

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 11

December 5, 2016

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 11 (the "District") met in regular session, open to the public, on the 5th day of December, 2016, inside the boundaries of the District, at Independent Bank, Sugar Land, Texas, and the roll was called of the members of the Board:

Justin Ring	President
Jared Jameson	Vice President/ Assistant Secretary
Stuart Rimes	Secretary/ Assistant Vice President

and all of the above were present, thus constituting a quorum.

Also present at the meeting were Jeff Perry of Levee Management Services, LLC ("LMS"); Christina Garcia of Myrtle Cruz, Inc.; Kelly Jurecek of Tax Tech, Inc.; Michael Rusk of LJA Engineering, Inc. ("LJA"); Pat Naff of CDC Unlimited, LLC ("CDC"); and Lynne B. Humphries and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the November 7, 2016, regular meeting, which were provided in advance of the meeting. Following review and discussion, Director Rimes moved to approve the minutes as submitted. Director Jameson seconded the motion, which was approved by unanimous vote.

COMMENTS AND QUESTIONS FROM THE PUBLIC

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

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Jurecek distributed and reviewed the October tax assessor/collector's report, a copy of which is attached. She reported the District's 2016 taxes are 5.82% collected. Following review and discussion, Director Rimes moved to approve the tax assessor/collector's report and payment of the tax bills. Director Jameson seconded the motion, which passed unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia distributed and reviewed the bookkeeper's report, including the monthly budget comparison and list of checks presented for approval. A copy of the bookkeeper's report is attached. Following review and discussion, Director Jameson moved to approve the bookkeeper's report and authorize payment of the bills listed therein. Director Rimes seconded the motion, which passed unanimously.

## REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Humphries reported ABHR will file the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas pursuant to Senate Bill 1812.

## REVIEW FINAL ARBITRAGE REBATE REPORT FOR THE SERIES 2011 BONDS

Ms. Humphries reviewed the District's Series 2011 Final Arbitrage Report. After review and discussion, Director Jameson moved to accept the Series 2011 Final Arbitrage Report and direct that the Report be filed appropriately and retained in the District's official records. Director Rimes seconded the motion, which passed unanimously.

## AUTHORIZE PREPARATION OF ANNUAL REPORT IN ACCORDANCE WITH DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15-c2-12

Ms. Humphries discussed the requirement for the District to file updated financial information and operating data in the form of an annual report with the Municipal Securities Rulemaking Board, through the Electronic Municipal Market Access System. She requested authorization for ABHR to work with the District's consultants to prepare the continuing disclosure annual report. Following discussion, Director Jameson moved to authorize preparation of the annual report. Director Rimes seconded the motion, which passed unanimously.

## LEVEE AND DITCH MOWING AND DRAINAGE CHANNEL CLEANOUT

Mr. Naff updated the Board regarding mowing in the District.

## OPERATION OF DISTRICT FACILITIES

Mr. Perry presented and reviewed the operations report and reviewed and discussed work completed by LMS during the last month. A copy of the report is attached.

Mr. Perry stated the quarterly ant bait was applied on the District's levee.

Mr. Perry updated the Board regarding the Golf Club's irrigation. He stated LMS continues to monitor the meter which is showing water is still being pumped apparently from the District's detention lake, but he is not sure where the water is being pumped from since the known pump is capped. Mr. Perry stated he was able to obtain original plans for the lake and will review them to determine if there are additional access points and pipes that the Golf Club might be utilizing to pump water out of the District's lake without authorization.

Mr. Perry updated the Board regarding the applications for reimbursement from the Federal Emergency Management Agency for the damage incurred during the recent high water events.

Mr. Perry stated Fort Bend County will conduct an inspection of the District's levee within the next few months.

Following review and discussion, Director Rimes moved to approve the operator's report. Director Jameson seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

The Board reviewed the engineer's report, a copy of which is attached.

Mr. Rusk updated the Board regarding the fencing project. He stated Republic Masonry was no longer interested in the project due to the change in the scope of work. Mr. Rusk recommended the Board terminate the contract with Masonry Republic. He stated he re-bid the project with the updated scope of work and recommended the Board award the contract to Yellowstone Landscape in the amount of \$74,400.

Ms. Humphries updated the Board regarding matters related to the Canyon Gate Homeowners Association and Texas Department of Transportation ("TxDOT"). She said the District's condemnation attorney is sending the District's costs related to this matter to TxDOT for payment before the case is settled. Mr. Rusk stated the revised TxDOT plans no longer impact the District's property.

After review and discussion, Director Jameson moved to (1) approve the engineer's report; and (2) award the contract for the fencing project to Yellowstone Landscape in the amount of \$74,400. Director Rimes seconded the motion, which passed unanimously.

UPDATE REGARDING BOND APPLICATION

Mr. Rusk updated the Board regarding the application for the \$3,640,000 bond issue.

PHASE II MS4 STORM WATER MANAGEMENT PLAN IMPLEMENTATION

There was no discussion regarding this item.

COMMUNITY PROJECTS COMMITTEE ("CPC")

Directors Rimes updated the Board regarding CPC matters and noted the Greatwood Community Association ("GCA") has redesigned the community center building to include additional square footage and a usable second floor with minimal impact to the green space.

REPORTS ON GREATWOOD PRESIDENTS' MEETING AND ACTIVITIES AND FOLLOW UP ON LEVEE AND DRAINAGE FACILITIES AND OTHER DISTRICT AND GREATWOOD REGIONAL MATTERS

Director Ring updated the Board regarding the Presidents' meeting.

FEDERAL FLOOD INSURANCE LEGISLATION, PERIMETER LEVEE MAINTENANCE, AND ATTENDANCE AT LEVEE CONFERENCES

Director Jameson updated the Board regarding Fort Bend Flood Management Association matters. He stated National Incident Management System training may eventually be required for levee improvement district directors.

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, OR A SETTLEMENT OFFER

The Board concurred it was not necessary to convene in executive session.

RECONVENE IN EXECUTIVE SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION, OR SETTLEMENT OFFER

The Board did not convene in executive session regarding this matter.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, AND LEASE VALUE OF REAL PROPERTY

The Board did not convene in executive session regarding this matter.

RECONVENE IN EXECUTIVE SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION, OR SETTLEMENT OFFER

The Board did not convene in executive session regarding this matter.

The Board concurred not to meeting in January and resume the regular meeting schedule in February.

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

(SEAL)



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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