

MINUTES
WEST FORT BEND MANAGEMENT DISTRICT

May 21, 2013

The Board of Directors (the "Board") of West Fort Bend Management District (the "District") met in regular session, open to the public, on May 21, 2013, at the Richmond City Hall Annex, 600 Morton Street, Richmond, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Joey Dupuis	President
Glenn Howard	Vice President
Lane Ward	Assistant Secretary
Robert G. "Bob" Ray	Assistant Vice President

All of the above were present thus constituting a quorum.

Also present at the meeting were Advisory Board member Ron Ewer and Sharon Wallingford, Anthony Sulak business owner in the City of Rosenberg, Beth Wolf with Fort Bend County, Albert Cantu and Robert Haas with the City of Richmond; Travis Tanner with the City of Rosenberg; Lynne Humphries of Allen Boone Humphries Robinson LLP ("ABHR"); and Rachel Steele, Executive Director of the District.

Director Dupuis called the meeting to order at 3:01 p.m.

CONSENT AGENDA ITEMS

1-2. April 16, 2013, Meeting Minutes Financial Report and Pending Invoices

The minutes and invoices were provided to the directors in advance of the meeting. The Board reviewed the April meeting minutes, financial report and pending invoices. Director Ward noted a change to the minutes and asked for clarification on a check made payable to the Fort Bend Economic Development Corporation, which Ms. Steele answered. The Board continued review of the remaining consent agenda items. After review and discussion, Director Ward moved for approval of all items on the consent agenda with the minutes amended. Director Howard seconded the motion, which passed unanimously.

REGULAR AGENDA ITEMS

3. Comments from the Public

No comments were received from the public.

4. Discuss and take action to include hardi-plank in the definition of "masonry" in the Standards.

Ms. Steele reviewed the existing masonry definition with the Board. Mr. Haas noted that there has been a large increase in the use of hardi-plank or fiber cement board by commercial developers in their proposed building elevations. The way the masonry definition is currently applied means that the use of fiber cement board is prohibited. Mr. Haas is asking that fiber cement board be considered as a building material option with the consent of the Board on a case by case basis. After discussion Director Ward moved to approve the new definition as follows:

MASONRY: Brick, stone, brick veneer, custom treated tilt wall, decorative or textured concrete block, split face block or stucco, and, with specific approval, fiber cement board.

Director Howard seconded the motion, which passed unanimously.

5. Amend FY 2013 Budget, if necessary.

The Board took no action to amend the budget.

6. Amend Reliant Sand Service contract for mowing services.

Ms. Steele reviewed the contract amendment with the Board. This amendment is the standard amendment the Board considers annually to expand the mowing frequency of the US 59 and Highway 90 mowing service areas from once to twice a month. The shift to mowing the areas twice a month is needed because of the high growth rate of the grass along the rights of way. The Board reviewed and discussed the amendment. Director Ward moved that the Board approve the contract amendment and extend the mowing frequency to twice a month. Director Howard seconded the motion, which passed unanimously.

7. Take action to nominate Board members to fill vacated and expired terms of office.

Ms. Steele noted that the terms of office for Director Howard and Director Ray would be expiring on June 1, 2013. Additionally, the Board would need to consider an interim appointment to fill the unexpired term of Director Terrell. Ms. Humphries reviewed the resolutions and explained the laws governing the District appointment process as well as the director qualification requirements. The Board discussed the process and candidates to fill the unexpired term of Director Terrell. Upon discussion, Director Ward moved to appoint Todd Johnson with Caldwell Companies to fill the unexpired term of Director Terrell. Director Howard seconded the motion, which passed unanimously.

The Board then reviewed the appointment resolution for the expiring terms of Director Howard and Director Ray. Ms. Humphries reviewed the appointment resolutions with the Board. Director Ray will be reappointed to his position on the Board. Director Ward will be appointed to fill the joint-city appointment. After discussing the resolutions, Director Ward moved to adopt the appointment resolutions to the cities of Richmond and Rosenberg. Director Howard seconded the motion, which passed unanimously.

8. Activity within the District, including permits under review issued and closed since the last meeting including signs, variance requests, and enforcement of standards (Travis Tanner-Rosenberg, Robert Haas-Richmond)

Mr. Tanner reviewed development activity that had occurred in Rosenberg since the April meeting. Aldi is requesting a variance to the landscape and signage standards. A variance request will be presented to the Board at the June board meeting.

Mr. Haas introduced Albert Cantu, the City of Richmond's new Fire Marshall. Mr. Cantu will be assisting Mr. Haas with plan review and enforcement activities. Mr. Haas noted that the City's measures to change its charter had passed in the May election. Ms. Steele gave an update on the redevelopment of the property located at 714 Hwy 90A. The tenant was conveyed the District standards, but has been non-responsive with compliance. Ms. Steele and Mr. Cantu are working directly with the tenant to create a mitigation plan. Ms. Steele anticipates that a variance application will be ready for the Board to consider at the June board meeting. The Board took no action on the development reports.

9. Receive an update on the proposed sign ordinance being pursued between Richmond and Rosenberg.

Mr. Haas asked if the Standards Committee could meet to review the final draft of the sign specifications outlined in the City of Richmond's pending sign ordinance. Ms. Humphries noted that due to the term of office expiration of Director Howard the Board will need to reappoint a new member to serve on the committee. Ms. Steele noted that a new committee list was being prepared and that a meeting could be scheduled for the committee by July. The Board took no action on the item.

10. Review appointments and receive Committee Reports:

- a. Access Management;

Ms. Steele reported on the access management public meeting that was held on May 15th at the George Memorial Library in Richmond. Approximately 100 people attended the meeting and provided comments on various roadway issues along FM 762, Highway 90A and FM 1640. As part of the meeting, traffic volume, accident data, and driveway density measurements were presented to the public. The project team

will now compile the comments from the public meeting to prepare preliminary recommendations. A meeting will be set with both cities and the county to review the preliminary recommendations later this summer. The Board took no action on the report.

11. Report from Advisory Board Members

No reports were given.

12. Report from Directors and District Consultants Regarding Events and Activities Attended During the Month

Ms. Steele read a resolution of appreciation in honor of Director Howard's service to the Board. Director Howard expressed his appreciation for the resolution and said that he has enjoyed his time serving on the Board. Director Howard expressed how important the work of the District was and remarked on the impact it had made on the community. The Board took no action on this item.

13. Report from Executive Director on outstanding and pending District business and plan for addressing District businesses

Ms. Steele gave a progress report on the status of the interlocal service agreement with Fort Bend County to assist with the funding of the executive director position. The County Attorney's office is drafting a preliminary interlocal agreement for the District and Commissioner Morrison's office to review.

Ms. Steele also noted that TxDOT held a project meeting to discuss the status of the TEP Grant for landscape enhancements at Highway 59 and FM 762. At this time, the landscape architect is being asked to revise the elevations of the drawings based on a new grading plan resulting from the highway expansion project. The landscape architect expects to finalize the new drawings by August of 2013 for final review by TxDOT. The Board took no action on the report.

14. Convene in Executive Session pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with attorney to discuss pending or contemplated litigation

The Board did not convene in Executive Session.

15. Reconvene in Open Session and authorize appropriate action regarding contemplated litigation

There was no need to reconvene since the Board did not meet in Executive Session.

16. Adjournment

Director Howard moved to adjourn the meeting at 4:10 pm. Director Ray seconded the motion, which carried unanimously.

Lane Ward

Lane Ward
Assistant Secretary,
West Fort Bend Management District