

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 6

April 30, 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 30th day of April, 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, thus constituting a quorum.

Also present at the meeting were Tom Butcher, Joe Grace, Chris Read, and Gene Pfalzgraf, residents of the District; Jeff Perry and Ross Autry of Levee Management Systems ("LMS"); Ron Dechert of Costello, Inc. ("Costello"); Roger Adamson of The George Foundation; Christina Perry of Myrtle Cruz, Inc.; Donna Bryant of Assessments of the Southwest, Inc. ("ASW"); Julie Peak of Masterson Advisors LLC ("Masterson"); Stephanie Black and Cody Johnson of Del Webb Homeowner's Association; Trey Reichert and June Tang of The Johnson Development Corporation; Mark Vogler and Jeff Janecek of Fort Bend County Drainage District; and Angela Lutz, Nikole Cales, and Holly Huston of Allen Boone Humphries Robinson LLP ("ABHR")

PUBLIC COMMENTS

Mr. Butcher stated he was not able to find the District's website via a Google search.

Mr. Butcher discussed the sloughing on Rabbs Bayou. Mr. Perry stated LMS will regrade and reseed the area. He stated the area was recently repaired but did not have a grass stand established prior to heavy rain resulting in new sloughing. Mr. Perry stated this area cannot be hydromulched. He stated LMS would continue to monitor the repair until the District is satisfied.

MINUTES

The Board considered approving the minutes from the March 26, 2018, Board of Directors' meeting, which were provided in advance of the meeting. After review and discussion, Director Savage moved to approve the March 26, 2018, minutes. Director Jacks seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Bryant distributed and reviewed the April tax assessor/collector's report, a copy of which is attached. She stated the District's 2017 tax collection rate is 96.18% as of March 31, 2018. Ms. Bryant then reviewed a delinquent tax attorney report, a copy of which is attached to the tax assessor/collector's report.

Mr. Bryant stated the District received a request to waive penalty and interest due to late payment as a result of a bill delivery issue for a certain landowner. 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.

Ms. Bryant stated that the District's preliminary appraised value for 2018 is \$394,261,443.

After review and discussion, Director Savage moved to (1) approve the tax assessor/collector's report and payment of the tax bills; and (2) deny the request 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 Jacks seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Perry presented to the Board for review and approval the bookkeeper's report and bills, a copy of which is attached. Following review and discussion, Director Savage moved to approve the bookkeeper's report and payment of bills. Director Jacks seconded the motion, which passed unanimously.

The Board discussed amending the budget for the fiscal year end July 31, 2018, to add levee repairs due to Hurricane Harvey. Ms. Perry then presented and reviewed a proposed budget for the fiscal year end July 31, 2019, a copy of which is attached to the bookkeeper's report. Following review and discussion, Director Savage moved to adopt the amended budget for the fiscal year end July 31, 2018. Director Jacks seconded the motion, which passed unanimously. The Board tabled approval of the budget for the fiscal year end July 31, 2019.

## FINANCIAL ADVISOR CONTRACT

Ms. Peak discussed the District's Financial Advisory Contract with First Southwest Company, now known as Hilltop Securities, Inc. ("Hilltop"), dated September 14, 2007, (the "Hilltop Contract"), for such company to serve as financial advisor for the District.

Ms. Peak reported that she resigned from Hilltop and has joined a new financial advisory company called Masterson Advisors LLC ("Masterson"). She discussed the new

company and requested that the Board approve a new Financial Advisory Contract with Masterson (the "Masterson Contract") for Masterson to serve as financial advisor for the District. Ms. Peak reviewed the proposed Masterson Contract, noting substantially similar terms as the Hilltop Contract.

After review and discussion, Director Pochyla moved to (1) approve and authorize ABHR to execute a letter to Hilltop regarding termination of the Hilltop Contract, effective on the earlier of (i) 30 days from the date written notice of termination is provided, or (ii) the date that Hilltop agrees in writing to waive the 30-day notice provision and direct that the letter be filed appropriately and retained in the District's records; and (2) approve and authorize execution of the Masterson Contract, effective as of the effective date of termination of the Hilltop Contract and direct that the contract be filed appropriately and retained in the District's records. Director Jacks 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.

Mr. Read discussed proposed maintenance to a tunnel that connects two lakes behind the lake house in Fort Bend County Municipal Utility District No. 187. Mr. Perry reported that LMS and Costello will coordinate to determine ownership of the property and prepare a maintenance proposal, if necessary.

Upon a motion made by Director Jacks and seconded by Director Savage, the Board voted unanimously to approve the operator's report.

