

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 17

October 10, 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 10th day of October, 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	Secretary/ Assistant Vice President
Vibhor Mehrotra	Vice President/ Assistant Secretary

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"); Kristy Hebert of Tax Tech, Inc.; Christina Perry of Myrtle Cruz, Inc.; Brad Koehl of Yellowstone Landscape - Central, Inc. ("Yellowstone"); Tony Joubert of the Telfair Community Association ("TCA"); and Lynne B. Humphries and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

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

PUBLIC COMMENTS

There were no members of the public that wished to address the Board.

REORGANIZE THE BOARD OF DIRECTORS AND AUTHORIZE EXECUTION OF DISTRICT REGISTRATION FORM

The Board considered reorganizing the Board of Directors as follows:

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

Upon a motion made by Director Gornet and seconded by Director Ming, the Board of Directors voted unanimously to reorganize the Board.

The Board then considered approving the District Registration Form, updated to reflect the new positions of Directors Mehrotra and Ming. After review and discussion, Director Gornet moved to authorize the execution of the District Registration Form and direct that the Registration Form be filed appropriately and retained in the District's official records. Director Ming seconded the motion, which passed unanimously.

UPDATE ON WEBSITE AND APPROVE POSTINGS

There was no discussion regarding this matter.

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"); 2020 BUDGET

The Board discussed email reports from Lake Management, and they reviewed the lake maintenance budget from Lake Maintenance for 2020. After review and discussion, Director Gornet moved to approve the lake maintenance budget for 2020 and direct that it be attached to the District's agreement with Lake Management and incorporated into the District's 2020 Fiscal Year budget. Director Ming 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 \$2,565.16, for the month of September, which were completed by Ridgewood per the District's agreement.

Mr. Kelly updated the Board regarding a recent meeting with the City to discuss the installation of flap gates at Bullhead Bayou. He stated the City requested the District enter into an interlocal agreement defining the maintenance responsibilities for the District and City. Ms. Humphries presented and reviewed and Interlocal Agreement between the District and City regarding maintenance responsibilities for the flap gates and storm sewers. After review and discussion, Director Gornet moved to approve the Agreement and direct that it be filed appropriately and retained in the District's records. Director Ming seconded the motion, which passed unanimously.

The Board discussed new more convenient access to both pump stations. After review of maps, the Board asked Mr. Kelly to follow up regarding possible access routes.

Mr. Kelly updated the Board on the status of the two-dimensional drainage analysis and stated LJA is preparing the final memorandum.

Mr. Kelly stated LJA is currently working on plans for the weir wall diversion project. He reported hydro-excavation services are needed for the project and stated he anticipates a revised bid of approximately \$8,000 from Landshark Hydroexcavation Service ("Landshark") for the work. Mr. Kelly then requested approval of a change order to LJA's design proposal for the Drainage Facility Improvements project to authorize LJA to coordinate hydro-excavation services for the project in an amount not to exceed \$8,000. The Board determined that the Change Order is beneficial to the District. The Board concurred that, in its judgment Landshark was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. The Board authorized LJA to enter into a contract with Landshark to complete District work as discussed above in an amount not to exceed \$8,000.

After review and discussion, Director Gornet moved to (i) approve the engineer's report; (ii) approve irrigation repairs totaling \$2,565.16, for the month of September, which were completed by Ridgewood per the District's agreement; and (iii) approve the change order for LJA's design proposal for the Drainage Facility Improvements project, based upon the Board's finding that the Change Order is beneficial to the District and the engineer's recommendation. Director Ming seconded the motion, which passed unanimously.

#### PARK MAINTENANCE

The Board considered authorizing the auditor to prepare the developer reimbursement report for reimbursement to the developer from the parks bond application. After discussion, Director Ming moved to authorize McGrath & Co., PLLC, to prepare the developer reimbursement report for the parks bond application. Director Gornet seconded the motion, which passed unanimously.

The Board concurred to defer approval of the Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Project and Bonds.

Mr. Kelly updated the Board regarding the installation of the drinking water fountains and recommended approval of Pay Estimate Nos. 2 and 3 and Final in the respective amounts of \$79,196.08 and \$9,279.56 to Division III + Constructors, Inc, and acceptance of the facilities. After review and discussion, Director Ming moved to approve Pay Estimate Nos. 2 and 3 and Final and accept the facilities. Director Gornet seconded the motion, which passed unanimously.

The Board then reviewed the TCA memorandum for the month of October. The Board discussed the TCA's request to contribute funds towards the holiday laser lights show. The Board considered approval of the Agreement for Use of District Facilities and Contribution for Laser Light Show ("Laser Agreement") with the TCA. After review and discussion, Director Gornet moved to approve the Laser Agreement and direct that it be filed appropriately and retained in the District's official records. Director Ming seconded the motion, which passed unanimously.

