

MINUTES OF MEETING OF THE  
BOARD OF DIRECTORS  
February 21, 2018

THE STATE OF TEXAS  
COUNTY OF FORT BEND  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 47

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The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 47 (the "District") met in regular session, open to the public, at 2929 Allen Parkway, Suite 3450, Houston, Texas, 77019, its regular meeting place outside the boundaries of the District, at 12:15 p.m., on Wednesday, February 21, 2018; whereupon, the roll was called of the members of the Board, to-wit:

Jerome Cogan	President
Glenn Murray	Vice President
Lauren Svatek	Secretary
Robert "Jeff" Ford	Director
Lynette Salmon	Director

All members of the Board were present, thus constituting a quorum. Also attending the meeting were: Ms. Lori Buckner of Myrtle Cruz, Inc., bookkeepers for the District; Mr. Johnny Bellamy of Municipal District Services, LLC ("MDS"), operator for the District; Ms. Debbie Arellano of Bob Leared Interests, tax assessor/collector for the District; Mr. Dennis Hughes, P.E., of Landev Engineers, Inc., engineers for the District; Messrs. Bill Blich and George Blich of Blich Associates, Inc., financial advisors for the District; Mr. David Glunt, Project Manager for Gateway Land Development/52, LP ("Gateway"), developer of Olympia Estates Sections 9, 10, and 11, within the District; Mr. Eric Ungar of Skymark Development Co., Inc., developer of Lake Shore Harbour ("LSH"), Sections 6 and 7 within the District; Mr. David Lucyk, representative for Equitable Home Mortgage, Inc.; Mr. Michael Henn of Kudela & Weinheimer, landscape architects for the District; and Mr. Jonathan D. Polley, attorney, Ms. Alison Miller, paralegal, and Ms. Misti Vice, secretary, of Radcliffe Bobbitt Adams Polley PLLC, attorneys for the District.

WHEREUPON, the meeting was called to order and evidence was presented that public notice of the meeting had been given in compliance with the law. The posted notices of the meeting are attached hereto.

APPROVAL OF THE MINUTES

Mr. Polley presented the minutes of the regular meeting of January 25, 2018 to the Board for approval. Upon motion by Director Svatek, seconded by Director Cogan, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of January 25, 2018, as written.

## DEVELOPER'S REPORT

Mr. Glunt reported that 22 homes are under construction and there have been 24 home sales in Olympia Estates, Section 9. Mr. Glunt also reported that the underground utilities should be complete by the end of this week in Olympia Estates, Section 10, with paving to start next week. Mr. Glunt then stated that he had a change order from D. Grimm Incorporated, in the amount of \$33,134.84, for Olympia Estates, Section 10. Mr. Glunt explained that the change order was due to a 10" sanitary sewer line being incorrectly labeled as an 8" sanitary sewer line on the original survey.

## DISCUSS POTENTIAL NEED FOR BOND ELECTION, AND TAKE ANY NECESSARY ACTIONS ON SAME

Mr. Polley reported that after a review of the District's remaining bond authorization, it is likely that the District will need to hold a bond authorization election in order to have the funds necessary to reimburse any future developers. Mr. Polley reminded the Board that Skymark Development is planning to annex a 30-acre tract and Equitable Home Mortgage has recently re-initiated annexation procedures for an 8.6-acre tract, but the District does not currently have enough outstanding bond authorization to reimburse these developers. Mr. Polley stated that he would confer with the District's auditor on the matter and that no Board action is required today.

## APPROVE ANNEXATION AND SERVICE AGREEMENT, PETITION FOR ANNEXATION OF LAND AND PETITION FOR CITY CONSENT TO ANNEX LAND FOR REGENCY PARK APARTMENTS 30-ACRE TRACT

Mr. Polley then reported that he has alerted Mr. Ungar to the bond authorization issue. Mr. Ungar stated that Skymark Development is still interested in pursuing the annexation, but will hold off until the bond authorization issue is resolved.

## DEVELOPER'S REPORT, CONTINUED

Mr. Ungar reported that there have been 15 homes started in LSH, Section 7. Mr. Ungar also reported that the guy wire has been removed from the street and Missouri City is completing its inspection of LSH, Section 7.

## TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Arellano presented the Tax Assessor/Collector's Report for the month of January, a copy of which is attached hereto. Ms. Arellano reported that the District has collected 94.248% of its 2017 taxes to date. Upon motion by Director Cogan, seconded by Director Ford, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor/Collector's Report, including payment of the checks reflected therein.

## BOOKKEEPER'S REPORT

Ms. Buckner presented the Bookkeeper's Report, a copy of which is attached hereto. Ms. Buckner reviewed the District's current fund balances, expenditures, and investments, as well as the District's year-to-date revenues and expenditures. Upon motion by Director Cogan, seconded by Director Svatek, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, the investment report and authorize payment of checks reflected therein.

