

MINUTES
HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4

March 9, 2018

The Board of Directors (the "Board") of Harris County Improvement District No. 4 d/b/a The Energy Corridor District (the "District") met in regular session, open to the public, on the 9th day of March, 2018, at 777 Eldridge Parkway, Suite 270, Houston, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

David W. Hightower	President
Robert Halick	Vice President
Brandon Kerr	Assistant Secretary
D. Bruce Fincher	Director
Peter Elgohary	Director
Peter D. Johnston	Director
Tom Halaska	Director
Peter Lee	Director
David L. Lane	Director

and all of the above were present except Directors Hightower and Lee, thus constituting a quorum.

Also present at the meeting were Mark Klein; Sue Darcy and Alan Mueller of Marsh Darcy Partners, Inc.; Glen Marshall of Kimley-Horn & Associates, Inc.; Keti Hristova and Gerry de Camp of KBH Traffic Engineering, LLC ("KBH"); Randy Schulze of Walter P. Moore; Ali Lamkahouan, Controller for the District; Kelly Rector, TDM Program Manager for the District; Fabiana Demarie, Urban Planner for the District; Robert Rayburn, Landscape Architect for the District; Rachael Weaver, Community Relations Coordinator for the District; Michelle Lofton of ETI Bookkeeping Services; Pat Hall of Equi-Tax, Inc.; Scott Saenger and Kristen Hennings of Jones | Carter; Sergeant Phillip Bennett of Harris County Constable Precinct 5; and Jessica Carr and Kristen Hogan of Allen Boone Humphries Robinson LLP ("ABHR").

ESTABLISH A QUORUM AND CALL THE MEETING TO ORDER

Having established that a quorum of the Board was present, Director Halick called the meeting to order.

MINUTES

The Board first considered the minutes of the February 9, 2018, regular meeting. Following discussion and review, Director Fincher moved to approve the minutes as submitted. The motion was seconded by Director Halaska and passed unanimously.

APPROVE SWORN STATEMENT, OATH OF OFFICE, AND OFFICIAL BOND OF DAVID L. LANE

The Board considered approving the Sworn Statement, Oath of Office, and Official Bond of Director Lane in connection with his appointment to the Board at the prior meeting. After review and discussion, Director Fincher moved to approve the Sworn Statement, Oath of Office, and Official Bond executed by Director Lane and direct that the documents be filed in the official records of the District, and that the Oath of Office be filed with the Secretary of State, as required by law. Director Elgohary seconded the motion, which passed unanimously.

REORGANIZE THE BOARD AND AUTHORIZE EXECUTION OF DISTRICT REGISTRATION FORM

The Board considered reorganizing. Ms. Hogan stated that the District is required to file an updated District Registration Form with the Texas Commission on Environmental Quality reflecting the new Board member and any changes in officer positions. After review and discussion and upon a motion made by Director Kerr and seconded by Director Elgohary, the Board voted unanimously to reorganize and authorize execution and filing of an updated District Registration Form reflecting the new Board member and the following positions:

David W. Hightower	President
Robert Halick	Vice President
Brandon Kerr	Assistant Secretary
D. Bruce Fincher	Secretary
Peter Elgohary	Director
Peter D. Johnston	Director
Tom Halaska	Director
Peter Lee	Director
David L. Lane	Director

OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

Ms. Carr presented a memorandum to Director Lane regarding the Open Meetings Act and Public Information Act training requirements. She stated that each elected or appointed public official is required to complete a course of training regarding responsibilities of the governmental body and its members under the Texas Open Meetings Act, Chapter 551, within 90 days of taking the oath of office. Ms. Carr then discussed the methods by which Director Lane can receive the required training and requested that he forward his certificate of completion to ABHR for the District's records.

CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE

TEXAS LOCAL GOVERNMENT CODE,

Ms. Carr reviewed a memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission. She stated that pursuant to Chapter 176 of the Texas Local Government Code, the District is required to maintain a List of Local Government Officers. Ms. Carr reviewed the updated List of Local Government Officers. After review and discussion, Director Kerr moved to approve and authorize execution of the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. Director Johnston seconded the motion, which passed unanimously.

