

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 11

October 2, 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 2nd day of October, 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, thus constituting a quorum.

Also present at the meeting were Debbie Shelton of Masterson Advisors LLC; Kelly Jurecek of Tax Tech, Inc.; Christina Perry of Myrtle Cruz, Inc. ("MC"); Jeff Perry of Levee Management Services, LLC ("LMS"); Michael Rusk of LJA Engineering, Inc.; Pat Hughes of the City of Sugar Land ("City"); and Lynne Humphries and Nikole Cales of Allen Boone Humphries Robinson LLP.

MINUTES

The Board considered approving the minutes of the September 4, 2019, regular meeting, which were provided in advance of the meeting. Following review and discussion, Director Rozell moved to approve the September 4, 2019, regular meeting minutes, as submitted. Director Terrell 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 99.64% collected. Following review and discussion, Director Rozell moved to approve the tax assessor/collector's report and payment of the tax bills. Director Terrell seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S 2019 TAX RATE, ADOPT ORDER LEVYING TAXES AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Jurecek stated Tax Tech Inc. published the required Notice of Public Hearing at 5:00 p.m. tonight, stating the District anticipates levying a maximum \$0.2650 tax rate at this meeting.

The Board concurred to reconvene at 5:00 p.m. to conduct the public hearing regarding the District's 2019 tax rate.

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

The Board deferred this item pending receipt of a ballot from the FBCAD.

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 Terrell moved to approve the bookkeeper's report and authorize payment of the bills listed therein. Director Rozell seconded the motion, which passed unanimously.

REFUNDING BONDS, SERIES 2019

Ms. Shelton updated the Board regarding the District's Refunding Bonds, Series 2019. She stated the net present savings was 4.610%. She said the refunding allows the District to reduce the 2019 debt service tax slightly. Ms. Humphries presented the Refunding Bond sale documents for execution.

LEVEE AND DITCH MOWING

There was no discussion regarding this item.

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 updated the Board regarding the installation of security cameras and lighting for the pump stations and noted the lighting installation is complete.

Mr. Perry stated LMS is preparing to install rainfall depth gauges on the levee along the Brazos River.

Mr. Perry stated the District received an email complaint about nutria on the main lake. He stated the District could implement a trapping program which costs approximately \$6,500 per month. Discussion ensued and the Board concurred to monitor the nutria activity over the next few months, but declined to approve a trapping program at this time.

Following review and discussion, Director Terrell moved to approve the operator's report. Director Rozell 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 updated the Board regarding the Capital Improvement Plan.

Mr. Rusk updated the Board regarding the detention pond expansion and levee raising improvement project. He stated he received bids on August 28, 2019 and recommended awarding the contract to Longhorn Excavators in the amount of \$1,397,547.96, pending the finalization of the land acquisition. After review and discussion, Director Rozell moved to award the contract to Longhorn Excavators in the amount of \$1,397,547.96, subject to the land acquisition necessary for the project. Director Terrell seconded the motion, which passed unanimously.

Mr. Rusk updated the Board regarding the installation of backup sluice gates at pump station no. 1 and pump station no. 2 and recommended approval of Pay Estimate No. 8 in the amount of \$35,640 submitted by NBG Constructors, Inc. After review and discussion, Director Rozell moved to approve Pay Estimate No. 8, as recommended by the District's engineer. Director Terrell seconded the motion, which passed unanimously.

Mr. Rusk updated the Board regarding the Forest Green pump station.

Mr. Rusk stated two bids were received for the pump replacement at pump station no. 2 and recommended the Board award the contract to Gilleland Smith Construction, Inc. in the amount of \$454,000. After review and discussion, Director Rozell moved to award the contract for the pump replacement at pump station no. 2 to Gilleland Smith Construction, Inc. in the amount of \$454,000. Director Terrell seconded the motion, which passed unanimously.

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

#### MS4 STORM WATER MANAGEMENT PLAN

There was no discussion regarding this matter.

WEBSITE MATTERS

There was no discussion regarding this item.

ATTORNEY'S REPORT

The Board discussed the surplus funds available and directed ABHR to prepare a notice letter to the Texas Commission on Environmental Quality regarding the use of the surplus funds to pay for the shortfall in project costs.

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

There was no discussion regarding this item.

REPORTS FROM DIRECTORS AND CONSULTANTS

The Board concurred to meet at 8:00 a.m. on November 6, 2019, the District's regularly scheduled meeting time and date.

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 8:37 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 open session at 8:51 a.m. The Board concurred to recess the meeting at 8:52 a.m. and reconvene at 5:00 p.m.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S 2019 TAX RATE, ADOPT ORDER LEVYING TAXES AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

At 5:00 p.m., the Board reconvened to conduct the District's tax hearing. Director Ring then opened the public hearing. No members of the public came forward to make comments. Director Ring closed the public hearing.

The Board discussed its current operating budget, reserve funds and reviewed various scenarios with different tax rates. After discussion, the Board concurred to levy a total tax rate of \$0.265, with \$0.181 allocated for debt service and \$0.084 allocated for operations and maintenance. The Board reviewed an Order Levying Taxes for a \$0.2650 tax rate, comprised of \$0.181 for debt service and \$0.084 for operations and maintenance and an Amendment to Information Form reflecting the newly adopted tax rate.

After review and discussion, Director Ring moved to adopt the Order Levying Taxes and authorize execution of the Amendment to Information Form, and direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Terrell seconded the motion, Director Rozell was not present, and the motion passed by majority vote. The Board confirmed its intention that the 2019 tax levy includes a debt service component for the calendar year ending December 31, 2020, and a maintenance tax component for the fiscal year ending September 30, 2020.

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



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Page <u>No.</u>
Tax assessor/ collector's report .....	1
Bookkeeper's report.....	2
Operator's report.....	2
Engineer's report.....	3
Capital Improvement Plan .....	3