

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/374408469>. 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 **1-877-309-2073 (toll free)** and the access code is **374408469#**.

The meeting will be held on *Tuesday, May 19, 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. **STATUS OF BOND APPLICATION REPORT TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") FOR THE BRAZOS RIVER BANK EROSION CONTROL PROJECT (THE "RIVER EROSION PROJECT");**
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 TDEM and FEMA regarding same in relation to compliance with Hazard Mitigation Grant Program ("HMGP");
 - (ii) Status of other 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) Status of submission of first request for reimbursement to TDEM pursuant to the HMGP;
 - (v) Authorize any actions necessary or appropriate in connection with the HMGP;
 - (vi) Status of cultural investigation for environmental assessment on land of the New Territory Residential Community Association, Inc. ("NTRCA"); approve Temporary Right of Entry Agreement(s) with the NTRCA regarding same, if necessary;
 - (vii) Status of acquisition of real property interests from NTRCA for the River Erosion Project; and
 - (viii) 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; and
 - c. Status of Financial Management Plan and implementation of same;
5. **ENGINEERING REPORT FOR RIVER EROSION PROJECT**, including review and approval of Task Orders proposed by AECOM Technical Services, Inc. ("AECOM");
- a. Discussion regarding project procurement, budgeting, insurance, financing, scheduling and proposed path forward;
 - b. Status of 30% design;
 - c. Status of 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 Drainage and Detention Improvements Projects, including:
 - (i) Status of Internal Drainage Study;
 - (ii) Status of Internal Topographic Survey;
 - (iii) Review proposals and cost estimates for engineering, environmental, and construction for new pump station improvements project options;
 - (iv) Review proposals and cost estimates for engineering, environmental, and

- construction for drainage and detention improvements project options;
 - (v) Status of acquisition of real property interests for improvements projects; engagement of condemnation counsel regarding same; 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;
 - (vi) Status of preparation of abridged application to Texas Water Development Board for Senate Bill 7 grant funding for this and other District flood infrastructure projects; and
 - (vii) Status of survey and due diligence review of Reid property pursuant to Purchase and Sale Agreement;
 - b. External Drainage Channel Erosion Control Project, including:
 - (i) Status of construction (Longhorn Excavators, Inc.), including the approval of any change orders and/or pay estimates; and
 - (ii) Discussion regarding scope of responsibility of LJA and SWCA, respectively; approval of Assignment and Assumption Agreement between the District and 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;
 - c. Reclaimed Water Project, including:
 - (i) Landscaping and Irrigation Improvements for Reclaimed Water Plant; and
 - (ii) Connections to lakes for providing make-up water;

7. ATTORNEY'S REPORT;

8. WEBSITE AND COMMUNICATIONS MATTERS; ratify prior action approving purchase of videoconferencing capabilities;

9. CLOSED SESSION – If necessary, the Board of Directors will adjourn to Closed Session as this point in the meeting to consider the following items; however, the Board of Directors 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.**

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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