

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 6

February 19, 2018

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 6 (the "District") met in regular session, open to the public, on the 19th day of February, 2018, at The George Foundation, 215 Morton Street, in the Main Conference Room, Richmond, Texas, a regular meeting place outside the boundaries of the District, and the roll was called of the members of the Board:

Gary Pochyla	President
Kent P. Savage	Vice President
Linda Jacks	Secretary

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

Also present at the meeting were Jeff Perry and Ross Autry of Levee Management Systems ("LMS"); Ron Dechert of Costello, Inc. ("Costello"); Roger Adamsononon of The George Foundation; Christina Perry of Myrtle Cruz, Inc.; June Tang of The Johnson Development Corporation; Rhonda Patterson of Assessments of the Southwest, Inc. ("ASW"); Tom Butcher, Dave Vrshek, and Gene Pfalzgraf, residents of the District; and Angela Lutz and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Butcher asked who is responsible for repairing the ponds. Ms. Lutz stated per discussion last month, ABHR sent a letter to the Del Webb Sweetgrass Homeowners Association notifying them that the irrigation may be causing erosion to the pond edges and if so, they are financially responsible. Mr. Butcher presented and reviewed photos of the Serenity Pond (Pond 1), copies of which are attached.

Mr. Butcher discussed stormwater management and stated he believes some of the new development may not be adhering to the appropriate stormwater management requirements.

Mr. Pfalzgraf stated he believes Del Webb residents were evacuated due to levee height during Hurricane Harvey. He asked who is responsible for determining evacuations. Ms. Lutz stated the District has an Emergency Action Plan and explained the District's engineer provided information to Fort Bend County, which then makes the evacuation determination. It was acknowledged the information disseminated to residents may have not accurately reflected that the evacuation was not due to concerns

of the levee being overtopped, but resulted from concerns of Rabbs Bayou back flow if the projected Brazos River heights had been accurate.

MINUTES

The Board considered approving the minutes from the October 23, 2017, November 27, 2017, and January 22, 2018, minutes of the Board of Directors' meetings, which were provided in advance of the meeting. After review and discussion, Director Savage moved to approve the October 23, 2017 and November 27, 2017, minutes and defer approval of the January 22, 2018, minutes. Director Jacks seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Patterson distributed and reviewed the February tax assessor/collector's report, a copy of which is attached. She stated the District's 2017 tax collection rate is 80.67% as of January 31, 2018.

Ms. Patterson stated the District received a request to waive penalty and interest due to late payment as a result of a health issue. Ms. Lutz stated the Texas Property Tax Code, Section 33.011 only allows the District to waive fees or penalties for late payment of property taxes due to a limited amount of circumstances, which do not apply in this case.

After review and discussion, Director Jacks moved to (1) approve the tax assessor/collector's report and payment of the tax bills; and (2) deny the request for to waive the fees and penalties associated with the late payment of property taxes in accordance with Texas Property Tax Code, Section 33.011. Director Savage seconded the motion, which passed by unanimous vote.

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered tax exemptions for District residents and concurred to defer the matter.

REVIEW ARBITRAGE REBATE REPORT FOR THE SERIES 2012 BONDS

Ms. Lutz reviewed the Interim Excess Earnings Report for the Unlimited Tax Bonds, Series 2012, as prepared by OmniCap Group LLC. She stated that the reports reflect that no arbitrage rebate or yield reduction payment is due to the Internal Revenue Service. The Board concurred to accept the report and directed that the report be filed appropriately in the District's records.

FINANCIAL AND BOOKKEEPING MATTERS, INCLUDING PAYMENT OF BILLS AND REVIEW OF INVESTMENTS

Ms. Perry presented to the Board for review and approval the bookkeeper's reports and bills, a copy of which is attached. Ms. Lutz stated the District received a check in the amount of \$23,134 as a result of the Hotze deed closing not being completed per the necessary requirements. Following review and discussion, Director Jacks moved to approve the bookkeeper's reports and payment of bills. Director Savage seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES, BILLINGS, REPAIRS AND MAINTENANCE, INCLUDING SHARED PERIMETER LEVEE REPORT

Mr. Perry reviewed the operator's report, a copy of which is attached. He updated the Board regarding operations and maintenance performed in the District during the last month. He stated the quarterly ant bait treatment was applied last month. Upon a motion made by Director Savage and seconded by Director Jacks, the Board voted unanimously to approve the operator's report.

Mr. Perry updated the Board regarding Federal Emergency Management Agency claims. He stated the 2016 tax day claim was denied and 2017 Hurricane Harvey claim information has been submitted.

