

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 17

August 8, 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 8th day of August, 2019, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, 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 Ed Pearson, resident of the District; Danielle Garrison of the Fort Bend County Commissioners Court, Precinct 4; Julie Peak of Masterson Advisors LLC; Jason Kelly of LJA Engineering, Inc. ("LJA"); Kristy Hebert of Tax Tech, Inc.; Christina Perry of Myrtle Cruz, Inc.; Brad Koehl of Yellowstone Landscape - Central, Inc. ("Yellowstone"); and Lynne B. Humphries and Anne-Marie Bradford of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board reviewed the minutes of the June 12, 2019, regular meeting and the June 27, 2019, special meeting. After review and discussion, Director Ming moved to approve the minutes of the June 12, 2019, regular meeting and the June 27, 2019, special meeting as submitted. Director Gornet seconded the motion, which passed unanimously.

PUBLIC COMMENTS

No members of the public wished to address the Board.

REPORT FROM FORT BEND COUNTY COMMISSIONER, PRECINCT NO. 4

Ms. Garrison invited the Board to the upcoming LID Reform and Risk Rating 2.0 Seminar on August 21, 2019, and the Fort Bend County Levee Improvement District No. 2 presentation regarding the perimeter levee risk analysis on August 23, 2019. Director Gornet informed Ms. Garrison that he and Director Ming will be attending the National Association of Flood and Stormwater Management Agencies conference and will be unable to attend either seminar.

UPDATE ON WEBSITE AND APPROVE POSTINGS

Director Gornet discussed the District's website and the Board considered authorizing ABHR to post the approved tax rate calculations after approved. After discussion, Director Ming moved to authorize ABHR to post the approved tax rate calculations on the District's website once available. Director Gornet seconded the motion, which passed unanimously.

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

There was no discussion regarding this item.

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

Mr. Perry stated the Section 28 lake fountain repairs proposal was approved by Director Gornet between Board meetings and the Board considered ratifying the approval. After discussion, Director Ming moved to ratify the approval of the Section 28 lake fountain repairs. Director Gornet seconded the motion, which passed unanimously.

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. Mr. Koehl discussed tree maintenance in the District. 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 recommended the Board approve irrigation repairs totaling \$4,419.35, for the months of June and July, which were completed by Ridgewood per the District's agreement. Mr. Kelly then presented and recommended approval of a proposal from Ridgewood for the replacement of the pump and pump end at Irrigation Pump Station No. 2 in the amount of \$13,245.75.

Mr. Kelly updated the Board regarding the status of the capital improvement plan approvals, stating the plans are with the City of Sugar Land (the "City") and Fort Bend County for review.

Mr. Kelly updated the Board on the status of two-dimensional drainage analysis and reported LJA is coordinating with Fort Bend County Levee Improvement District No. 7 regarding potential excess excavation material for the District's levee maintenance project. He requested authorization to obtain a proposal from a geotechnical consultant to test material from Ditch "H" for suitability.

Mr. Kelly updated the Board regarding updates to the District's Emergency Action Plan ("EAP"). He stated the EAP is pending comments from the City regarding Tiger Dam deployment per the City's evacuation procedures.

After review and discussion, Director Gornet moved to (i) approve the engineer's report; (ii) approve the irrigation repairs totaling \$4,419.35 to be completed per the District's agreement with Ridgewood; (iii) approve the proposal for the Irrigation Pump Station No. 2 pump motor replacement in the amount of \$13,245.75; and (iv) authorize LJA to obtain a proposal for geotechnical material testing of the Ditch "H" excavated material. Director Ming seconded the motion, which passed unanimously.

PARK MAINTENANCE

Mr. Kelly updated the Board regarding the installation of the drinking water fountains and reviewed an exhibit reflecting the location of fountain number 9. Discussion ensued regarding relocating fountain number 9. After review and discussion, Director Ming moved to authorize Director Gornet to coordinate with the District's engineer to determine a new location for fountain number 9. Director Gornet seconded the motion, which passed unanimously.

The Board then reviewed the TCA memorandums for the months of June and July. The Board requested additional information regarding the high cost of item number 10 from the July memorandum and concurred to defer approval of item number 10 until review of same. Ms. Perry then stated she is holding check no. 3666 in the amount of \$6,576 that was previously approved for the replacement of damaged oleanders, as previously directed by the Board. The Board noted sales tax was applied to the proposals from Fencecrete and requested the bookkeeper adjust the payments for the Fencecrete repairs as appropriate.

After review and discussion, Director Ming moved to approve the following items from the August TCA memorandum: (i) release of check no. 3666 in the amount of \$6,576 for the replacement of damaged oleanders; (ii) item number 2 to repair the damaged concrete fence at 2215 Ralston Branch Way in the amount of \$334.59, minus sales tax; (iii) item number 3 to repair the damaged concrete fence at 2311 Spartan Trail in the amount of \$857.74, minus sales tax; (iv) item number 4 to repair the damaged landscape lights at the Telfair Avenue and University Boulevard four corners in the amount of \$670.31; (v) item number 5 to repair the damaged landscape lights at Telfair Avenue and Tarrington Avenue in the amount of \$1,127.50; (vi) item number 6 to install a new wildlife sign around Telfair Community main lake in the amount of \$253.50; (vii)

item number 7 to repair the damaged concrete fence at 2226 Ascot Lane in the amount of \$1,731.10, minus sales tax; (viii) item number 8 to repair the damaged concrete fence at 2403 Genesta Path in the amount of \$1,085.84, minus sales tax; (ix) item number 9 to repair the damaged concrete fence at 6853 Wexford Trail in the amount of \$828.05, minus sales tax; and (x) item number 11 to pressure wash multiple District common areas at various locations as detailed in the memorandum in the total amount of \$7,200.00. Director Gornet 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 months, a copy of which is attached.

