

MINUTES OF REGULAR MEETING  
EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT  
November 26, 2018

THE STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY    §

The Board of Directors of East Montgomery County Improvement District (the "District") met in Regular Session, open to the public, on the 26<sup>th</sup> day of November, 2018, at 5:30 p.m., at the East Montgomery County Improvement District Complex, 21575 U.S. Highway 59 North, EMCID Conference Room 200A, 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                   |
| Stephen Carlisle  | Secretary                    |
| Katherine Persson | Asst. Secretary              |
| Fred Wetz         | Treasurer/Investment Officer |
| Martin Zepeda     | Asst. Treasurer              |
| Leonard Rogers    | Director                     |
| Richard Tramm     | Director                     |

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

Also present were Mr. Frank McCrady, Mr. Joe O'Connell, Ms. Kelley Matilage, Mr. Greg Phipps and Mr. David Marks.

In absence of the Chair, the Vice Chair called the meeting to order and announced that a quorum was present.

As the first order of business, the Board conducted a workshop to review the Fire & Ice Festival ("Festival"). Mr. McCrady reviewed a packet of information, including the Festival budget. He recommended that the District not have the Festival in 2019, and move the 2020 Festival to the Big Rivers Water Park/Gator Bayou venue. Mr. McCrady stated that the 2020 Festival could be held in April and noted it will cost approximately \$180,375 plus an additional \$80,000-\$100,000 to rent out the Big Rivers Water Park/Gator Bayou venue. After discussion, the Board unanimously concurred with the Festival plan and authorized Mr. McCrady to proceed with planning, contracting, organizing the 2020 Festival.

The Board next recessed to Executive Session at 5:55 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code, pending or contemplated litigation pursuant to §551.071, Texas Government Code, matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code, pursuant to §551.071, Texas Government Code, and Economic Development negotiations pursuant to §551.087, Texas Government Code. The Board returned from Executive Session at 6:32 p.m.

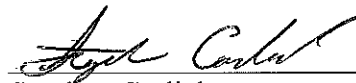
The Board next considered the approval of a 2<sup>nd</sup> Amendment to First Building Commercial Lease Agreement with YMER Technology (“YMER”) and approval of the terms of the Second Building Commercial Lease Agreement with YMER. Mr. McCrady discussed and reviewed the Agreements with the Board. After discussion, Director Persson made a motion that the Board approve the 2<sup>nd</sup> Amendment to First Building Commercial Lease Agreement with YMER and the terms of the Second Building Commercial Lease Agreement with YMER. Director Rogers seconded the motion, which unanimously carried.

The Board next considered authorizing the President/CEO to retain Coats Rose to monitor and promote the passage and/or defeat of legislation that could impact the District or its enabling statute that is introduced in the 86<sup>th</sup> Texas Legislative Session and the execution of a contract in connection therewith. Mr. Marks presented and reviewed the contract provided by Coats Rose and the executed TEC Form 1295. After discussion, Director Carlisle made a motion authorizing Mr. McCrady to retain Coats Rose and approve and execute a contract relative thereto. Director Tramm seconded the motion, which unanimously carried.

The Board next considered a report on activities of the 86<sup>th</sup> Texas Legislation, including legislation or proposed legislation affecting the District’s enabling statute. Mr. McCrady discussed the upcoming legislative session with the Board.

The Board next considered matters for possible placement on future agendas.

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



Stephen Carlisle  
Secretary, Board of Directors

(SEAL)

