

MINUTES  
HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4

November 14, 2014

The Board of Directors (the "Board") of Harris County Improvement District No. 4 d/b/a The Energy Corridor Management District (the "District") met in regular session, open to the public, on the 14th day of November, 2014, at 14701 St. Mary's Lane, Suite 290, 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
Steve West	Secretary
Steve Moskowitz	Assistant Secretary
D. Bruce Fincher	Director
Sean Tackett	Director
Peter D. Johnston	Director
Chuck Cervas	Director
Debbie Fujimoto	Director

and all of the above were present except Directors Moskowitz, Tackett, Johnston, and Cervas, thus constituting a quorum.

Also present at the meeting were Clark Martinson, General Manager for the District; Katherine Wallace, Finance and Economic Development Manager for the District; Rachael Weaver, Community Relations Coordinator for the District; Mark Klein; Shaun Gray of Gray & Associates Events; John Nuñez, Transportation Manager for the District; Robert Rayburn, Senior Project Manager for the District; Joshua Bowie of eSiteful; Pat Hall of Equi-Tax, Inc.; Michelle Lofton of ETI Bookkeeping Services; Darren Willis of Jones & Carter, Inc.; and Jessica Holoubek and Kristen Hogan of Allen Boone Humphries Robinson LLP.

ESTABLISH A QUORUM AND CALL THE MEETING TO ORDER

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

MINUTES

The Board first considered the minutes of the October 10, 2014, regular meeting. Following discussion and review, Director Fincher moved to approve the minutes as submitted. The motion was seconded by Director West and passed unanimously.

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

Ms. Hall reviewed the assessment collector's report for October, a copy of which is attached. She also reviewed a chart regarding the status of District assessment payers' lawsuits against the Harris County Appraisal District. Following discussion and review, Director West moved to accept the assessment collector's report. The motion was seconded by Director Halick and passed by unanimous vote.

HEARING EXAMINER'S REPORT REGARDING SUPPLEMENTAL ASSESSMENT ROLL

Ms. Holoubek reported on the District's supplemental assessment hearing held on November 11, 2014. The Board reviewed the Hearing Examiner's Report and Proposal for Decision relating to the hearing. Following review and discussion, Director Fincher made a motion to accept the Hearing Examiner's Report and Proposal for Decision. The motion was seconded by Director Fujimoto and carried unanimously.

COMMENTS FROM THE PUBLIC REGARDING SUPPLEMENTAL ASSESSMENT ROLL

There were no comments from the public regarding the supplemental assessment roll.

ORDER SUPPLEMENTING THE ASSESSMENT ROLL; LEVYING ASSESSMENTS AGAINST THE PROPERTY ON THE SUPPLEMENTAL ASSESSMENT ROLL FOR THE REMAINDER OF THE TEN-YEAR PERIOD; AND SETTING THE RATE OF ASSESSMENT FOR THE YEAR 2013

Ms. Holoubek reviewed the Order Supplementing the Assessment Roll; Levying Assessments Against the Property on the Supplemental Assessment Roll for the Remainder of the Ten-Year Period; and Setting the Rate of Assessment for the Year 2014 (the "Order"). She stated that the Order adopts the findings from the Hearing Examiner's Report and Proposal for Decision. Following review and discussion, Director Fincher made a motion to adopt the Order. Director Fujimoto seconded the motion, which carried unanimously.

AMENDMENT TO INFORMATION FORM

Ms. Holoubek stated that the District's Amendment to Information Form will be updated to reflect the 2014 assessment rate. Following discussion, Director Fincher made a motion to authorize execution of the Amendment to Information Form. Director Fujimoto seconded the motion and it passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Lofton reviewed the October cash management, capital funds and investment report, a copy of which is attached, and reviewed the bills presented for payment from the District's accounts. Following review and discussion, Director West moved to approve the bookkeeper's report and payment of the bills presented in the report. Director Fujimoto seconded the motion, which was approved by unanimous vote.

## 2014-15 COMPENSATION COMMITTEE

The Board considered establishing a committee to meet with District staff to review the previous year's accomplishments and goals for the coming year and to decide on salaries and merit pay. The Board agreed that Directors Halick, Hightower, and West will serve on the 2014-15 compensation committee.