ASSESSMENT AND COLLECTION MATTERS AND STATUS OF HARRIS COUNTY APPRAISAL DISTRICT LAWSUITS

Ms. Hall reviewed the assessment collector's report for February with the Board. She also reviewed a chart regarding the status of District assessment payers' lawsuits against the Harris County Appraisal District. Following discussion and review, Director Fincher moved to accept the assessment collector's report. The motion was seconded by Director Elgohary and passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Lofton reviewed the February financial report with the Board, including the bills presented for payment from the District's accounts. Following review and discussion, Director Halaska moved to approve the bookkeeper's report and payment of the bills presented in the report. Director Fincher seconded the motion, which was approved by unanimous vote.

Ms. Carr stated that in accordance with the District's Investment Policy, Ms. Lofton as the District's bookkeeper and Kenneth Byrd as the District's Investment Officer are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. She added that the disclosure statements will be filed with the Texas Ethics Commission. The Board reviewed the executed disclosure statements submitted by Ms. Lofton and Mr. Byrd.

The Board conducted an annual review of the District's Investment Policy and considered adoption of an Amended Investment Policy. Ms. Holoubek stated that the Public Funds Investment Act and the District's Investment Policy require that the District annually review its investment policy. She stated there are no recommended changes to the current investment policy and reviewed a Resolution Regarding Annual Review of Investment Policy with the Board.

Ms. Holoubek said the District is also required to annually review the list of qualified broker/dealers with whom the District may engage in investment transactions. She reviewed a Resolution Establishing Authorized Depository

Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and noted that the bookkeeper has provided an updated list of depository institutions and broker/dealers with whom the District may engage in such transactions.

Following discussion and review, Director Fincher moved to take the following actions and direct that these documents be filed appropriately and retained in the District’s official records: (1) accept the annual disclosure statements for the bookkeeper and Investment Officer; (2) adopt the Resolution Regarding Annual Review of Investment Policy reflecting no changes to the current investment policy; and (3) adopt the Resolution Establishing Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. Director Kerr seconded the motion, which carried by unanimous vote.

PARK ROW COMPLETION PROJECT

Mr. Lamkahouan reviewed the monthly expenses for Phase II of the Park Row Completion Project totaling \$6,591.25, which were reflected in the bookkeeper’s report. After review and discussion, Director Fincher moved to approve payment of the monthly expenses for Phase II of the Park Row Completion Project. Director Elgohary seconded the motion, which passed unanimously.

ECD ADMINISTRATIVE

2018 VARIANCE BUDGET

Mr. Lamkahouan distributed and reviewed the 2018 budget/forecast summary with the Board. Discussion ensued regarding the projected timing for expenditures associated with the Memorial Dr./Eldridge Pkwy. intersection project. Ms. Demarie reported that the City of Houston’s (the “City”) paving improvements are delayed until March 2019, which delays the District’s landscaping improvements.

ECD PUBLIC SAFETY AND SECURITY PROGRAM

Sergeant Bennett reported on February patrols and activity.

JONES | CARTER PROPOSAL FOR FLOOD STUDY COST ESTIMATES

The Board reviewed a proposal from Jones | Carter to prepare conceptual cost estimates for potential improvements to Buffalo Bayou (from the Barker Reservoir to Chimney Rock) that could reduce flooding during major rainfall events. Ms. Carr reviewed correspondence from Director Hightower supporting approval of the proposal. Ms. Hennings responded to questions regarding the estimated accuracy of the cost estimates to be developed and the timeline for completion of the work. After review and discussion, Director Halaska moved to approve the proposal in the

maximum amount of \$10,000. Director Elgohary seconded the motion, which passed unanimously.

