

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 6

August 27, 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 27th day of August, 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 Greg Gibson, Dale Theirot, Chris Read, and William Walls, residents of the District; Jeff Perry and Ross Autry of Levee Management Systems ("LMS"); Guy Humphrey of Costello, Inc. ("Costello"); Tracey Scott of Myrtle Cruz, Inc.; Cathy Brittain-Drew of Assessments of the Southwest, Inc. ("ASW"); Julie Peak of Masterson Advisors LLC ("Masterson"); Brad Koehl of Yellowstone Landscape - Central, Inc.; Trey Reichert of The Johnson Development Corporation; Roger Adamson of The George Foundation; Mr. Thomas Sikora of KB Home; Howard Cohen of Schwartz, Page & Harding, LLP; and Angela Lutz and Holly Huston of Allen Boone Humphrey Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Gibson inquired about additional landscaping on the District's property along the Serenity Pond (the "Pond") in Fort Bend County Municipal Utility District No. 187 ("MUD 187"). Ms. Lutz informed Mr. Gibson that his request will be addressed by Mr. Perry during his report.

MINUTES

The Board considered approving the minutes from the June 25, 2018, Board of Directors' meeting, which were provided in advance of the meeting. After review and discussion, Director Jacks moved to approve the June 25, 2018, minutes. Director Savage seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Brittain-Drew distributed and reviewed the June and July tax assessor/collector's reports, copies of which are attached. She stated the District's 2017 tax collection rate is 98.54% as of July 31, 2018. Ms. Brittain-Drew then reviewed a delinquent

tax attorney report, a copy of which is attached to the tax assessor/collector's report. After review and discussion, Director Savage moved to approve the tax assessor/collector's report and payment of the tax bills. Director Jacks seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Scott presented to the Board for review and approval the bookkeeper's report and bills, a copy of which is attached. She presented check no. 1722, payable to Nuisance Alligator Removals, in the amount of \$200.00, for relocation of alligator from MUD 187. Following review and discussion, Director Pochyla moved to approve the bookkeeper's report and payment of bills, including check no. 1722 payable to Nuisance Alligator Removals. Director Jacks seconded the motion, which passed unanimously.

In response to questions from the Board, Ms. Lutz discussed Alligator Removal Procedures, a copy of the memorandum is attached.

DISCUSS 2018 TAX RATE, SET PUBLIC HEARING DATE AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

Ms. Peak presented and reviewed a debt service tax rate analysis recommending the District levy a 2018 total tax rate of \$0.50. She reviewed projected maintenance and operations revenue for District operations at various tax rates. A copy of the analysis is attached. The Board discussed the proposed 2018 tax rate. After review and discussion, Director Savage moved to authorize the tax assessor/collector to publish notice in the *Fort Bend Herald* of a public hearing on September 24, 2018, regarding the Board's adoption of a 2018 total tax rate of \$0.50 per \$100 of assessed valuation, with \$0.355 allocated for debt service and \$0.145 allocated for operations and maintenance. Director Pochyla 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. Perry reported LMS is installing updated District signs due to general wear and tear.

Mr. Perry updated the Board on the maintenance of the connecting tube that connects two lakes behind the lake house in MUD 187. He reported that Costello confirmed the District's ownership of the connecting tube and LMS will add the tube to their inspection schedule.

Mr. Perry reported that per the summary of deficiencies in Fort Bend County Drainage District's Preliminary Inspection Report, the access gate at the outfall structure has been installed.

Mr. Perry requested Board authorization to recompact and stabilize the recent erosion repair along Rabbs Bayou.

Mr. Perry discussed Mr. Gibson's request for additional landscaping on District property near the Pond in MUD 187. He reported that additional landscaping may cause erosion to Pond's edges and if so, the Del Webb Sweetgrass Homeowners Association ("HOA"), is financially responsible. Mr. Perry stated that LMS will coordinate with HOA to discuss potential landscaping options that may satisfy Mr. Gibson's request.

Upon a motion made by Director Savage and seconded by Director Jacks, the Board voted unanimously to (1) approve the operator's report; and (2) authorize LMS to recompact and stabilize the Rabbs Bayou sloughing, as discussed.

MOWING OF DISTRICT FACILITIES

Mr. Koehl presented and reviewed a mowing and maintenance report and stated over seeding should occur shortly, weather permitting. A copy of the report is attached.

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.

Mr. Sikora updated the Board regarding development in Williams Ranch Municipal Utility District No. 1.

ENGINEERING MATTERS

Mr. Humphrey updated the Board regarding engineering matters and presented and reviewed an engineer's report, a copy of which is attached.

Mr. Humphrey 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. Humphrey updated the Board regarding construction projects for Veranda Phase II and Veranda drainage ditch and noted that the drainage report for the Veranda Phase II is currently being reviewed by Fort Bend County Drainage District.

