

MINUTES OF REGULAR MEETING
OF THE
BOARD OF DIRECTORS

June 19, 2019

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, June 19, 2019, at 9 Greenway Plaza, Suite 1000, 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 Director Thomas, 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"); Daniel Pereyra with Environmental Allies ("Environmental"); David Beyer with Storm Water Solutions; 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 Monica Roberts-Jenkins, 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 presented.

APPROVE MINUTES OF MEETING OF MAY 15, 2019

The proposed minutes of the meeting held on May 15, 2019 previously distributed to the Board, were presented for consideration and approval. Upon a motion duly made by Director Noonan and seconded by Director Berger, the Board voted unanimously to approve the minutes of the meeting of May 15, 2019.

FINANCIAL ADVISOR'S REPORT

No report was presented.

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". Ms. Scott noted that she will research and confirm the address for the delinquent notices for MedSpring to attempt collection. Director Noonan noted that the business was closed.

After review and upon a motion by Director Noonan, second by Director Donahue, the Board voted unanimously to approve the tax collector's report and the action items listed therein.

BOOKKEEPER'S REPORT

The Board recognized Ms. Symmank who reviewed the Bookkeeper's report, a copy of which is attached hereto as Exhibit "C". Ms. Symmank noted that she will present a proposed budget for fiscal year end June 30, 2020 at the next District meeting, as she awaits input from the consultant for the waste water treatment plant lease payments. Mr. Bailey noted that they may have a balloon payment but will research to determine.

Upon a motion brought by Director Noonan, seconded by Director Donahue the Board unanimously voted to approve the Bookkeeper's report and payment of the bills.

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 June 2019, a copy of which is attached hereto as Exhibit "D". Ms. Campbell reported that there are thirty-four (34) delinquent accounts to consider for disconnection.

Substantial System Repairs and Maintenance

- Installed residential tap and meter at a cost of \$580.00;
- Installed commercial TS*V; retail center at a cost of \$35,000.00;
- Fire hydrant waterblast and painting at a cost of \$3,864.00;
- Cleaned pressure switch of debris at a cost of \$1,162.75;
- Annual generator PM at a cost of \$1,048.74;

- Annual load bank test for generator at water plant and lift station at a cost of \$1,107.09 and \$1,302.85;
- Repaired transformer for blower #3 at a cost of \$1,225.71;
- Repaired the ATS for control board at a cost of \$4,053.60.

Fire Hydrant Painting

- The Operator previously obtained authorization to paint the District's 95 fire hydrants. This project is complete.

Consumer Confidence Report ("CCR")

- The annual CCR that was approved at the May meeting was mailed to bill paying customers on June 24th.

Water Plant Booster Pump #2 Pump & Motor

- The Operator is requesting authorization to replace the motor and repair the internal components of the pump for booster pump #2 at the water plant for an estimated cost of \$13,300.00. The cause of failure is leaking seals, bearing failure and motor shorted. The replacement cost of both is \$28,950.00.

FEMA Update

- FEMA has rejected the request for coverage for a late Damage Inventory item to be added that would cover the repair conducted by Environmental Allies last summer to the detention pond. The rejection was based on 2 main points: (1) the submittal request was 60 days after the first "substantive meeting" and (2) there was serious erosion evident on site previous to Harvey based on a review of satellite imagery from February 24, 2017.

Service Agreement

- The Operator presented a proposed amended service agreement for consideration and approval. The amended service agreement is an annual increase in fees of \$12,000. A copy of the proposed amended service agreement's pricing comparison chart is attached hereto as Exhibit "E".

Delinquent Accounts and Service Terminations

- The Operator presented a list of customers that received a delinquent letter by mail and are subject to disconnection of service.

Ms. Campbell noted that EDP had cancelled its contract with WCA for trash bins at the sewage treatment plant and would be using Sprint in the future.

She also noted the continued issues at the outfall of the detention pond at the bayou as the slope continues to fail and FEMA denied coverage. She stated that Fort Bend County has not repaired the bayou. Mr. Cannon stated that he would contact Fort Bend County and send correspondence regarding their failure to maintain the detention pond.

Ms. Campbell also asked for the Board's consideration and approval to place signs provided by the North Fort Bend Water Authority ("NFBWA") within the District for successfully participating in the NFBWA's Toolbox Water Conservation Program.

After review, upon a motion brought by Director Donahue, seconded by Director Berger, the Board unanimously voted to approve (i) the Operator's report; (ii) the water termination cut off list; (iii) the request to replace and repair water plant booster pump #2 pump and motor; and (iv) North Fort Bend Water Authority signs to be placed within the District for participating in the Larry's Toolbox Water Conservation Program.

HEAR ENVIRONMENTAL ALLIES REPORT AND CONSIDER ACTING THEREON

The Board recognized Mr. Pereya who presented a revised maintenance budget and reported on maintenance of the detention pond in the District. A copy of the revised maintenance budget is attached hereto as Exhibit "F".

Director Noonan noted that Gaston Road appears to only be mowed once a month instead of the scheduled twice a month maintenance schedule. Mr. Pereya noted that he would follow-up with Mr. Benes regarding the maintenance schedule.

After review, upon a motion brought by Director Noonan, seconded by Director Berger, the Board unanimously voted to approve (i) the Environmental Allies report and (ii) the revised maintenance budget as presented.

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 "G".

Approval of report, pay estimates, and change orders for construction projects in progress in the District

- **Wastewater Reuse – Distribution Lines:**
Contractor: Reddico Construction Company, Inc.
Contract Amount: \$359,224.10
Pay Estimate No. 4 in the amount of \$23,238.70.
- **Wastewater Reuse- Site Improvements:**
Contractor: Gilleland Smith Construction
Contract Amount: \$1,084,000.00
Pay Estimate No. 2 in the amount of \$49,950.00 and Tolunay-Wong Engineers' invoice in the amount of \$857.00.

Director Noonan addressed payment to Reddico Construction Company, Inc. ("Reddico") for the Wastewater Reuse-Distribution Lines project. He noted that irrigation has not been handled properly and the above-ground heads need repairing. He suggested holding off payment

until the project is completed. He also noted that they have not been watering as agreed. The Board agreed to not authorize payment until the project is completed and inspection has been made to ensure the irrigation is working properly. Mr. Bailey noted that he would address the Board's concerns with Reddico and would follow up with the Board.

After review, upon a motion brought by Director Noonan, seconded by Director Donahue, the Board unanimously voted to approve (i) the Engineer's report, as presented and the action items listed therein and (ii) holding Pay Estimate No. 4 to Reddico Construction Company for the Wastewater Reuse-Distribution Lines project until the project is completed and inspection has been made to ensure the irrigation is working properly.

ATTORNEY'S REPORT

The Board recognized Mr. Cannon who presented the Attorney's Report.

Mr. Cannon next brought attention to Mr. Beyer who presented the Storm Water Management Plan and Notice of Intent for the Board's review and consideration. Mr. Beyer noted the Notice of Intent will be posted on the District's website.


Next, Mr. Cannon drew the Board's attention to the District's constable report and monthly analytics report attached as Exhibit "I".

After review, upon a motion brought by Director Noonan, seconded by Director Berger, the Board unanimously voted to approve (i) the Attorney's report and (ii) the Storm Water Management Plan and Notice of Intent.

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

PASSED, APPROVED AND ADOPTED this 17th day of June, 2019.




Secretary, Board of Directors