## AUTHORIZE ATTENDANCE AT ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") ANNUAL CONFERENCE IN SAN ANTONIO, TEXAS, ON JUNE 21-23, 2018, AND SPRING BREAKFAST ON APRIL 20, 2018

Upon motion by Director Svatek, seconded by Director Salmon, after full discussion and the question being put to the Board, the Board voted unanimously to authorize attendance at the AWBD Annual Conference and Spring Breakfast.

## CONSIDER RENEWAL OF MOSQUITO SPRAYING AGREEMENT WITH MARATHON PEST CONTROL ("MARATHON")

Mr. Polley stated that Marathon has requested confirmation from the Board that they would like to continue the agreement with Marathon for the upcoming year. Mr. Polley further stated that the rates are staying the same. The Board concurred to continue the agreement with Marathon for mosquito spraying.

## OPERATOR'S REPORT

Mr. Bellamy then presented the Operator's Report, a copy of which is attached hereto. Mr. Bellamy noted that the District currently serves 607 active connections and 90 District residents have registered to receive priority messaging updates. Mr. Bellamy also reported on the various repairs and maintenance/action items completed within the District during the month. Mr. Bellamy further reported that 26 accounts were terminated due to non-payment. Upon motion by Director Svatek, seconded by Director Cogan, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operator's Report and authorize MDS to terminate service to the delinquent accounts listed in the report in accordance with the provisions of the District's Rate Order.

## ENGINEER'S REPORT

Mr. Hughes presented the Engineer's Report, a copy of which is attached hereto. Mr. Hughes reported that the change order from D. Grimm Incorporated should be reflected on the next pay estimate. Mr. Hughes next reported that he received a letter from Missouri City approving the drainage study for the Enclave at Lake Shore Harbour. Mr. Hughes stated that Missouri City is asking the District for acknowledgement of the drainage study, and that he would prepare a letter to Missouri City stating that it was received. Mr. Polley stated that it is important to not say that the District is approving the drainage study because it is not something

that the District would typically approve.

Mr. Hughes then reported that the project to rehabilitate the channel outfall structures is complete, and that Camino Services is currently working on revisions to the concrete slope protection.

Mr. Polley next reported that HSC Realty, L.L.C. ("HSC") has requested a renewed capacity commitment from the District for Reserve E1 of Venetian Village. Mr. Polley requested the Board's authorization for Mr. Hughes to prepare the renewal letter for one (1) year.

Upon motion by Director Svatek, seconded by Director Ford, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Engineer's Report, approve the change order to D. Grimm Incorporated and authorize preparation of a capacity commitment renewal letter to HSC.

#### ATTORNEY'S REPORT

Mr. Polley reported that Senate Bill 625, 85th Texas Legislature, requires the implementation of a Special Purpose District Public Information Database. Mr. Polley explained that the Texas State Comptroller's Office (the "Comptroller") is creating the required database and is, therefore, requiring the annual filing of certain financial and tax-related information by all Special Purpose Districts. Mr. Polley noted that such information must be filed with the Comptroller annually by May 1, 2018. Upon motion by Director Cogan, seconded by Director Murray, after full discussion and the question being put to the Board, the Board voted unanimously to authorize RBAP to file the required financial and tax-related information with the Comptroller by May 1, 2018.

Mr. Polley next presented the annual Arbitrage Rebate and Yield Restriction Service Program Report (the "Report") from Arbitrage Compliance Specialists to the Board and noted that there were not any issues. A copy of the report is attached hereto. Upon motion by Director Svatek, seconded by Director Murray, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Report.

Mr. Polley then reported that Gateway is requiring a special warranty deed to convey the Olympia Estates ditch to the District. Mr. Polley reminded the Board that Gateway donated an easement to the District, and now Gateway would like to deed the ditch to the District since the District already handles the maintenance. Mr. Polley explained that the special warranty deed will just ensure that Gateway will no longer have to pay taxes on the property. Upon motion by Director Salmon, seconded by Director Svatek, after full discussion and the question being put to the Board, the Board voted unanimously to authorize acceptance of the ditch property and execution of the special warranty deed.

#### UPDATE ON RECREATIONAL FACILITIES

Mr. Polley reported that the appraisal for the 8.463-acre pond tract has not yet been received.

Mr. Henn then reviewed the plans for the Phase I jogging trail project. Discussion regarding the plan ensued.

MISCELLANEOUS MATTERS

Mr. Polley then reported that the next regular meeting would be held on Wednesday, March 21, 2018, at 12:15 p.m. at 2929 Allen Parkway, Suite 3450, Houston, Texas, 77019. There being no further business to come before the Board, the meeting was adjourned.

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of March, 2018.



  
Secretary, Board of Directors