Mr. Humphrey updated the Board regarding construction projects for the temporary repairs to the culvert crossing for the Williams Ranch drainage ditch and noted that the 60" inch TxDot storm pipe is expected to be completed by November 2018.

Mr. Humphrey reported that Costello received nine bids on August 15, 2018, for construction of Veranda Detention Pond Phase II. Mr. Humphrey recommended that the Board award the contract to Sonora Construction ("Sonora") in the amount of \$1,764,581.50. The Board concurred that, in its judgement, Sonora was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the Project.

Mr. Humphrey 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. Humphrey updated the Board regarding construction projects for the Rabbs Bayou sloughing repair.

Mr. Humphrey updated the Board regarding construction projects for the shoreline repair of Del Webb Pond No. 1 (Serenity Pond).

Mr. Humphrey updated the Board regarding the surveying and engineering for the West Levee Extension pursuant to Fort Bend County's request. He noted the project is currently under design.

Following review and discussion, Director Pochyla moved to (1) approve the engineers report; and (2) award the contract for construction of Veranda Detention Pond Phase II to Sonora in the amount of \$1,764,581.40, based upon the engineers recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Jacks seconded the motion, which passed unanimously.

BOND APPLICATION, INCLUDING UPDATES REGARDING THE SAME

Ms. Lutz and Ms. Peak updated the Board regarding the status of the bond application.

DISTRICT WEBSITE REVIEW

Ms. Lutz discussed the District website, www.fblid6.org, and reviewed the monthly analysis report. A copy of the report is attached.

DEEDS AND EASEMENTS

There was no discussion regarding this agenda item.

PERIMETER LEVEE MATTERS AND NATIONAL ASSOCIATION OF FLOOD AND STORMWATER MANAGEMENT AGENCIES ("NAFSMA"), INCLUDING APPROVE ATTENDANCE AT 2019 NAFSMA CONFERENCE

Ms. Lutz presented and reviewed a NAFSMA report and agenda from the 2018 conference. Copies of which are attached.

FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") APPLICATIONS FOR FUNDING

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

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 offices of Fort Bend County Office of Emergency Management, 307 Fort St., Richmond, Texas 77469, Morton Lodge, 211 Morton St, Richmond, Texas 77469, Sandy McGee's Restaurant, 314 Morton St., Richmond, Texas 77469, and Tiger Dam Storage Facility, 17310 West Grand Parkway South, Sugar Land, Texas 77479, as 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 Savage 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 Jacks seconded the motion, which carried unanimously.

ADOPT RESOLUTION ESTABLISHING ADDITIONAL IN-DISTRICT MEETING PLACES

Ms. Lutz presented and reviewed with the Board a Resolution Establishing Additional In-District Meeting Places to establish the Del Webb Lakehouse, 707 Del Webb Blvd Richmond, Texas 77469, and H-E-B Grocery, 23500 Berry Parkway, Richmond, Texas 77469, as additional In-District meeting places for District meetings. Following review and discussion, Director Savage moved to adopt the Resolution Establishing Additional In-District Meeting Places and direct that the Resolution be filed appropriately and retained in the District's official records. Director Jacks seconded the motion, which carried unanimously.

ITEMS FOR NEXT AGENDA

There was no discussion regarding this agenda item.

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

The Board concurred to meet on September 24, 2018, at 12:00 p.m. at The George Foundation.

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 determined that it was not necessary to meet in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING CONTEMPLATED LITIGATION OR SETTLEMENT OFFER

The Board did not convene in executive session.

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

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

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board did not convene in executive session.

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>
Tax assessor/collector's reports	1
Bookkeeper's report and bills	2
Alligator Removal Procedures.....	2
Tax rate recommendation letter and analysis.....	2
Operator's report	2
Mowing and Maintenance Report.....	3
Johnson Development Report.....	3
Engineer's report.....	3
Website Analysis Report.....	4
NASFMA Conference Report	5
NAFSMA Conference Agenda.....	5

ITEMS FOR NEXT AGENDA

There was no discussion regarding this agenda item.

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

The Board concurred to meet on September 24, 2018, at 12:00 p.m. at The George Foundation.

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 determined that it was not necessary to meet in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING CONTEMPLATED LITIGATION OR SETTLEMENT OFFER

The Board did not convene in executive session.

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

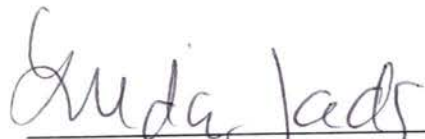
The Board determined it was not necessary to convene in executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board did not convene in executive session.

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




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax assessor/collector's reports.....	1
Bookkeeper's report and bills.....	2
Alligator Removal Procedures.....	2
Tax rate recommendation letter and analysis.....	2
Operator's report.....	2
Mowing and Maintenance Report.....	3
Johnson Development Report.....	3
Engineer's report.....	3
Website Analysis Report.....	4
NASFMA Conference Report.....	5
NAFSMA Conference Agenda.....	5