

## FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

### NOTICE OF SPECIAL PUBLIC MEETING

Notice is hereby given to all interested members of the public that the Board of Directors (the "Board") of the above captioned District will hold a special public meeting **via videoconference and telephone conference call** pursuant to Texas Government Code, Sections 551.125 and 551.127, as amended, respectively, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas. All members of the public may participate in the meeting via videoconference or telephone conference call. To join the meeting by videoconference, please go to <https://global.gotomeeting.com/join/429358981>. If joining from a Chrome browser, no additional steps are necessary. For Safari, Edge, and other web browsers, you will need to take additional download steps for mobile- or desktop-based use. To join the meeting by telephone conference call, the phone number is **1-877-568-4106 (toll free)** and the access code is **429358981#**.

The meeting will be held on *Tuesday, June 16, 2020, at 5:30 P.M.*

The Board shall consider and discuss the following matters and take any action necessary or appropriate with respect to such matters:

1. **CALL TO ORDER, INCLUDING EXPLANATION OF MEETING PROCEDURES;**
2. **PUBLIC COMMENTS;**
3. **SERIES 2020 BONDS RELATED TO BRAZOS RIVER BANK EROSION CONTROL PROJECT (THE "RIVER EROSION PROJECT")**, including status of the District's bond application report in connection with the District's \$60,105,000 Bond Issue, Series 2020 (the "Bonds"), including review of Order of the Texas Commission on Environmental Quality authorizing issuance of same, and take the following actions related to the Bonds:
  - a. Review and approve Preliminary Official Statement and Official Notice of Sale;
  - b. Authorize the District's Financial Advisor to advertise for the sale of the Bonds;
  - c. Approval of designation of Paying Agent/Registrar; and
  - d. Authorize Bookkeeper to issue payment for Attorney General's fees;
4. **GENERAL MANAGER'S REPORT**, including review and approval of Task Order(s) proposed by Mike Stone Associates, Inc.;
  - a. Status of management of River Erosion Project, including:

- (i) Status of negotiations with AECOM Technical Services, Inc. ("AECOM") regarding Professional Services Agreement to complete design and provide other engineering, consulting and construction management services; communications with Texas Division of Emergency Management ("TDEM") and FEMA regarding same in relation to compliance with Hazard Mitigation Grant Program ("HMGP");
  - (ii) Status of communications with TDEM regarding Phase I Award from FEMA under the HMGP;
  - (iii) Status of preparation of Request for Modifications to Scope of Work, Budget, and Period of Performance for HMGP;
  - (iv) Authorize any actions necessary or appropriate in connection with the HMGP;
  - (v) Status of Right of Entry and Indemnity Agreement with the New Territory Residential Community Association, Inc. (the "NTRCA") to conduct cultural and environmental investigations and assessment on NTRCA land in connection with the River Erosion Project;
  - (vi) Status of acquisition of real property interests from the NTRCA for the River Erosion Project and preparation of Settlement Agreement with the NTRCA regarding same; and
  - (vii) Status of communications with CenterPoint Energy regarding planned relocation of certain transmission towers;
- b. Status of management of External Drainage Channel Erosion Control Project, including compliance with grant funding agreement with the USDA Natural Resources Conservation Service ("NRCS"); status of reimbursement requests to NRCS; authorize any actions necessary or appropriate in connection with said grant program;
  - c. Status of Financial Management Plan and implementation of same;
  - d. Consider Task Orders for project management consulting services for:
    - (i) New Stormwater Pump Station Project; and
    - (ii) Detention and Drainage Projects;
5. **ENGINEERING REPORT FOR RIVER EROSION PROJECT**, including review and approval of Task Orders proposed by AECOM;
- a. Discussion regarding project procurement, budgeting, insurance, financing, scheduling and proposed path forward;
  - b. Status of 30% design;
  - c. Status of Texas Historical Commission (the "THC"), and U.S. Army Corps of Engineers permitting; and
  - d. Coordination with other local governmental entities;