RABBS BAYOU SLOUGHING REPAIR

Mr. Perry updated the Board regarding the Rabbs Bayou sloughing repair. He stated there have been delays due to weather but noted fill dirt is now in place. Mr. Perry stated the repair work was previously authorized and would be completed within the following month.

SHORELINE REPAIR OF DEL WEBB POND NO. 1 (SERENITY POND)

Mr. Perry updated the Board regarding the sloughing around pond edges.

Mr. Butcher asked about reimbursement of cost for detention pond no. 1.

Mr. Perry stated the District's engineer and attorney will coordinate regarding ownership and maintenance and will present additional information next month.

MOWING OF DISTRICT FACILITIES

Mr. Perry updated the Board regarding mowing of District facilities and stated over seeding should occur shortly, weather permitting.

UPDATE REGARDING STORM WATER PERMITTING MATTERS, INCLUDING PUBLIC COMMENTS

There was no discussion regarding this agenda item.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Ms. Tang introduced herself and updated the Board regarding development in Veranda. She then presented and reviewed a 2017 builder home sales survey, a copy of which is attached.

Mr. Pfalzgraf stated there is signage on a roundabout allowing people to turn left and he believes it is an issue. Mr. Dechert and Ms. Tang agreed to review and report back to the Board.

Mr. Vrshek updated the Board regarding development in the Del Webb community.

Mr. Adamson stated the HEB grocery store ("HEB") is now open. He stated entities are looking into traffic signal issues at the HEB intersection. Mr. Adamson reported plans for a service road interconnect are underway.

ENGINEERING MATTERS

Mr. Dechert updated the Board regarding engineering matters and presented and reviewed a report, a copy of which is attached.

Mr. Dechert updated the Board regarding the status of construction projects for Del Webb and noted there were no projects or pay estimates for the Board's approval.

Mr. Dechert updated the Board regarding construction projects for Williams Ranch Municipal Utility District No. 1 and noted there were no projects or pay estimates for the Board's approval.

Mr. Dechert updated the Board regarding construction projects for Veranda Phase 2 and noted there were no projects or pay estimates for the Board's approval.

Mr. Dechert updated the Board regarding construction projects for Veranda drainage ditch and noted there were no projects or pay estimates for the Board's approval.

Mr. Dechert updated the Board regarding construction projects for the temporary repairs to the culvert crossing for the Williams Ranch drainage ditch and recommended approval of Pay Estimate No. 1 in the amount of \$44,010.00 submitted by Crostex Construction. After review and discussion, Director Jacks moved to approve

the pay estimate, as recommended. Director Savage seconded the motion, which passed unanimously.

Mr. Dechert updated the Board regarding construction projects for the George Foundation and noted there were no projects or pay estimates for the Board's approval.

Mr. Dechert updated the Board regarding the surveying and engineering for the west levee extension per Fort Bend County's request.

PREPARATION OF BOND APPLICATION AND ADOPT RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") FOR APPROVAL OF PROJECT AND BONDS

Ms. Lutz updated the Board regarding the bond application preparation. She then presented and reviewed a Resolution Authorizing Application to the TCEQ for Approval of Project and Bonds for the Series 2018 bonds. After review and discussion, Director Savage moved to approve the Resolution and direct that it be filed appropriately and retained in the District's official records. Director Jacks seconded the motion, which passed unanimously.

DISTRICT WEBSITE REVIEW

Ms. Lutz stated the District website, www.fblid6.org, is now live.

DEEDS AND EASEMENTS

There was no discussion regarding this item.

PERIMETER LEVEE MATTERS AND NATIONAL ASSOCIATION OF FLOOD AND STORMWATER MANAGEMENT AGENCIES ("NAFSMA")

Ms. Lutz stated the NAFSMA conference is July 10, 2018 through July 12, 2018.

FORT BEND FLOOD MANAGEMENT ASSOCIATION ("FBFMA")

Ms. Lutz discussed membership in the FBFMA.

ITEMS FOR NEXT AGENDA

There was no discussion regarding this item.

NEXT MEETING DATE, INCLUDING DISCUSS SCHEDULE FOR IN-DISTRICT MEETINGS

The Board concurred to meet on March 26, 2018 at 12:00 p.m. at The George Foundation.

There being no further business to discuss, the meeting was adjourned.


Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Photos of the Serenity Pond	1
Tax assessor/collector's report	2
Bookkeeper's report and bills	3
Operator's report	3
2017 builder home sales survey	4
Engineer's report.....	4