonan, seconded by Director Thomas, the Board unanimously voted to (i) authorize the Operator to replace blowers Nos. 3 and 6; (ii) approve the write off list; (iii) approve the Operator’s report, including the water termination list; and (iv) refund \$2,432.74 in late fees to Broadstone Falcon Landing Apartments.

HEAR ENVIRONMENTAL ALLIES REPORT AND CONSIDER ACTING THEREON

The Board recognized Mr. Benes who presented and reported on maintenance of the detention pond in the District, a copy of his report is attached hereto as Exhibit “E”.

The Board noted that the recent sinkhole repairs are failing and there is noted additional damage resulting from Hurricane Harvey. Mr. Benes stated that these repairs need to be addressed with FEMA.

Mr. Benes requested monies budgeted for Summer fertilization be moved to a Spring fertilization project.

After consideration, upon a motion brought by Director Noonan, seconded by Director Menconi, the Board unanimously approved the Spring fertilization be combined with the Summer fertilization.

ENGINEER'S REPORT

The Board then recognized Mr. Bailey who reviewed the monthly Engineer's Report, a copy of which is attached hereto as Exhibit "I".

Approve plans and specification of District Facilities

Mr. Bailey presented plans and specifications for permitting and site improvements and water distribution lines.

Update on Woodlake Estates drainage

Mr. Bailey stated that a letter was sent to the Woodlake Estates HOA regarding the concerns with their drainage easement not draining properly. Mr. Cannon reported that he had received correspondence back from Woodlake Estates HOA confirming that they intended to remedy the drainage situation on their property.

Director Noonan requested Mr. Bailey prepare due diligence regarding an additional emergency interconnect.

After consideration, upon a motion brought by Director Menconi, seconded by Director Noonan the Board unanimously approved (i) the Engineer's report; (ii) approve the plans and specifications for Wastewater Reuse – Permitting and Site Improvements; and (iii) approve the plans and specifications for Wastewater Reuse – Water Distribution Lines.

DEVELOPER'S REPORT

No report was provided.

ATTORNEY'S REPORT

Consider accepting conveyance of lift station

The Board deferred action on this agenda item.

Consider Newquest Agreement

The Board deferred action on this agenda item.

Mr. Cannon drew the Board's attention to the District's constable report attached as Exhibit "J".

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

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PASSED, APPROVED AND ADOPTED this 21st day of March, 2018.

(DISTRICT SEAL)



Terrell W. Boyer
Asst. Secretary, Board of Directors