

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 11

August 7, 2019

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 7th day of August, 2019, inside the boundaries of the District, at the Greatwood Community Association Building, Sugar Land, Texas, and the roll was called of the members of the Board:

Justin Ring	President
Roberta Terrell	Vice President/ Assistant Secretary
Michael D. Rozell	Secretary/ Assistant Vice President

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

Also present at the meeting were Bob Grant, resident of the District; Debbie Shelton of Masterson Advisors LLC; Kelly Jurecek of Tax Tech, Inc.; Christina Perry of Myrtle Cruz, Inc. ("MC"); Jimmy Thompson, Jeff Perry and Ross Autrey of Levee Management Services, LLC ("LMS"); Michael Rusk of LJA Engineering, Inc.; Pat Hughes with Emergency Management, City of Sugar Land ("City"); Jessie Li, Engineer, City of Sugar Land; and Lynne Humphries of Allen Boone Humphries Robinson LLP.

MINUTES

The Board considered approving the minutes of the July 3, 2019, regular meeting, which were provided in advance of the meeting. Following review and discussion, Director Rozell moved to approve the July 3, 2019, regular meeting minutes, as submitted. Director Ring 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 tax assessor/collector's report, a copy of which is attached. She reported the District's 2018 taxes are currently 99.54% collected. Following review and discussion, Director Rozell moved to approve the tax assessor/collector's report and payment of the tax bills. Director Ring seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

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

Ms. Perry presented and reviewed a draft budget for the fiscal year ending September 30, 2020, a copy of which is attached to the bookkeeper's report. The Board concurred to defer adoption of the 2020 fiscal year budget, pending discussion of tax rate.

LEVEE AND DITCH MOWING

Mr. Naff was not present, but Director Ring stated CDC knocked down an unnecessary fence near pump station no. 1. He stated he informed the Greatwood Community Association so they could notify residents who brought the matter to the District's attention.

OPERATION OF DISTRICT FACILITIES

Mr. Perry distributed and reviewed the operator's report, including maintenance and repair items completed by LMS during the previous month. He noted the District's system is operating at normal conditions. A copy of the report is attached.

Mr. Perry stated the installation of security cameras and lighting for the pump stations is expected to be completed by year end.

Mr. Perry inquired when the Board would like to install rain level gauges outside the levee, noting the Brazos River is low. The Board directed LMS to install the rain gauges at this time.

Mr. Perry reported regarding minor erosion repairs. Director Ring requested Mr. Perry present an exhibit next month detailing the areas repaired.

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

ENGINEERING MATTERS

Mr. Rusk presented and reviewed the engineer's report, a copy of which is attached.

Mr. Rusk stated there are no updates to the Capital Improvement Plan.

Mr. Rusk updated the Board regarding the detention pond expansion and levee raising improvement project. He stated bids are scheduled to be received on August 28, 2019, for a possible award at the September meeting, if the land acquisition is complete.

Mr. Rusk updated the Board regarding the installation of backup sluice gates at pump station no. 1 and pump station no. 2 and stated there were no new pay estimates submitted by NBG Constructors, Inc.

Mr. Rusk presented and reviewed a proposal for engineering services for the pump station no. 1 expansion in the amount of \$410,250, a copy of which is filed in the District's records. He noted Fort Bend County Municipal Utility District No. 116 will be responsible for its share of the project. Mr. Rusk stated this project was included in the District's bond issue.

Mr. Rusk stated he received four bids for the Forest Green pump station, all of which were substantially higher than expected. He recommended the Board award the contract to C4 Partners LLC ("C4") in the amount of \$966,132.50. The Board concurred, based on the engineer's recommendation, in its judgment, that C4 is a responsible bidder whose bid will result in the best and most economical completion of the project. Mr. Rusk also recommended approval of Change Order No. 1 in the amount of \$110,577 to remove the generator from the contract. The Board concurred the change order was beneficial to the District.

After review and discussion, Director Rozell moved to: (1) approve the engineer's report; (2) award the contract to C4 Partners LLC ("C4") in the amount of \$966,132.50 for the Forest Green pump station project, as recommended by the District's engineer; (3) approve Change Order No. 1 in the amount of \$110,577 to remove the generator from the Forest Green pump station contract; and (4) approve the proposal for engineering services for the pump station no. 1 expansion in the amount of \$410,250. Director Ring seconded the motion, which passed unanimously.

