

**MINUTES OF MEETING OF THE  
BOARD OF DIRECTORS**

**August 9, 2017**

STATE OF TEXAS §  
COUNTY OF FORT BEND §  
BIG OAKS MUNICIPAL UTILITY DISTRICT §

The Board of Directors (the "Board") of Big Oaks Municipal Utility District of Fort Bend County, Texas (the "District"), met in regular session, open to the public, on Wednesday, August 9, 2017, at the offices of Municipal Operations and Consulting, 1825 North Mason Road, Katy, Texas, a designated meeting place outside the boundaries of the District, whereupon, the roll was called of the members of the Board, to-wit:

Michael Abshire	-	President
Sonyan Stephens	-	Vice President
Jennifer Flores	-	Secretary
Mark Van Dyck	-	Assistant Secretary
David Johnson	-	Assistant Secretary

All members of the Board were present, thus constituting a quorum. Also present at the meeting were Tara Klein of Four and One, LLC; Christine Crotwell of First Southwest Company; Sam Cocke and Tyler Faircloth of Texas Erosion Solutions; Christina Perry of Myrtle Cruz, Inc., the District's Bookkeeper; Lina Loaiza of Bob Leared Interests, the District's tax collector ("TAC"); Mike Williams and Brian Dubiel of Municipal Operations and Consulting ("MOC") or (the "Operator"); Angela Howes of IDS Engineering Group ("IDS"), the District's engineer (the "Engineer"); John Cannon, Attorney, and Tiffany Marquez, Paralegal, of Coats|Rose, P.C., the District's legal counsel.

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. A copy of the posted agenda notice is attached hereto as Exhibit "A".

RECEIVE COMMENTS FROM THE PUBLIC

No comments were given by the public.

APPROVAL OF MINUTES

The Board considered approval of the minutes of the meeting held July 12, 2017. After discussion, upon a motion by Director Flores and seconded by Director Van Dyck, the Board unanimously voted to approve the minutes of the meeting held on July 12, 2017.

## BOOKKEEPER'S REPORT

The Board next recognized Mrs. Perry, who presented for the Board's review and approve the bookkeeper's report, a copy of which is attached hereto as Exhibit "B". She noted she added a new page reflect the cash flow expense forecast.

After consideration, upon a motion brought by Director Abshire, seconded by Director Flores, the Board unanimously voted to approve the bookkeeper's report.

## HEAR FROM FINANCIAL ADVISOR'S REPORT

### Discuss tax levy for 2017, set Public Hearing and authorize publication of notice thereof

The Board recognized Ms. Crotwell who recommended the Board levy a tax rate of \$0.75 consisting of \$0.46 for debt service and \$0.29 for maintenance and operations. Ms. Crotwell noted that the overall rate will remain the same, the amount of the tax dedicated to debt service will decrease by \$0.09 from 2016 and the amount of the tax dedicated to maintenance and operations will increase by \$0.09 from 2016. Mr. Cannon reviewed the procedures for establishing the tax rate and the Board agreed to hold a hearing on the proposed tax rate of \$0.75 at the September 13, 2017 Board meeting. A copy of Ms. Crotwell's recommendation is attached hereto as Exhibit "C".

## APPROVE TAX COLLECTOR'S REPORT

The Board recognized Ms. Loaiza who delivered the tax collection report for the period ending July 31, 2017. She reported that 99.293% of the 2016 taxes have been collected.

Ms. Loaiza reported that a resident, Jonathan Okafor who has a 2015 payment plan for delinquent taxes and has not paid in recent months; however is requesting another payment plan for the 2016 delinquent taxes. The Board discussed the matter and denied Mr. Okafor's request for 2016 delinquent tax plan due to his outstanding and non-payment of the 2015 delinquent tax payment plan.

Next, Mr. Cannon stated that he has received a 2016 payment plan request for delinquent taxes by Eileen Peters. He noted that she currently has a 2015 payment plan and is current on payments for said plan. Mr. Cannon also reported that Sandra Valeres is taxes due from 2012 to 2016 tax years. He stated that Ms. Valeres has agreed to payment 2012 and 2013 tax balances prior to a payment plan for the remaining tax years.

Upon motion by Director Abshire, seconded by Director Van Dyck, and the question being put to the Board, the Board voted unanimously to approve (i) the tax collector's report; (ii) Ms. Peters' 2016 installment agreement, subject to Ms. Peters' 2015 installment agreement being honored; and (iii) Ms. Valeres' installment agreement, subject to the 2012 and 2013 balance being paid in full. A copy of the tax report is attached hereto as Exhibit "D".

## OPERATOR'S REPORT

The Board recognized Mr. Williams who presented the operator's report for July, 2017 a copy of which is attached hereto as Exhibit "E". The water well was inspected to ensure proper operation and monitor water usage and the total number of connections is at 2,131. He also reported that the water accountability is at 94%. All water system samples reported negative for bacteriological contamination. Mr. Williams reported that no leaks were detected on Oak Run, where Ms. Workoff's home is located on the street level or outside the home. He presented photos for the Board's review included with the Operator's report.