## 2014 YTD VARIANCE, PRELIMINARY 2015 AND 5-YEAR/20-YEAR BUDGETS

Ms. Wallace reviewed the year-to-date budget summary, a copy of which is attached. She also reviewed a preliminary 2015 budget. Mr. Martinson reviewed a 2015-2034 forecast budget. He reviewed proposed projects as well as projected revenues and expenses.

## ENERGY CORRIDOR DISTRICT 2015-2034 SERVICE PLAN

Mr. Martinson reported on preparation of petitions for the new 2015-2034 Service Plan by District staff and distribution of the petitions to property owners in the District. He noted the District must receive petitions from the owners of a majority of the assessed value of real property within the District, as determined by the 2014 certified Harris County property tax rolls, before the preliminary 2015 tax roll is released.

## TEXAS A&M UNIVERSITY URBAN PLANNING AND LANDSCAPE ARCHITECTURE PROPOSAL

Mr. Martinson reported on two new proposals submitted by professors from the Texas A&M University ("TAMU") Department of Landscape Architecture and Urban Planning ("Department") to develop connectivity and vacant lot concepts for (1) The Energy Corridor west of South Highway 6 and (2) The Energy Corridor east of Eldridge Parkway. The project west of South Highway 6 was selected. The project east of Eldridge was rejected. Mr. Martinson discussed a Memorandum of Agreement submitted by the Department, which reflects a cost of \$15,500 for the work. He said the final work product would be used to meet with property owners in the Park Ten area to show the potential benefits of annexation into the District. Mr. Martinson added that the work would begin in January 2015 and be completed in April 2016. After review

and discussion, Director Halick moved to approve the Memorandum of Agreement with the Department. Director West seconded the motion, which passed unanimously.

ADDITIONAL SERVICES PROPOSAL FROM JERDON ENTERPRISES, INC. FOR FORTSMITH STREET DRAINAGE REPAIR

Mr. Rayburn reported on additional sediment build-up identified in the storm drains on the west side of Stafford Street between Fortsmith and Grisby. He reviewed a proposal from Jerdon Enterprise, L.P. to clean out the storm drains and dispose of debris offsite for a cost of \$5,671.07. After discussion, Director West moved to approve a change order to the Fortsmith contract in the amount of \$5,671.07 for the storm drain cleanout. Director Fincher seconded the motion, which passed unanimously.

PARK ROW ESPLANADE IRRIGATION, LANDSCAPE AND MAINTENANCE PROJECT AT SH 6

Mr. Rayburn said he is requesting additional proposals for Park Row esplanade landscaping and irrigation work at South Highway 6. The project will be presented at another time so there was no action.

PARK ROW COMPLETION PROJECT

Mr. Willis reported on bids received for Park Row phase II clearing and grubbing. He recommended award of the contract to JNM Services Inc. in the amount of \$73,744.85. Mr. Willis discussed an expected change order deduct since the well is not being abandoned at this time. The Board concurred, in its judgment, that JNM Services Inc. is a responsible bidder who will result in the best and most economical completion of the project. Director Halick moved to award the contract for Park Row phase II clearing and grubbing to JNM Services Inc. in the amount of \$73,744.85, based on the engineer's recommendation. Director Fujimoto seconded the motion, which passed unanimously.

Ms. Wallace reviewed the monthly expenses associated with the Park Row Completion Project totaling \$23,408.80. She said the District has capital funds available to cover the expenses and, therefore, no draw request from the Houston Housing Finance Corporation loan is necessary. Mr. Rayburn stated that the monthly expenses reviewed by Ms. Wallace include Pay Estimate No. 3 in the amount of \$14,735.05 submitted by Clark Condon Associates for the Park Row phase I landscape and irrigation construction by Junction Landscape. He discussed the recommendation from Clark Condon Associates to reduce retainage on the contract to 3%. After discussion and review, Director Halick moved to approve payment of the monthly expenses from the District's capital fund, including approval of Pay Estimate No. 3 in the amount of \$14,735.05 and a reduction in retainage to 3% for the Park Row phase I landscaping and

irrigation project, based on the recommendation from Clark Condon Associates. Director Fincher seconded the motion, which carried unanimously.