#### RABBS BAYOU SLOUGHING REPAIR

Mr. Perry stated that this item was discussed under public comments.

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

Mr. Perry discussed scoping the needed repairs in the District's facilities and bringing proposed cost estimates at an upcoming meeting.

#### MOWING OF DISTRICT FACILITIES

Mr. Perry updated the Board regarding mowing of District facilities. No written report was presented.

## EMERGENCY RESPONSE POLICIES FOR 2018/2019 HURRICANE SEASON

The Board discussed the District's response policies and procedures to emergency events in preparation for the 2018/2019 hurricane season.

## UPDATE REGARDING STORM WATER PERMITTING MATTERS, INCLUDING PUBLIC COMMENTS

There was no discussion regarding this agenda item.

## REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Mr. Reichert updated the Board regarding development in the Veranda community. He then presented and reviewed a development report, a copy of which is attached.

Mr. Adamson updated the Board regarding development in Fort Bend County Municipal Utility District No. 207 and construction of the minor connector between US 59 Feeder to Barry Parkway. He stated that they are waiting on approval from Fort Bend County and hope to start construction within 90 days.

## 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 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 II and 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 noted there was no projects or pay estimates for the Board's approval.

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

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 pursuant to Fort Bend County's request. He presented and reviewed two cost estimates and corresponding aeriels, copies of which are attached to the engineer's report. Mr. Dechert stated option one would consist of the levee extension along East Austin Street in the amount of \$481,838. He stated option two would consist of the levee extension along Front Street in the amount of \$965,757. Ms. Lutz noted the new properties protected by the levee extension would not be in the District and therefore not subject to District taxes. Mr. Dechert reported that the Fort Bend County is willing to participate in construction, but noted the County requested the District design the west levee extension, obtain necessary easements, and prepare a cost sharing agreement with the County. Following reviewing and discussion Director Pochyla moved to (1) authorize the engineer to design the west levee extension project consisting of the levee extension along East Austin Street for an estimated cost of \$481,838; and (2) authorize ABHR to negotiate a cost sharing agreement with Fort Bend County and pursue necessary easements. Director Jacks seconded the motion which passed by unanimous vote.

Upon a motion made by Director Pochyla and seconded by Director Jacks, the Board voted unanimously to approve the engineer's report.

#### PREPARATION OF BOND APPLICATION

Mr. Dechert updated the Board regarding the bond application preparation.

#### DISTRICT WEBSITE REVIEW

Ms. Lutz discussed the District website, [www.fblid6.org](http://www.fblid6.org), and stated she will follow up with Off-Cinco regarding locating the District's website via a Google search.

#### DEEDS AND EASEMENTS

There was no discussion regarding this item.

#### RENEWAL OF DISTRICT'S INSURANCE POLICIES

Ms. Lutz reviewed a proposal for the renewal of the District's insurance policies from McDonald & Wessendorff Insurance. After review and discussion, Director Pochyla moved to approve the renewal insurance proposal. Director Jacks seconded the motion, which passed unanimously.

#### PERIMETER LEVEE MATTERS AND NATIONAL ASSOCIATION OF FLOOD AND STORMWATER MANAGEMENT AGENCIES

There was no discussion regarding this item.

FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA")

Ms. Lutz updated the Board regarding the District's 2017 FEMA reimbursement request.

FORT BEND FLOOD MANAGEMENT ASSOCIATION ("FBFMA")

Ms. Lutz discussed membership in the FBFMA.

ADOPT RESOLUTION ESTABLISHING ADDITIONAL OUT-OF-DISTRICT MEETING PLACES

Ms. Lutz presented and reviewed with the Board a Resolution Establishing Additional Out-of-District Meeting Places to establish the office of Costello, Inc., 2107 City West Blvd., 3rd Floor, Houston, Texas 77042, as an additional out-of-District meeting place for District meetings. Ms. Lutz noted that, upon adoption, a notice will be published in a local newspaper. Following review and discussion, Director Jacks moved to (1) adopt the Resolution Establishing Additional Out-of-District Meeting Places and direct that the Resolution be filed appropriately and retained in the District's official records; and (2) authorize ABHR to publish notice in a local newspaper. Director Savage seconded the motion, which carried unanimously.

ITEMS FOR NEXT AGENDA

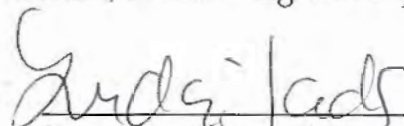
There was no discussion regarding this item.

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

The Board concurred to meet on June 25, 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

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