Mr. Williams reported that he obtained proposal for the curb repairs WCA agreed to pay, a copy of which is attached hereto as Exhibit "F". The Board requested Ms. Marquez coordinate with WCA regarding said proposal and receive feedback from WCA.

Next, Mr. Williams presented a concrete proposal for the street repair in front of Ms. Workoff's home, a copy of which is attached hereto as Exhibit "G".

After review, upon a motion brought by Director Van Dyck, seconded by Director Flores, the Board unanimously voted to approve (i) the Operator's report as presented; (ii) termination of water for residents listed on the cut off list; and (iii) approve the uncollectable account list as presented.

## HEAR REPORT FROM TEXAS EROSION

The Board recognized Mr. Cocke who gave a report on maintenance of the Twin Oaks Detention Pond and Channel, the West Oaks Village Detention Pond, and the Bellaire Common Area. A copy of Mr. Cocke's report is attached hereto as Exhibit "H".

Director Van Dyck reported dead trees on the North side of Bellaire Boulevard across from the school. The Board instructed Mr. Cocke to remove said dead trees. Director Van Dyck reported that the property near the water plant is owned by the HOA and not the District. He stated that Texas Erosion no longer needs to mow that area. Ms. Howes noted that she is currently working on a map outlining which entities are mowing locations in the District. No action was taken.

### Discuss Tara Klein's landscape services

The Board recognized Ms. Klein who presented and outlined a general proposal for the Board's review, a copy of which is attached hereto as Exhibit "I". She then answered the Board's questions regarding work history and qualifications.

## ENGINEER'S REPORT

Ms. Howes presented the engineer's report, a copy of which is attached hereto as Exhibit "J". A summary of the status of various projects in the District is as follows:

1. MS4 Storm Water Quality Management Plan
  - IDS has prepared the annual report for the MS4.
2. Asset Management Plan
  - The water plant tank rehabilitation in the Fall. Estimated cost is \$450,000.
3. Fort Bend Co. Municipal Utility District No. 190 (“FBCMUD 190”) – Central Facilities
  - D.R. Horton is evaluating the potential for regional water and wastewater facilities with Big Oaks MUD. Construction for the sanitary sewer force main and waterline connections between the District and FBCMUD 190 is in progress.
4. Wastewater Discharge Permit Renewal
  - The Texas Commission on Environmental Quality has issued the District a new TPDES Permit, which will expire on May 1, 2022.
5. Fort Bend County (“County”)
  - IDS has not been provided with any updates with the County and have requested a meeting to discuss the progress and street lighting.
6. Walking Trails
  - IDS has inspected the newly constructed concrete trails along with the Contractor, Champion Hydro-lawn (“Champions”) and noted the joint sealant has failed in a number of areas. After closer investigation, it appears that the sealant is being damaged by ants or another insect. Since it appears to not be a failure of a produce or workmanship issue, the contract is not going to warranty the failure. Texas Erosion is preparing a proposal for the District to consider to treat the insect and replace the joint sealant.
    - The Board discussed the matter and is not in agreement that the sealant failed due to insects. IDS will contact Champions to discuss the matter further.
7. Mowing Map
  - IDS is working with the homeowner’s association (“HOA”) representatives and mowing contractors to develop a complete and up to date map of the various areas mowed and by which contractor.
8. Foundation Issue
  - IDS met with Zeki Tolunay, P.E. a geotechnical engineer and he has provided the a report included in the Engineer’s report.
    - The Board requested Mr. Tolunay’s report be sent to Ms. Workoff.
9. Development Reviews
  - 8100 FM 1464 – IDS reviewed and approved a set of construction plan for a 4,500 square foot retail center with a proposed 4,200 square foot retail center at FM 1464 and Orchid Ridge Lane.

- 8200 FM 1464 - IDS reviewed a set of construction plans for a 16,900 square foot Al Horro Supermarket and provided comments to the design engineer.

No action was taken.

HEAR ATTORNEY'S REPORT AND CONSIDER TAKING ANY ACTION REQUESTED BY ATTORNEY

Consider approving renewal of District insurance expiring October 1, 2017

The Board recognized Mr. Cannon who presented and outlined the District's insurance renewal proposal summary, attached hereto as Exhibit "K". After review, upon a motion brought by Director Van Dyck, seconded by Director Flores, the Board unanimously voted to approve the insurance renewal proposal with HARCO Insurance.


Mr. Cannon drew the Board's attention to the District's constable report and the WCA call log attached hereto as Exhibit "L" and Exhibit "M". No action was taken.

*[Remainder of page intentionally left blank]*

PASSED, APPROVED AND ADOPTED this 13<sup>th</sup> day of September, 2017.

(DISTRICT SEAL)



  
Secretary, Board of Directors