Director Hightower requested that a letter be sent to the Park Row phase I contractor regarding curb damage on the west side of the esplanade that needs to be addressed.

#### FEDERAL GRANT PROJECTS

Mr. Nuñez reported on the CMAQ Car Share grant program and efforts to promote the program with mailers and presentations to nearby residents and businesses. He reported on additional vehicles to be placed at two new locations (Eldridge Oaks and Westlake Park) upon execution of the associated agreements.

Mr. Nuñez reported that the JARC grant for the 75 Eldridge Crosstown bus ended on September 30, 2014, and that METRO took over the route on October 1, 2014. He said the District has outstanding expenses for September that will be billed to METRO.

Mr. Nuñez reported that the Houston-Galveston Area Council ("H-GAC") denied funding for the District's grant proposal for the Carma carpool project. Mr. Martinson expressed disappointment with the decision.

#### LIVABLE CENTERS AND SPECIAL DISTRICTS APPLICATIONS TO H-GAC UPDATE

Mr. Nuñez reported on the decision to not submit grant applications to H-GAC for a Livable Centers IH-10 Corridor Planning Study and a Special Districts Planning Study. He said proposals are being solicited for transit consulting services, as authorized by the Board at the August meeting.

#### THE ENERGY CORRIDOR RECYCLES DAY

Ms. Weaver discussed The Energy Corridor Recycles Day scheduled for November 15, 2014, from 9:00 a.m. to 2:00 p.m. at the Conoco Phillips parking lot.

#### 2015 ENERGYFEST AGREEMENT WITH METRO FOR USE OF THE ADDICKS PARK & RIDE LOT

Ms. Weaver reported on efforts of staff and Gray & Associates Events to secure the Addicks Park and Ride as the location for EnergyFest 2015. She presented a License Agreement submitted by METRO for use of the site for review by the Board and the District's attorney.

Mr. Gray reported on preliminary planning efforts for EnergyFest 2015.

After review and discussion, Director Fincher moved to authorize execution of the License Agreement with METRO, subject to review by ABHR. Director Fujimoto seconded the motion, which passed unanimously.

HOLIDAY LUNCHEON AT CARMELO'S DECEMBER 3, 2014

Ms. Weaver reported that the District's holiday luncheon is scheduled for December 3, 2014, at Carmelo's.

SECURITY SERVICES AGREEMENTS FOR DISTRICT PEACE OFFICERS

Ms. Wallace discussed the status of the District's patrol officers who are now part-time employees of the District. She said ABHR prepared new Security Service Agreements reflecting the status for execution by each of the officers. Ms. Wallace also reported on discussions with the District's insurance company regarding peace officer bonds. After discussion, Director Halick moved to authorize execution of the Security Services Agreements with the District's patrol officers. Director West seconded the motion, which passed unanimously.

HOUSTON POLICE DEPARTMENT AND NEIGHBORHOOD PROTECTION AND CODE ENFORCEMENT UPDATE

Ms. Wallace reviewed reports on the District's security patrols, neighborhood protection, and code enforcement, including crime statistics report.

Director Hightower left the meeting.

GENERAL MANAGER'S REPORT

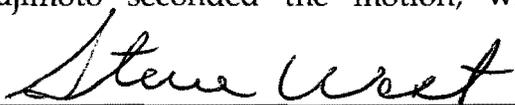
Mr. Martinson reviewed the General Manager's report. He reported on the status of projects underway and master planning efforts. Mr. Martinson discussed a proposal to balance traffic control signal timing for the Board's consideration at next month's meeting.

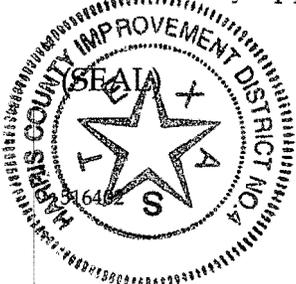
NEXT MEETING

The Board concurred to hold the next Board meeting on December 12, 2014.

ADJOURN

There being no further business to come before the Board, Director West moved to adjourn the meeting. Director Fujimoto seconded the motion, which was unanimously approved.

  
Secretary, Board of Directors



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