

MINUTES OF REGULAR MEETING
EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT
May 3, 2017

THE STATE OF TEXAS §
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COUNTY OF MONTGOMERY §

The Board of Directors of East Montgomery County Improvement District (the "District") met in Special Session, open to the public, on the 3rd day of May, 2017, at 11:00 a.m., at the East Montgomery County Improvement District Complex, 21575 U.S. Highway 59 North, EMCID Board Room 103, New Caney, Texas, within the boundaries of the District, and the following officers and members of the Board of Directors were present:

Brenda Webb	Chairperson
Dale Martin	Vice Chair
Scott Hesson	Treasurer
Stephen Carlisle	Secretary
Katherine Persson	Asst. Secretary
Martin Zepeda	Asst. Treasurer
Leonard Rogers	Director
Fred Wetz	Director

with all of said persons being present, except Directors Hesson and Persson, thus constituting a quorum.

Also present were Mr. Frank McCrady, Ms. Kelley Mattlage, Ms. Tara Martin, Mr. David Marks, Mr. Joe Costanza, Mr. Greg Turner and others from the community, as shown on the attached sign in sheet.

Chair Webb called the meeting to order and announced that a quorum was present.

Director Wetz led in prayer followed by the pledge of allegiance led by Director Carlisle.

As the first order of business, the Board considered the review of Community Development Grant Requests. Mr. McCrady advised that a total of two (2) grant requests totaling \$36,000 and six (6) mini grant requests totaling \$23,140 had been submitted for consideration. He explained the new grant evaluation process, including a Grant Review form that the Board will use and a peer review of the grant requests. Mr. McCrady noted that the grant applicant must turn in the completed Peer Review form before leaving the meeting today, as failure to do so makes the applicant ineligible for a grant. He stated that the Board would review the requests and provide an opportunity for each grant applicant to make a presentation to the Board, but action on the

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requests would be taken at the May regular meeting and the funding of the grants will occur at the June meeting.

Mr. McCrady next reviewed the request of the American Legion Holbrook Post 615 relative to funding \$3,840.00 to fund the program fee for 8 boys to attend the Texas Boys State 2017 Program. Mr. Springfield addressed the Board relative to said request. Mr. McCrady noted that there are no matching funds as this is a mini grant request. The Board asked various questions relative to the funding request.

Mr. McCrady next reviewed the request of the American Legion Auxiliary Unit 615 relative to funding \$3,800.00 to send 8 junior girls to Blue Bonnet Girls State to teach good citizenship and government. Ms. Atkinson addressed the Board relative to said request. Mr. McCrady noted that there are no matching funds as this is a mini grant request. The Board asked various questions relative to the funding request.

Mr. McCrady next reviewed the request of the City of Woodbranch Village Police Department relative to funding \$5,000.00 to purchase tasers, taser holsters, taser batteries, smart cartridges and data port download USB kit. Mr. McCrady noted that no representative was present to review the grant request and therefore the entity is not eligible to receive the grant.

Mr. McCrady next reviewed the request of the Girl Scout Troop 116007 relative to funding \$500.00 to fund a camping trip. Ms. Church addressed the Board relative to said request and stated she is only allowed to request \$500, as a larger grant would go to the Girl Scout Counsel for distribution among all troops. Mr. McCrady noted that there are no matching funds as this is a mini grant request.

Mr. McCrady next reviewed the request of Montgomery County Youth Services ("MCYS") relative to funding \$6,000.00 of a total project cost of \$7,980.00 to fund the sponsorship of 20 East Montgomery County children to attend the 2017 Camp Watsitumi. Mr. Bracken addressed the Board relative to said request and noted that MCYS is providing \$1,980.00 in matching funds.

Mr. McCrady next reviewed the request of the New Caney Independent School District relative to funding \$5,000.00 to fund pre-school backpacks. Ms. Johnson addressed the Board relative to said request. Mr. McCrady noted that there are no matching funds as this is a mini grant request.

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Mr. McCrady next reviewed the request of the Roman Forest Policy Department ("RFPD") relative to funding \$30,000.00 of a total project cost of \$69,910.84 to update radio systems to be compliant with the Montgomery County radio system. Capt. Dimitri Jasonis addressed the Board relative to said request and noted that RFPD is providing \$39,910.84 in matching funds.

Mr. McCrady next reviewed the request of The Women's Center, Lone Star College-Kingwood relative to funding \$5,000.00 to purchase books for literacy program. Ms. Blanco addressed the Board relative to said request. Mr. McCrady noted that there are no matching funds as this is a mini grant request.

Chief Rene Silva entered the meeting during the grant presentations. He addressed the Board relative to the request of the City of Woodbranch Village Police Department ("WVPD") for funding \$5,000.00 to purchase tasers, taser holsters, taser batteries, smart cartridges and data port download USB kit. He stated that the total cost of four (4) tasers is \$5,540.48, and that the WVPD will fund the balance.

The Board next recessed for lunch at 11:11 a.m. and stated that the meeting would reconvene at 1:00 p.m.

The Board reconvened the meeting at 1:00 p.m.