The Board discussed fence/wall ownership throughout the District. It was noted the District not construct or fund the construction of the fences/walls. Discussion ensued regarding the developer's construction and subsequent possible conveyance of the fences/walls to the TCA. The Board requested the TCA review its files and documents relating to the possible conveyance of the fences/walls. It was noted some fences were constructed on District property. Mr. Joubert stated the TCA has discussed this matter and expressed in interest in working with the District. Discussion ensued about the benefits of working together. The Board requested ABHR follow up with the TCA regarding ownership of the fences/walls.

After review and discussion, Director Ming moved to approve the following items from the October TCA memorandum: (i) item number 1 to reconstruct median landscape along Telfair Avenue in the amount of \$5,384.00; (ii) item number 2 to replace one photo cell for common area monument at Chaneybriar Avenue and University Boulevard in the amount of \$286.00; (iii) item number 3 to repair the damaged landscape lights at Harmony Avenue and Telfair Boulevard in the amount of \$2,184.00; (iv) item number 4 to repair the damaged landscape lights at the Addison Avenue and Telfair Boulevard in the amount of \$2,248.40; and (v) item number 5 to repair the damaged landscape lights at Chatman Avenue and New Territory Boulevard in the amount of \$16,470.50. Director Gornet seconded the motion, which passed unanimously. The Board declined approval of item number 6 to pressure wash all concrete sidewalk in the District's common areas near 2118 Black Oak Drive in the amount of \$600.00; and item number 7 to pressure wash all concrete sidewalk in the District's common areas near Chatman Avenue and Ravanel Lane in the amount of

\$800.00 because the District prefers to handle pressure washing on a routine, systematic plan.

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. He noted the flood gauges have not been functioning correctly and the City has been contacted regarding the matter. Mr. Perry stated the pedestrian bridge was repaired as directed.

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

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

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF THE BILLS, REVIEW OF INVESTMENTS, BUDGET COMPARISON, AND BUDGET FOR FISCAL YEAR END DECEMBER 31, 2020

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 budget for the December 31, 2020 fiscal year end. Following review and discussion, Director Gornet moved to (i) approve the bookkeeper's report, including payment of the bills, and (ii) defer approval of the budget for the fiscal year ending December 31, 2020. Director Ming seconded the motion, which passed unanimously.

The Board requested the District's bookkeeper revise the proposed budget as follows: allocate \$125,000 to the repairs and maintenance line item; remove the line item for drainage district inspection; add costs associated with the water drinking fountains to the lake maintenance line item; increase the legal fees line item to \$125,000 and adjust the interest earnings.

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 October, 2019, and the bills for payment from the tax account, a copy of which is attached. She stated 0.01% of the District's 2019 taxes have been collected to date. After review and discussion, Director Gornet moved to approve the tax assessor/collector's

report and payment of the tax bills. Director Ming seconded the motion, which passed by unanimous vote.

The Board deferred adoption of the Resolution Voting for Director for Board of Director Election for Fort Bend Central Appraisal District ("FBCAD") pending receipt of a ballot from the FBCAD.

#### ATTORNEY'S REPORT

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

Ms. Humphries stated UH is reviewing the draft Restated and Amended Cost Sharing Agreement.

##### AUTHORIZE SOLICITATION OF INSURANCE PROPOSALS

The Board discussed the upcoming expiration of the District's insurance policies and directed ABHR to solicit proposals for the Board's consideration.

##### ATTENDANCE AT 2020 CONFERENCES, MATTERS PERTAINING TO FEDERAL FLOOD INSURANCE LEGISLATION, AND FORT BEND FLOOD PLAIN MANAGEMENT ASSOCIATION

The Board discussed upcoming conferences including the winter and summer Association of Water Board Directors Conferences and the National Association of Flood and Stormwater Management Agencies conference. After review and discussion, Director Gornet moved to authorize any interested Directors to attend conferences, as appropriate. Director Ming seconded the motion, which passed unanimously.

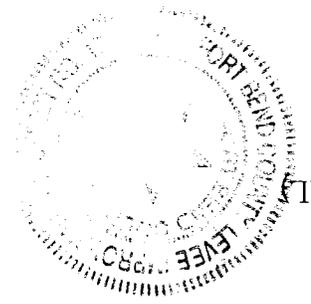
##### REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS REGARDING EVENTS AND ACTIVITIES ATTENDED DURING THE MONTH, AND SCHEDULE FOR NEXT MEETING

Director Gornet stated Commissioner DeMerchant is hosting a directors only information session regarding Brazos River erosion on October 29, 2019.

The Board discussed the symposium being held on November 8, 2019.

The Board discussed the date and time for the November meeting and concurred to meet on November 14, 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.



(SEAL)

Secretary, Board of Directors

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