

**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 118**

Minutes of Meeting of the Board of Directors

September 11, 2018

The Board of Directors (“Board”) of Fort Bend County Municipal Utility District No. 118 (“District”) met at the office of the Greater Fort Bend EDC, One Fluor Daniel Drive, Sugar Land, Fort Bend County, Texas on September 11, 2018 in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

Jaime Benoliel, President  
James Hines, Secretary  
Paula Blumenthal, Assistant Secretary  
Christa Lawson, Assistant Secretary

and the following absent:

Alex Reid Garrett, Vice President

Also present were Debbie Arellano, Breah Campbell, Dana Davis, David Wood, Romain Barski, Tobin Synatschk, Michael Gurka, G. Taylor Goodall, Jr., and members of the public.

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

1. The Board considered the minutes of the meeting held on August 14, 2018. Director Lawson noted that a motion in the minutes should be changed to reflect that she was opposed to the motion on the grounds that she was “opposed to the contract project”. Furthermore, after discussion regarding the section of the minutes dealing with no trespassing on District property within the construction zones the Board agreed that the term “authorized” should be changed to “coordinated with engineer”. Michael Gurka agreed to notify all Board members when Board members enter construction areas. Subject to that discussion, upon motion duly made and seconded, the Board unanimously approved the minutes as corrected.

2. The President opened the floor for public comments. Lynne Boynton raised concerns regarding the lake level. In response, Director Benoliel noted that dredging the lake below the natural water level does not provide additional detention volume and that the District should consider conducting an updated drainage study after the revised and updated Fort Bend County drainage analysis and maps are provided.

3. The Board was presented with the tax assessor/collector’s report, copy attached. The District’s 2017 taxes are 99.8% collected. The Board reviewed a delinquent tax report as presented. Upon motion duly made and seconded, the Board unanimously approved the tax assessor/collector’s report as presented and authorized disbursement of the funds contained therein.

4. The Board then confirmed the publication of notice of the District’s intent to hold a public hearing and set the 2018 tax rate at this meeting. Accordingly, the Board opened a public hearing

on the District's proposed 2018 tax rate at 6:14 p.m. The Board then discussed the tax rate and solicited public comments. The public hearing was then closed at 6:15 p.m. It was moved, seconded and unanimously carried that there be passed and adopted the attached Order accepting the final appraisal roll and setting a maintenance and operations rate of \$0.11 per \$100 in taxable valuation and a debt service tax rate of \$0.57 per \$100 in taxable valuation. The Board then executed the amendment to the District's information form to reflect the tax rate, and the attorney was directed to file copies as required by law.

5. Breah Campbell presented an operator's report, copy attached. Ms. Campbell noted that there was a violation notice issued for a nitrogen violation and Ms. Campbell confirmed that the operators took the appropriate response. Ms. Campbell then reviewed the ongoing and routine maintenance items with the Board as well as the additional regulatory information. After discussion, upon motion duly made, seconded and unanimously carried, the Board approved the operator's report as presented and authorized the District's operator to proceed with termination of utility service to said accounts pursuant to the provisions of the District's Rate Order, and approved the operator's report as presented.

6. Dana Davis presented a bookkeeper's report, copy attached. The District's debt service fund balance is \$2,673,499.40. The District's operating fund balance is \$3,205,969.93, and the capital projects fund balance is \$4,757,959.16. The District's park fund balance is \$3,254,055.77. Upon motion duly made and seconded, the Board unanimously approved the bookkeeper's report as presented and authorized the disbursements of the funds contained therein.

7. In the absence of Jerry Schroeder, the Board reviewed a Champions Hydro-Lawn report. It was agreed that Director Garrett shall look into whether or not it is appropriate for lake herbicide to be applied in the near future.

8. The Board reviewed the proposals for a park maintenance service. The Board discussed the proposals as provided and reviewed at the previous Board meeting. Upon motion duly made and seconded, the Board unanimously approved engaging Mike Stone Associates, Inc. The Board then discussed a splash pad rule sign and it was noted that the Board will consider adoption of the splash pad rules at the District's next Board of directors meeting.