The Board next considered the status of design of the new District building by Turner Duran Architects ("TDA"). Mr. Turner addressed the Board and reviewed the design status, the attached Project Delivery power point (how the building comes together) and the types of contracts involved. He stated that TDA is proposing to use the CM at Risk method where the contractor oversees the project. He stated the project will be bid in two (2) stages, with the first being the general bid and when the drawings are complete, there will be a second bid on the contract. Mr. Turner stated that the contractor awarded following the first bid will assist the architect in the design of the building and once the drawings are complete, the general contractor will get sub-contractor bids from all required subs. He noted the savings, if any, are shared by the general contractor and the owner, and if the general contractor is part of the team during the design stage, he should get the best cost and efficiencies. Mr. Turner further noted that under CM at Risk method, the District does not have a contract with all the subs and therefore the final prices are submitted to the general contractor and the contract with the general will be cost plus with a maximum. He stated if the actual cost is less, it is shared between the owner and contractor and if it goes over, the contractor pays the overage amount. Mr. Turner then discussed the RFQ process

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and stated it will take 4-6 weeks to complete the selection and then he will come back to the Board with a recommendation. He noted that even after the selection, the District will not incur financial liability until it receives and approves the final price and if the Board does not like the price, they can reject the selection and advertise for bids. Director Wetz indicated he is not comfortable with a cost plus base contract and several directors concurred. Mr. Turner offered to retain a contractor as a consultant on the design stage and then once complete, advertise for firm bids. He also explained the different consequences in cost plus vs. a firm bid. The Board then discussed the two alternatives and requested that Mr. Turner get more information on a contractor serving as a consultant, including the cost, for consideration at the next Board of Directors meeting. Mr. Turner stated he is waiting on the site description to proceed with design.

The Board next recessed to Executive Session at 1:49 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code. The Board returned from Executive Session at 2:52 p.m.

The Board next considered a report on activities within the Industrial Park, including the status of construction of the shooting range. Mr. Costanza review a report on the status and stated that dirt work is scheduled to being on May 8th. He stated that the dirt excavated from the detention pond is scheduled to be delivered to the shooting range first, that the excavated dirt will be used to construct the shooting berms, and that the berms should be complete in approximately thirty (30) days. The Board then discussed the specifications of the shooting range and the use and purpose of such range with Mr. Costanza. After discussion, Director Martin moved to hold off on construction of the shooting range until further notice, other than delivering the excavated dirt to the site. Director Rogers seconded the motion. Director Martin noted that the District has no operation or liability plan in place and noted that there is no real need for the shooting range since General Ballistics back out of its contract with the District. After additional discussion, the motion carried, with Director Carlisle opposed. Mr. Costanza stated that moving the dirt on site will include construction of the berms that will back stop the bullets and noted that use of the shooting range requires installation of signage, rules, fencing and first aid. Mr. McCrady stated that the District will not allow installation of the signage, rules, fencing, first aid or shooting on the site until authorization is received by the Board.

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The Board next considered the status and amendment of a Purchase and Sale Agreement with Woodland Fluid Power Inc. Mr. McCrady reported that the developer is working on financing.

The Board next considered the status and amendment of Purchase and Sale Agreement with Metal Specialties or assignees relative to the purchase of a site in the Industrial Park. Mr. McCrady reported that he and the developer are negotiating the terms of the contract.

The Board next considered the status of a Purchase and Sale Agreement with Kro Energy Products, LLC and James and Betty Edwards Family Partnership LLP ("Kro, et. al.") relative to the purchase of a site in the Industrial Park. Mr. McCrady reported that he and the developer are negotiating the terms of the contract.

The Board next deferred the approval of an incentive agreement with JRA Services LLC d/b/a Hometown Chef Catering Co. ("Hometown Chef") to authorize the preparation of a Purchase and Sale Agreement relative to the purchase of a site in the Industrial Park, and to authorize the President and Chair to take all action and to execute all required documents in connection with the purchase and sale of the property. Mr. McCrady stated he is waiting on the executed Form 1295 from Hometown Chef.

The Board next deferred the approval of an incentive agreement with Andrews Fabrication ("AF") to authorize the preparation of a Purchase and Sale Agreement relative to the purchase of a site in the Industrial Park, and to authorize the President and Chair to take all action and to execute all required documents in connection with the purchase and sale of the property. Mr. McCrady stated he is waiting on the executed Form 1295 from AF.

The Board next considered authorizing Mr. McCrady to execute an agreement with the City of Houston regarding crossing the City's waterline easement in connection with the construction, maintenance and operation of the drainage and detention facilities to be constructed in connection with the development of the Kingwood Park Center. After discussion, Director Martin moved that Mr. McCrady be authorized to execute an agreement with the City of Houston as set out above. Director Carlisle seconded the motion, which unanimously carried.

The Board next considered matters for possible placement on future agendas. The Board concurred to remove the shooting range item from the agenda at this time and requested that Mr. McCrady obtain operation and insurance information, use projections, growth in use projections and a notification plan for Industrial Park users.

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

(SEAL)



Stephen Carlisle
Secretary, Board of Directors