

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, September 15, 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 SERIES 2020 BONDS RELATED TO BRAZOS RIVER BANK EROSION CONTROL PROJECT (THE "RIVER EROSION PROJECT"),** including:
 - a. Review, approve and authorize the filing of Internal Revenue Service Form 8038-G relative to the District's \$60,100,000 Unlimited Tax Levee Improvement Bonds, Series 2020 (the "Bonds");
 - b. Review and discussion of correspondence from bond counsel regarding expenditure and investment of bond proceeds and Internal Revenue Service restrictions on same;
 - c. Authorize execution of an Amendment to the District's Amended and Restated District Information Form; and

- d. Act upon any other matters in connection with the issuance of the Bonds, including the approval and execution of various closing documents and authorization for Bond Counsel to approve closing on the sale of the Bonds;
4. **PROJECT 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) Consideration of draft Professional Services Agreement with AECOM Technical Services, Inc. ("AECOM") 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) Acquisition of real property interests from New Territory Residential Community Association, Inc. ("NTRCA") for the River Erosion Project; and
 - (v) 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;
- 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, including cultural and environmental investigations and assessment on NTRCA land; review and approval of Change No. 1 to Task Order No. 10 pursuant to Master Engineering Services Agreement for the Brazos River Bank Stabilization Project dated February 7, 2019, between the District and AECOM; 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) Review and approval of Task Order No. 11 pursuant to Master Agreement for Professional Engineering Services dated February 7, 2019 between the District and LJA (the "LJA Agreement") for design-phase and construction-phase engineering services;
 - (iii) Status of acquisition of real property interests; and
 - (iv) Financing and scheduling;
 - b. Detention and Drainage Improvements and Facilities Projects (the "Detention and Drainage Projects"), including:
 - (i) Preliminary engineering studies;
 - (ii) Review and approval of Task Order No. 12 pursuant to the LJA Agreement for design-phase and construction-phase engineering services;
 - (iii) Acquisition of real property interests;
 - (iv) Status of due diligence investigations of Reid property under contract, including dry utilities investigations and negotiations regarding relocating same, if applicable; and
 - (v) Financing and scheduling;
 - c. External Drainage Channel Erosion Control Project, including:
 - (i) Discussion regarding repairing recent erosion of channel improvements and financing of said repairs; and
 - (ii) Engagement of Andrews Myers, P.C. as construction law counsel;
 - 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 Internal Flood Reduction Project; and
 - f. Installation of storm water gauges, including locations for same; coordination with local governmental entities regarding same;

7. **ATTORNEY'S REPORT**, including:
 - a. Status of real property acquisition from Bonnie Reid;
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**.

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

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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