

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 17

March 14, 2019

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 17 (the "District") met in regular session, open to the public, on the 14th day of March, 2019, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

David W. Gornet	President
NG Fook (Francis) Ming	Vice President/ Assistant Secretary
Vibhor Mehrotra	Secretary/ Assistant Vice President

and all of the above were present except Director Mehrotra thus constituting a quorum.

Also present at the meeting were Jeff Perry of Levee Management Services, LLC ("LMS"); Jason Kelly of LJA Engineering, Inc. ("LJA"); Kristi Hebert of Tax Tech, Inc.; Christina Perry of Myrtle Cruz, Inc.; Brad Koehl of Yellowstone Landscape - Central, Inc. ("Yellowstone"); Tony Joubert of Sterling Association Services, Inc./Telfair Community Association ("TCA"); Julie Peak of Masterson Advisors LLC ("Masterson"); David Beyer of Storm Water Solutions, LLC ("SWS"); and Lynne B. Humphries and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board reviewed the minutes of the February 14, 2019, regular meeting. After review and discussion, Director Ming moved to approve the minutes of the February 14, 2019, regular meeting as submitted. Director Gornet seconded the motion, which passed unanimously.

PUBLIC COMMENTS

No members of the public wished to address the Board.

UPDATE ON WEBSITE AND APPROVE POSTINGS

The Board noted no changes were necessary on the District's website at this time. Director Gornet discussed the implementation and use of the Directors' email addresses.

REPORT ON REFUNDING BOND ISSUE

Ms. Peak updated the Board regarding the Unlimited Tax Refunding Bonds,

Series 2019. She stated the District achieved a present net value savings of 7.84%, resulting in an interest savings of \$914,277.15.

PHASE II MS4 STORM WATER MANAGEMENT PLAN ("SWMP") IMPLEMENTATION

Mr. Beyer presented and reviewed a proposal to prepare and submit the new Stormwater Management Plan to comply with Texas Pollutant Discharge Elimination System, General Permit No. TXR040000 Small MS4 ("Proposal"). After review and discussion, Director Gornet moved to approve the Proposal and direct that it be filed appropriately and retained in the District's official records. Director Ming seconded the motion, which passed unanimously.

LAKE MAINTENANCE BY LAKE MANAGEMENT SERVICES, L.P. ("LAKE MANAGEMENT")

The Board discussed the weekly lake maintenance reports, which are filed in the District's official records.

MAINTENANCE OF THE WETLAND SHELVES AND MOWING OF DISTRICT FACILITIES BY YELLOWSTONE LANDSCAPE

Mr. Koehl presented and reviewed the maintenance and mowing report, a copy of which is attached. After review and discussion, Director Gornet moved to approve the maintenance and mowing report. Director Ming seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Kelly reviewed the engineer's report, a copy of which is attached, and updated the Board on the status of construction projects.

Mr. Kelly updated the Board regarding the PS Lightwave request for a consent to encroachment on behalf of Fort Bend Independent School District to install telecommunication conduits ("Consent"), and by Crown Castle Fiber requesting an easement to install fiber optic cable ("Easement") and noted the Consent and Easement have been finalized and recorded.

Mr. Kelly recommended the Board approve irrigation repairs totaling \$1,723.01 and a 6" irrigation mainline repair in the amount of \$1,375.91, which were completed by Ridgewood per the District's agreement. After review and discussion, Director Ming moved to approve the irrigation repairs totaling \$1,723.01 and a 6" irrigation mainline repair in the amount of \$1,375.91 to be completed per the District's agreement with Ridgewood. Director Gornet seconded the motion, which passed unanimously.

Mr. Kelly discussed engineering services for drainage facility improvements.

Mr. Kelly reviewed a preliminary time lapse video demonstrating the possible impact of an ATLAS 14 100-year modeled event utilizing the existing conditions survey and the two dimensional drainage analysis performed by LJA. He stated the complete model and analysis can be completed if the Board approves the parameters presented in the preliminary analysis. The Board authorized Mr. Kelly to proceed with the drainage modeling and analysis.

Mr. Kelly discussed modifications to the gate in the lake in Section 28, including proposed plans for the fabrication and installation, and stated the work is estimated to cost \$311,520. He stated LJA is working with the contractor on pricing of an alternative less expensive option.

After review and discussion, Director Gornet moved to approve the engineer's report. Director Ming seconded the motion, which passed unanimously.

#### PARK MAINTENANCE

Mr. Kelly updated the Board regarding the drinking water fountains purchase and installation. He stated the Board awarded the contract to Division III + Constructors, Inc. in the amount of \$165,116.00 at the February meeting, but requested LJA attempt to reduce the price and present change orders, if possible. Mr. Kelly reviewed various options to reduce costs including: 1.) removing the dog bowls at the base of the fountains for a savings of \$850 per fountain; 2.) removing sidewalk modifications which would result in approximately \$8,000-\$10,000 in savings; or 3.) removing backflow prevention devices, saving \$100 per fountain. Discussion ensued regarding possibly reducing the amount of fountains. The Board requested Mr. Kelly send the map of proposed locations to the Directors for review and comment.