9. Mr. Goodall reported that the acquisition of the Waterside Village park continues and that he will have more information regarding the progress at the District's next Board of Directors meeting.

10. Tobin Synatschk and Michael Gurka presented an engineer's report, copy attached. The Board considered the jogging trail at Figure Four Lake Phase No.1. Upon recommendation from the District engineer, the Board authorized payment of Pay Request No. 1 to Division III + Constructors, Inc. in the amount of \$15,058.80 with Director Lawson abstaining from the vote due to previously stated opposition to the original contract. The Board then considered the splash pad at the swimming pool project. Upon recommendation by the engineer, the Board unanimously approved Pay Request No. 4 in the amount of \$4,081.50 to LG&G Construction for the splash pad site work. The Board then considered Pay Request No. 2 to Fun Abounds in the amount of \$115,629.54. After lengthy deliberation regarding the punch list and deficiencies previously noted by the Board of the splash pad, the Board approved payment of Pay Request No. 2 to Fun Abounds upon the engineer's certification of the completion of the punch list with Directors Hines and Blumenthal opposed to the motion. The Board considered the

playground at Barski Park project. There was lengthy discussion regarding the drainage issues associated with playground and after deliberation, the Board instructed the engineers to further investigate the drainage issues and make recommendations to the Board. In addition, the Board declined Pay Request No. 3 and Final to Stone Castle Constructors LLC in the amount of \$18,977.94 due to the drainage issues. The Board then considered the pavilion at Barski Park project. Upon deliberation and recommendation by the District engineers, the Board unanimously approved Pay Request No. 3 and final to Stone Castle Constructors LLC in the amount of \$56,486.80 for the project. The Board then discussed the landscaping for the parking lot at Barski Park and playground at Waterside Village park in addition to the proposed phases of the jogging trail at Figure Four lake. It was decided that the discussion regarding the jogging trail at Figure Four lake shall be tabled for consideration at the upcoming Capital Improvement meeting. The Board then reviewed the ongoing items and concurred with the engineers recommendation of placing a standard operating procedures at the water plant and adding a spill response kit at the water plant. After deliberation, the Board unanimously approved moving forward with the engineers proposal for renewal of the District's MS4 TDPES general permit. The Board then considered the reclaimed water project. After discussion, upon motion duly made and seconded, the Board unanimously approved Pay Request No. 1 in the amount of \$769,981.67 to R&B Group for the reclaimed water project. After further discussion, upon motion duly made and seconded, the Board unanimously approved the engineers report.

11. The Board considered the District's irrigation system issues. Director's Garrett and Benoiel noted that they recently met with HOA representatives and reviewed the facts regarding the irrigation system. The Board reviewed a draft map of the irrigation facilities prepared by Director Garrett and James Waltz and noted that, upon inspection, they found that a majority of the District's irrigation system had been turned off. They recommended working further with the HOA to determine and delineate responsibility for the irrigation systems and that the District take over all irrigation systems operating on District property. Director Benoiel noted that another meeting with the HOA representatives will be necessary. There was discussion regarding a need for an HOA reclaimed water agreement and it was decided that it would be appropriate to delineate the irrigation system responsibilities as part of that agreement. It was noted that a survey of the irrigation system could be conducted by Mike Stone Associates, Inc. upon Mike Stone Associates, Inc. taking responsibility for District facilities. Mr. Goodall noted that Mike Stone Associates, Inc., the HOA, the Board of Directors and the District engineers would need to work together to create an exhibit of the irrigation system for placement in the agreement.

12. The Board considered an HOA report. David Wood noted that the HOA continues to work on reviewing their irrigation system.

13. The Board then considered District website matters. Director Garrett noted that he has minor changes and updates to provide Off Cinco regarding the District's website.

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

  
Secretary