6. **ENGINEERING REPORT FOR OTHER CAPITAL IMPROVEMENT PROJECTS**, including review and approval of Task Order(s) proposed by LJA Engineering, Inc. ("LJA");
- a. Stormwater Pump Station Improvements and New Stormwater Pump Station Project (the "Pump Station Projects"), including:
    - (i) Preliminary engineering studies;
    - (ii) Proposals and cost estimates for engineering, environmental, and construction;
    - (iii) Status of acquisition of real property interests for Pump Station Projects; adoption of Resolution Declaring the Existence of a Public Necessity and Authorizing Acquisition by Donation, Purchase, or Exercise of the Power of Eminent Domain of Real Property; and
    - (iv) Consider engagement of The Holloway Jones Law Firm for Legal Services related to the acquisition of real property interests for Pump Station Projects;
  - b. Detention and Drainage Improvements and Facilities Projects (the "Detention and Drainage Projects"), including:
    - (i) Preliminary engineering studies;
    - (ii) Proposals and cost estimates for engineering, environmental, and construction;
    - (iii) Acquisition of real property interests for Detention and Drainage Projects; adoption of Resolution Declaring the Existence of a Public Necessity and Authorizing Acquisition by Donation, Purchase, or Exercise of the Power of Eminent Domain of Real Property;
    - (iv) Consider engagement of Hunton Andrews Kurth LLP for legal services related to the acquisition of real property interests for Detention and Drainage Projects;
    - (v) Matters related to acquisition of Reid property, including survey and due diligence review of property pursuant to Purchase and Sale Agreement; approval of Berg-Oliver Associates, Inc. (LJA) subcontracting of Horizon Environmental Services, Inc. for Intensive Cultural Resources Survey and Assessment (Antiquities Code of Texas); ratify prior approval of Antiquities Permit Application Form to the THC related to Intensive Cultural Resources Survey and Assessment; proposal from Property Acquisition Services related to negotiating with dry utility companies and approval of contract regarding same; and
    - (vi) Installation of storm water gauges, including locations for same;
  - c. External Drainage Channel Erosion Control Project, including:
    - (i) Status of construction (Longhorn Excavators, Inc.), including approval of any pay estimates and/or change orders; and
    - (ii) Discussion regarding scope of responsibility of LJA and SWCA,

respectively; approval of Assignment and Assumption of Master Subconsultant Services Agreement between the District and LJA; approval of Amended and Restated Master Subconsultant Services Agreement between the District and SWCA; approval of Amended Task Order No. 5 to LJA; approval of proposal from SWCA to manage and implement the first two (2) years of operation and maintenance, monitoring, and reporting requirements in conformance with grant funding agreement with NRCS;

- d. Reclaimed Water Project, including:
  - (i) Landscaping and Irrigation Improvements for Reclaimed Water Plant; and
  - (ii) Connections to lakes for providing make-up water;
- e. Status of Abridged Applications to the Texas Water Development Board for Flood Infrastructure Fund Assistance (SB7) related to the River Erosion Project and the Pump Station Projects/Detention and Drainage Projects;

7. **ATTORNEY'S REPORT;**

8. **WEBSITE AND COMMUNICATIONS MATTERS;**

9. **CLOSED SESSION** – If necessary, the Board will adjourn to Closed Session as this point in the meeting to consider the following items; however, the Board reserves the right to adjourn to Closed Session at any time during the course of this meeting as allowed by law.

- a. Consultation with District's attorney regarding matters protected by attorney-client privilege pursuant to Open Meetings Act, Texas Government Code, Sections 551.071, and/or consider matters related to the acquisition of real property interests pursuant to Open Meetings Act, Texas Government Code, Sections 551.072;

10. **RECONVENE IN OPEN SESSION** – The Board will reconvene in Open Session at this point in the meeting, and if necessary, take action on any agenda item discussed in Closed Session;

11. **ANNOUNCEMENTS / FUTURE AGENDA;** and

12. **ADJOURN.**

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

SCHWARTZ, PAGE & HARDING, L.L.P.

(SEAL)

By: /s/ Christopher T. Skinner  
Christopher T. Skinner  
Attorney for the District

***Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact the District's attorney at (713) 623-4531 at least three business days prior to the meeting so that appropriate arrangements can be made.***

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