Mr. Rusk stated Enchanted Rock will be present at the September meeting.

MS4 STORM WATER MANAGEMENT PLAN

There was no discussion regarding this matter.

WEBSITE MATTERS

Director Ring updated the Board regarding website matters.

ATTORNEY'S REPORT

Ms. Humphries reviewed the District's Series 2004 Arbitrage Rebate Report. After review and discussion, Director Rozell moved to accept the Series 2004 Arbitrage Rebate Report and direct that the Report be filed appropriately and retained in the District's official records. Director Ring seconded the motion, which passed unanimously.

The Board discussed Water District nominees for the Fort Bend Central Appraisal District ("FBCAD"). After review and discussion, Director Ring moved to cast the District's ten (10) votes for Michael D. Rozell for the FBCAD Water District Nominee. Director Rozell seconded the motion, which passed unanimously.

DISCUSS NATIONAL ASSOCIATION OF FLOOD AND STORMWATER MANAGEMENT AGENCIES ("NAFSMA") CONFERENCE, ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") MATTERS, FEDERAL FLOOD INSURANCE AND STATE LEGISLATION, PERIMETER LEVEE MAINTENANCE, AND FORT BEND FLOODPLAIN MANAGEMENT ASSOCIATION

Director Ring noted he and Director Rozell will both attend the NAFSMA conference.

REPORTS FROM DIRECTORS AND CONSULTANTS

The Board concurred to meet at 8:00 a.m. on September 4, 2019, the District's regularly scheduled meeting time and date.

Ms. Li announced the City will call a bond election at the City Council meeting on August 14, 2019. She said the election will be on the November 5, 2019 ballot and noted information is available for the public and the City will hold town hall meetings in Greatwood upon request. Ms. Li distributed a project list, a copy of which is attached. She stated the information is also available on the City's website. Ms. Li stated the City plans to complete construction of the listed items by 2024.

Mr. Hughes stated the City is updating its Hazard Mitigation Plan ("Plan") and will host a meeting regarding the Plan on August 12, 2019 at 3:30 p.m. He stated the District can send a representative and the Board concurred the District's operator will attend for the District.

Ms. Shelton discussed a potential current refunding opportunity with the Board. After discussing the cost of savings, the Board requested Ms. Shelton prepare the necessary documents to proceed with the refunding and authorized ABHR to add the necessary agenda items to the September meeting agenda.

Director Ring discussed a notification from the Texas Commission on Environmental Quality regarding fees for the 2020 fiscal year end related to the Brazos River Water Master.

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

Ms. Shelton presented and reviewed debt service tax rate analyses, showing the impact of various debt service tax rates to be levied in 2019. She discussed changes in tax calculations as a result of recent changes in legislation. Copies of the analyses are attached. The Board discussed the proposed 2019 tax rate. Ms. Shelton and Ms. Perry

discussed the 2020 fiscal year end budget. After review and discussion, Director Rozell moved to authorize the tax assessor/collector to publish notice of a public hearing on October 2, 2019, in the *Fort Bend Herald* regarding the Board's adoption of 2019 tax rate of a maximum rate of \$0.2585 per \$100 of assessed valuation. Director Ring seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES, OR A SECURITY AUDIT

The Board did not convene in executive session for this item.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES

The Board did not convene in executive session for this item.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY, AND DISCUSS CONDEMNATION OF PROPERTY FOR LEVEE RAISING PROJECT

The Board convened in executive session at 9:00 a.m.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY, INCLUDING AUTHORIZATION PROCEEDING WITH CONDEMNATION OF PROPERTY FOR LEVEE RAISING PROJECT

The Board reconvened in executive session at 9:43 a.m. Upon reconvening in open session, Director Rozell moved to authorize final settlement offer, notice of taking public park property and schedule public hearing on September 4, 2019 at 8:00 a.m., and authorize condemnation to be filed as necessary. Director Ring seconded the motion, which passed unanimously.

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 RELATED TO DAMAGED SLUICE GATES

The Board did not convene in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER RELATED TO DAMAGED SLUICE GATES

The Board did not convene in executive session.

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



Mike D. Rogell
Secretary, Board of Directors

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