

MINUTES OF REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS

April 18, 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 regular session, open to the public, at 12:00 p.m., Wednesday, April 18, 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 except Directors Noonan and Menconi thus constituting a quorum.

Also present at the meeting were Austin Alvis of NewQuest Properties; Amy Symmank with Myrtle Cruz, Inc., the District's Bookkeeper; Nick Bailey and Kyle Adams of Brown & Gay Engineers, Inc., the District's Engineer ("BGE"); Travis Benes with Environmental Allies ("Environmental"); Breah Campbell 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"); John Cannon, Attorney, and Tiffany Marquez, Paralegal with Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel.

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**

No comments were provided by the public.

## **APPROVE MINUTES OF MEETING OF MARCH 21, 2018**

The proposed minutes of the meeting held on March 21, 2018 previously distributed to the Board, were presented for consideration and approval.

Upon a motion duly made by Director Thomas and seconded by Director Berger, the Board voted unanimously to approve the minutes of the special meeting of March 21, 2018, as amended.

## **TAX ASSESSOR/ COLLECTOR REPORT**

The Board recognized Ms. Scott who delivered the tax collection report, a copy of which is attached hereto as Exhibit "B."

After review and upon a motion by Director Berger, second by Director Thomas and the question being put to the Board, the Board voted unanimously to 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 "C". She noted that she had not received a Strategic Partnership Agreement ("SPA") payment for December 2017. Ms. Scott stated she would investigate the matter and report back to the Board.

Upon a motion brought by Director Thomas, seconded by Director Berger the Board unanimously voted to approve the Bookkeeper's report.

## **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 April 2018, a copy of which is attached hereto as Exhibit "D". Ms. Campbell reported that there are thirty-eight (38) delinquent accounts to consider for disconnection.

### **Substantial System Repairs and Maintenance**

- The Operator installed three (3) residential tap and meter in the amount of \$1,530.00.
- Ms. Campbell reminded the Board that she was authorized at the January meeting to replace Blower No. 3 at the WWTP and the replacement has been completed. The cost of replacement was \$6,217.81.
- Ms. Campbell reminded the Board that she was authorized at the January meeting to replace Blower No. 6 at the WWTP and the replacement has been completed. The cost of replacement was \$5,861.06.

- The on-site lift station at the wastewater treatment plant had a transducer replaced, in the amount of \$1,355.50.
- The auto-dialer was replaced at the wastewater treatment plant in the amount of \$1,236.75.

#### Water Plant Lead Pump Motor Replacement

- Ms. Campbell reminded the Board that she was authorized at the February meeting to replace the jockey pump motor at the water plant. This replacement has been completed.

#### Water Plant Lead Pump Repair

- Ms. Campbell updated the Board regarding the repair for the jockey pump at the WWTP and stated the repair has been completed.

#### Annual Report on Identity Theft Prevention Program “Red Flag Rule”

- The Operator has not cited any instances of identity theft and is recommending that the District not make any changes to the program.

#### Texas Water Development Board (“TWDB”) Water Conservation Plan Annual Report

- The Operator has completed the TWDB Water Conservation Plan Annual Report, a copy of which has been sent to Coats|Rose.

#### 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.

After review, upon a motion brought by Director Thomas, seconded by Director Berger, the Board unanimously voted to approve the Operator’s report, including the water termination list.

### **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”.

No action was taken.

### **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 “F”.

Update on Woodlake Estates HOA (“Woodlake”) drainage

Mr. Bailey reported that Woodlake has cleaned and repaired areas along their drainage easement adjacent to Marshall Oaks and are discussing the 15’ drainage easement that runs along the back of the Marshall Oaks lots.

Discuss authorizing engineer to prepare bond application report

Mr. Bailey included a draft summary of costs for Bond Application No. 8 in the Engineer’s report.

Mr. Bailey reported that Fort Bend County (the “County”) is moving forward with the installation of a right turn light located at Greenbusch and reminded the Board of the District’s water line at that location and stated that he is coordinating with the County regarding the details to move said water line. Mr. Bailey recommended Coats|Rose send a letter to the County regarding the costs associated with moving the water line.

Next, Mr. Bailey stated that the County drainage district currently is coordinating with FEMA and hope to receive federal funding to complete the bayou repairs. He added that at this time all District facilities in the bayou are functioning properly.

Upon a motion brought by Director Thomas, seconded by Director Berger, the Board unanimously voted to approve the Engineers report, as presented.

**ATTORNEY’S REPORT**

Consider accepting conveyance of lift station

The Board deferred action on this agenda item.

Consider amending the Economic Development Agreement with NewQuest

The Board recognized Mr. Alvis regarding the proposed amendment to the Economic Development Agreement (the “Amendment”) and stated a potential tenant for the shopping center is projected to double the reimbursable sales tax. Several board members indicated they were favorable to the amendment, however the Board deferred action until the Board’s next meeting.

Consider reinstating and amending contract to sell land to NewQuest

Mr. Cannon recommended the closing date for the sale land to NewQuest be moved to the District’s next meeting date due to the water plant site not having been re-platted. He requested the Board reinstate and amend the contract to sell land to NewQuest. Upon a motion brought by Director Thomas, seconded by Director Berger, the Board unanimously voted to approve reinstating and amending the contract to sell land to NewQuest.

Mr. Cannon added that the King Lakes HOA has submitted the invoice for the previously approved playground shade structures in the amount of \$3,491.18, a copy of which is attached hereto as Exhibit "G".

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

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

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of May, 2018.

(DISTRICT SEAL)



  
Secretary, Board of Directors