Mr. Perry reported LMS is gathering the readings for the Brazos River erosion report and a report will be presented at the next meeting.

Mr. Perry stated Fort Bend County Drainage District is continuing the Ditch H sloughing repairs.

Mr. Perry stated the preventative maintenance tasks at the District pumps stations have been completed and there are no issues to report. He reported the building repairs approved at the last meeting are complete.

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

DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT WINTER CONFERENCE

The Board considered approving reimbursement to the directors for expenses incurred by attending the AWBD summer conference and authorizing attendance at the AWBD winter conference. Ms. Perry stated the reimbursement for expenses was submitted in accordance with the District's Travel Reimbursement Guidelines. After review and discussion, Director Gornet moved to approve reimbursement of the AWBD summer conference expenses and authorize attendance by all interested directors at the winter AWBD conference, January 17-18, 2020, in Dallas, Texas. Director Ming seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF THE BILLS, REVIEW OF INVESTMENTS, BUDGET COMPARISON, AND AMEND BUDGET FOR FISCAL YEAR END DECEMBER 31, 2019

Ms. Perry reviewed the bookkeeper's report, including payment of bills, and review of investments, copies of which are attached. She then reviewed a proposed amended budget for the December 31, 2019, fiscal year end. She stated the amended budget includes the pump station no. 2 outfall and flap gate installation. Following review and discussion, Director Gornet moved to (i) approve the bookkeeper's report, including payment of the bills, and (ii) amend the budget for fiscal year December 31, 2019, as presented. Director Ming seconded the motion, which passed unanimously.

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 August, 2019, and the bills for payment from the tax account, a copy of which is attached. She stated 98.98% of the District's 2018 taxes have been collected to date. Discussion ensued regarding the delinquent tax account at Branford Place. Ms. Hebert stated the District's 2019 certified taxable value is \$1,916,096,945. 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.

DISCUSS 2019 TAX RATE, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

Ms. Peak presented and reviewed a debt service tax rate analysis, recommending the District levy a 2019 debt service tax rate of \$0.25. A copy of the analysis is attached. She reviewed projected maintenance and operations revenue for maintenance and operations tax rate. The Board discussed the proposed 2019 tax rate. After review and discussion, Director Gornet moved to authorize the tax assessor/collector to publish notice of a public hearing on September 12, 2019, in the *Fort Bend Independent* regarding the Board's adoption of a maximum 2019 tax rate of \$0.56 per \$100 of assessed valuation, with \$0.25 allocated for debt service and \$0.31 allocated for operations and maintenance. Director Ming seconded the motion, which passed unanimously.

Ms. Peak then discussed a potential refunding bond sale and a potential park bond sale with the Board. After discussion, the Board directed the tax assessor to request an estimate of value as of September 1, 2019, and the engineer to prepare a proposal for the preparation of a bond application.

ATTORNEY'S REPORT

ADOPT RESOLUTION FOR EMERGENCY DESIGNEE

The Board considered adopting a Resolution Regarding Delegation of Authority in Emergencies appointing the President or, in his absence, the Vice President the authority to approve District expenditures and to authorize actions to be undertaken by District consultants that constitute emergency response actions. After review and discussion, Director Ming moved to approve the Resolution Regarding Delegation of Authority in Emergencies. Director Gornet seconded the motion, which passed unanimously.

RESTATED AND AMENDED COST SHARING AGREEMENT WITH UNIVERSITY OF HOUSTON TO FINANCE IMPROVEMENTS TO DRAINAGE SYSTEM

Ms. Humphries reviewed a draft Restated and Amended Cost Sharing Agreement with the University of Houston ("UH") with the Board and requested the Board and District's consultants review the draft agreement and provide comments before the next meeting. The Board took no action on this matter.

ADOPT RESOLUTION VOTING FOR WATER DISTRICT NOMINEE FOR THE ELECTION OF THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT ("FBCAD")

The Board discussed nominees for the water district candidate in the Fort Bend Central Appraisal District ("FBCAD") Board election. After review and discussion, Director Gornet moved to cast the District's 30 votes for Michael D. Rozell for the FBCAD Water District Nominee. Director Ming seconded the motion, which passed unanimously.

REPORT REGARDING LEGISLATIVE MATTERS

Ms. Humphries reported on legislative matters pertaining to the 86th Regular Session of the Texas Legislature.

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

There was no discussion regarding this matter.

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

Director Gornet discussed upcoming conferences and the town hall style meeting held in the District on June 27, 2019.

The Board discussed the date and time for the September meeting and concurred to meet on September 12, 2019, at 11:30 a.m., the regular meeting date and time, at ABHR.

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



Secretary, Board of Directors
Vice President,

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