ECD URBAN PLANNING

MEMORIAL DR. AND ELDRIDGE PKWY. PROTECTED INTERSECTION:
TRAFFIC CONTROL PLAN PRESENTATION

Ms. Demarie introduced Mr. Marshall who gave a presentation on the traffic control plans developed for the Memorial Dr./Eldridge Pkwy. intersection project. Mr. Marshall reviewed the various phases of the plan, noting the initial and final steps to remove and replace curbs and medians are not reflected in the phasing plan. Discussion ensued regarding the City’s schedule for completion of its paving portion of the project. Mr. Marshall said the City’s contractor requested an additional three months be added to the schedule based on the District’s increased scope for landscaping improvements and coordination of multiple contractors onsite simultaneously. He responded to questions from the Board regarding projected traffic impacts during construction and said he would forward the traffic count data previously collected to the Board. The Board discussed the importance of advance communication of traffic impacts associated with the project. Mr. Marshall discussed changes to the City’s plans so that road closures only will occur on nights and weekends. Director Fincher asked District staff to coordinate a separate email blast to the newsletter distribution list providing a monthly update on the status of the project, traffic issues, and alternate routes. Director Lane added the notices should also indicate the expected duration of the traffic impact.

DESIGN GUIDELINES AND STREETScape AMENITIES PROJECT

Ms. Demarie discussed plans for District staff to develop standard design guidelines and streetscape features to create a unique, uniform look and feel within the District. She said staff will solicit input from stakeholders and property owners and will meet with the various property owners associations within the District to review their existing guidelines and restrictions and discuss common plans and elements that could be implemented throughout the District. Ms. Demarie said a report will be presented to the Board reflecting the existing streetscape amenities and proposed new amenities and signature elements. Director Kerr encouraged staff to look into unique elements and design standards that have been implemented in other areas and/or cities. Mr. Rayburn stated that the final standards could be submitted to the City for approval to minimize future plan reviews and approvals.

ECD TRANSPORTATION & TDM

ELDRIDGE PARKWAY SOUTHBOUND REALIGNMENT AT PARK ROW/DAIRY ASHFORD UPDATE

Ms. Rector discussed the two-lane stretch of Eldridge Parkway in front of the Omni Hotel between Interstate Highway 10 (“IH 10”) and N. Dairy Ashford. She reported that the City has agreed to pay for the expansion/realignment and she reviewed the project phases and traffic control plan developed by KBH. Ms. Rector said she will send a more detailed schedule for the project to the Board upon receipt, but she estimated the project would begin in the next month and last approximately 60 days.

PARK ROW TRAFFIC STUDY RECOMMENDATIONS UPDATE

Ms. Rector discussed the proposal that was approved by the Board at the beginning of 2017 for KBH to evaluate traffic pattern changes on Park Row and surrounding roads as a result of the completion of Park Row. She reviewed recommendations developed by KBH to improve traffic mobility on and around Park Row, noting most of the recommendations will be implemented at the City’s cost. Ms. Rector said the short-term recommendations should be implemented within the next six months and the long-term recommendations should be implemented in the next 5-10 years.

BIKE RACK INSTALLATION AGREEMENT WITH WILLIAMS ARCHITECTURAL SIGNAGE AND CONSULTING LLC

Ms. Rector reviewed a proposal from Williams Architectural Signage and Consulting to install custom bike racks at local businesses within the District. She requested authorization for District staff to issue work orders with the vendor as installation requests are received for a total cost not to exceed \$6,000, which is the amount included in the District’s 2018 budget for bike rack installations. After review and discussion, Director Kerr moved to approve the proposal and authorize staff to issue work orders as needed for a total cost not to exceed \$6,000. Director Fincher seconded the motion, which passed unanimously.

ENTERPRISE CARSHARE UPDATE

Ms. Rector updated the Board on the District’s CarShare program, noting a focus on the four most-utilized locations. She reviewed usage data and responded to questions from Director Lane regarding the associated monthly cost to the District. Ms. Rector discussed the increased usage that would be required for Enterprise to provide the service at no cost to the District. She added that the District is currently in the fifth year of the 5-year program and can consider whether to continue participating in the program upon completion of the term.

ECD PROJECT MANAGEMENT

2016-2017 SIDEWALK PROJECT UPDATE

Mr. Rayburn updated the Board on the 2016-2017 sidewalk improvements on Memorial Dr. and Dairy Ashford Rd., noting the Board's prior action to award the contract to RAC Industries, LLC. He reported that a notice to proceed was issued effective March 5, 2018, with a projected completion date of June 4, 2018.