The Board reviewed the March TCA memorandum, a copy of which is attached. After review and discussion, Director Gornet moved to approve the following items: 1.) Item No. 1 to replace 49 light fixtures near Chatham Avenue and New Territory Boulevards in the amount of \$15,960.50; 2.) Item No. 2 to replace 16 light fixtures near Kentshire Avenue and New Territory Boulevard in the amount of \$4,950; and 3.) Item No. 3 to replace 11 light fixtures at University Boulevard and State Highway 6 in the amount of \$3,269; 4.) replace six light fixtures at Chatham Avenue and Camerton in the amount of \$2,173; 5.) replace six light fixtures near Harmony Avenue and Telfair Boulevard in the amount of \$2,036.50; 6.) replace six light fixtures at Addison Avenue and Telfair Boulevard in the amount of \$2,034; 7.) replace six light fixtures at Chatham Avenue and University Boulevard in the amount of \$1,979.50; and 8.) replace one damaged photo cell at Chatham and Easton Avenues in the amount of \$160. Director Ming seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES, BILLINGS, REPAIRS AND MAINTENANCE, INCLUDING REPAIRS AND MAINTENANCE TO THE DISTRICT'S SYSTEM

Mr. Perry reviewed a report regarding maintenance and facility repairs performed during the previous month, a copy of which is attached.

Mr. Perry stated residential fences are leaning or falling on the levee in certain areas after recent strong storm events. He stated LMS has spoken to the residents about the issue and will send letters if necessary.

Mr. Perry updated the Board regarding FEMA reimbursements, noting reimbursements for Hurricane Harvey were paid and he is still coordinating with FEMA representatives regarding reimbursement of other outstanding events.

Mr. Perry reported Fort Bend County Drainage District is completing the Ditch H sloughing repairs.

After review and discussion, Director Gornet moved to approve the operator's report. Director Ming seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF THE BILLS, REVIEW OF INVESTMENTS, BUDGET COMPARISON

Ms. Perry reviewed the bookkeeper's report, including payment of bills, and review of investments, copies of which are attached. She noted page seven details a correction for the TCA reimbursement and stated she expects to see a credit on the next invoice because the TCA billed the District twice for the same services. Following review and discussion, Director Gornet moved to approve the bookkeeper's report, including payment of the bills. Director Ming seconded the motion, which passed unanimously.

The Board deferred adoption of a resolution expressing intent to reimburse the District for engineering fees at this time, but noted it may adopt a resolution in the future.

TAX ASSESSMENT AND COLLECTION MATTERS, INCLUDING DELINQUENT TAX COLLECTIONS, INSTALLMENT AGREEMENTS, AND PAYMENT OF TAX BILLS

Ms. Hebert presented and reviewed the tax assessor/collector's report for March, 2019, and the bills for payment from the tax account, a copy of which is attached. She stated 96.45% of the District's 2018 taxes have been collected to date. Ms. Hebert reviewed a delinquent list with the Board, a copy of which is attached to the tax assessor's report. After review and discussion, Director Ming moved to approve the tax

assessor/collector's report and payment of the tax bills. Director Gornet seconded the motion, which passed by unanimous vote.

ATTORNEY'S REPORT: ORDER ADOPTING AMENDED AND RESTATED PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

Ms. Humphries stated that, when the District issues bonds, the District enters into a continuing disclosure undertaking for the benefit of the bondholders. She added that the provisions of that undertaking require that the District comply with certain continuing disclosure requirements for its bonds. She explained that the Board is ultimately responsible for continuing disclosure compliance for its bonds, with assistance by its consultants. Ms. Humphries added that, in order to ensure that the District's procedures for continuing disclosure compliance are well documented, the Board has previously adopted such procedures in writing. She stated that, because the United States Securities and Exchange Commission has amended its Rule 15c2-12, ABHR recommends that the District's written procedures be amended by the Board. Ms. Humphries reviewed an Order Adopting Amended and Restated Procedures for Continuing Disclosure Compliance with the Board. Following review and discussion, Director Ming moved to adopt the Order Adopting Amended and Restated Procedures for Continuing Disclosure Compliance and direct that the Order be filed appropriately and retained in the District's official records. Director Gornet seconded the motion, which passed by unanimous vote.

STATUS OF FEDERAL FLOOD INSURANCE LEGISLATION, AND ATTENDANCE AT A NATIONAL LEVEE, DRAINAGE, OR FLOOD RELATED CONFERENCE

Directors Ming and Gornet stated they attended events hosted by Fort Bend County. Director Ming reported he met with Commissioner DeMerchant and invited him to attend a District meeting.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS REGARDING EVENTS AND ACTIVITIES ATTENDED DURING THE MONTH, AND SCHEDULE FOR NEXT MEETING

There were additional reports.

The Board discussed its regular meeting date and concurred to meet on April 11, 2019, at 11:30 a.m., the regular meeting date and time.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.



  
Asst. Secretary, Board of Directors

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