LANGHAM CREEK PARK

Mr. Rayburn discussed plans outlined in the District's master plan for development of a signature/destination park within the District. He noted funds included in the 2018 budget for design development services associated with the project. Mr. Rayburn requested authorization to solicit proposals from design professionals for a signature park along Langham Creek. After discussion, the Board concurred to authorize staff to solicit design development proposals.

SH 6/GRISBY SIGNAL WARRANT STUDY UPDATE

Mr. Rayburn discussed the prior signal warrant studies prepared for the possible installation of traffic signals at the intersections of the State Highway 6 ("SH 6") frontage roads at Grisby Road. He said it appears the project will not move forward due to a lack of governmental agency support.

IH 10 FRONTAGE ROAD SAFETY IMPROVEMENT UPDATE

Messrs. Rayburn and Schulze reported on prior studies and efforts to coordinate with the City and the Texas Department of Transportation ("TxDOT") to identify long-term solutions to address traffic speeds and congestion along the IH 10 eastbound frontage road between SH 6 and Eldridge Pkwy. Mr. Schulze said TxDOT indicated it would consider recommendations to add acceleration and deceleration lanes if another entity was willing to fund all of the costs, including utility relocations. Discussion ensued regarding the significant cost associated with the work in TxDOT right-of-way and the limited options for the District to minimize congestion along the frontage road, including the possibility of making a private access road along the frontage road one-way instead of two-way. Director Fincher questioned the need to relocate utilities instead of paving over existing utilities and installing new ones. After discussion, Mr. Rayburn said he will review the records and look into options.

LOCAL INITIATIVE PROJECT (LIP) GRANT UPDATE

Mr. Rayburn next updated the Board on the Local Initiative Project bus shelter/sidewalk grant project. He discussed concerns with meeting the completion deadline of August 31, 2018, due to delays in plans reviews by governmental agencies. Mr. Rayburn said there was no recommended action on this item, pending further evaluation of the likelihood of meeting the deadline under the grant agreement.

UPDATE ON IH 10 TRANSPORTATION ENHANCEMENT PROJECT

Mr. Rayburn reviewed proposed Change Order No. 4 to the Advance Funding Agreement with TxDOT for the IH 10 Intersections Enhancement Project, which increases the contract amount by \$978.21 for irrigation relocations. He noted that payment for the District's 20% share of the total project expenses will not be owed until the project is complete and an audit of actual expenses is conducted, which is expected within 60 days. After review and discussion, Director Johnston moved to approve Change Order No. 4 to the Advance Funding Agreement. Director Fincher seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A DISTRICT EMPLOYEE

At 10:28 a.m., Director Halick announced that the Board would meet in executive session pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of District employees. All attendees left the meeting except the Board members, Ms. Carr, Ms. Hogan, Ms. Darcy, and Mr. Mueller. At 10:44 a.m., Ms. Darcy and Mr. Mueller left the meeting.

RECONVENE IN OPEN SESSION

At 10:50 a.m., Director Halick announced that the Board would reconvene in open session. Directors Kerr and Elgohary left the meeting. Upon reconvening in open session, Director Halaska moved to establish a District policy of 12 weeks paid maternity leave for District employees. Director Johnston seconded the motion, which passed by unanimous vote.

COMMUNITY RELATIONS

EVENTS UPDATE

Ms. Weaver updated the Board on various upcoming events within the District, including a St. Patrick's Day event, the BP MS150, and a Kolache Factory Challenge 5K. She discussed an opportunity for the District to sponsor the water stations for the Kolache Factory Challenge 5K for a cost of \$2,500, and reviewed the sponsorship details. After discussion, Director Johnston moved to approve sponsorship of the Kolache Factory Challenge 5K in the amount of \$2,500. Director Fincher seconded the motion, which carried unanimously.

FARMERS MARKET

Ms. Weaver reported on the new marketing manager hired for the Farmers Market. She also discussed plans to meet with Watson's House of Ales to address potholes in the lot where the Farmers Market is held.

NEXT MEETING

The Board discussed next month's meeting date and concurred to hold the next regular Board meeting on April 13, 2018, subject to confirming a quorum.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned.

Secretary, Board of Directors

(SEAL)