

MINUTES  
HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4

November 13, 2020

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 by videoconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 13<sup>th</sup> day of November, 2020, and the roll was called of the members of the Board being present by telephone:

David W. Hightower	President
Ashlee Ross	Director
D. Bruce Fincher	Secretary
Brandon Kerr	Assistant Secretary
Peter Elgohary	Director
Vacant	Vice President
Tom Halaska	Director
Chase Crawford	Director
David L. Lane	Director

and all of the above were present, thus constituting a quorum.

Also attending the videoconference were Elijah Williams, Executive Director for the District; Robert Rayburn, Landscape Architect for the District; Fabiana Demarie Boero, Urban Planner for the District; Rachael Weaver, Community Relations Coordinator for the District; Kenzie Copeland, Communications Coordinator for the District; Elizabeth Whitton of Transportation and Mobility Manager for the District; Pat Hall of Equi-Tax, Inc.; Jennifer Landreville of ETI Bookkeeping Services ("ETI"); Kristen Hennings and Scott Saenger of Jones & Carter, Inc. ("J&C"); Sergeant Chris Sheffield of Harris County Constable Precinct 5; Margret Dunlap of METRO; Emily Anderson and Shannon Mundy, members of the public; and Jessica Holoubek and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Holoubek reviewed certain recommended protocols for conducting the District's meeting via videoconference.

ESTABLISH A QUORUM AND CALL THE MEETING TO ORDER

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

## PUBLIC COMMENTS

Ms. Holoubek offered any members of the public attending the meeting by telephone the opportunity to make public comment. No members of the public wished to address the Board, and Ms. Holoubek moved to the next agenda item.

## MINUTES

The Board considered the minutes of the October 9, 2020, regular meeting and the October 30, 2020, special meeting. Following discussion and review, Director Hightower moved to approve the minutes, as submitted. The motion was seconded by Director Halaska and passed unanimously.

## ECD PUBLIC SAFETY

Sergeant Sheffield updated the Board regarding security matters in the District and reviewed the report on October patrols and activity.

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

Ms. Hall reviewed the assessment collector's reports for November with the Board. She then reviewed a chart regarding the status of District assessment payers' lawsuits against the Harris County Appraisal District ("HCAD") and discussed delinquent assessment accounts. Following discussion and review, Director Kerr moved to accept the assessment collector's report. The motion was seconded by Director Fincher and passed by unanimous vote.

## ACCEPT HEARING EXAMINER'S REPORT REGARDING SUPPLEMENTAL ASSESSMENT ROLL

Ms. Holoubek stated Director Fincher served as the Hearing Examiner at the District's supplemental assessment hearing, held on October 28, 2020. She stated that one property owner attended the hearing. Ms. Holoubek reviewed the Hearing Examiner's Report and Proposal for Decision ("Hearing Examiner's Report"), which recommends that the Board (a) supplement its assessment roll to add the new construction as shown on the supplemental assessment roll, (b) levy assessments in accordance with the values of the HCAD, and (c) continue to follow the Order Granting Petitions dated September 22, 2006.

Following discussion, Director Kerr made a motion to accept the Hearing Examiner's Report. The motion was seconded by Director Fincher 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 ASSESSMENT ROLL; LEVYING ASSESSMENTS; AND SETTING RATE OF ASSESSMENT FOR THE YEAR 2020

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 2020 (the "Order"). She stated that the Order adopts the findings from the Hearing Examiner's Report. Following review and discussion, Director Kerr made a motion to adopt the Order. Director Fincher 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 2020 assessment rate. Following discussion, Director Kerr made a motion to authorize execution of the Amendment to Information Form. Director Halaska seconded the motion, and it passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Landreville reviewed the November financial report with the Board, including the bills presented for payment from the District's accounts. Following review and discussion, Director Halaska moved to transfer the District's account from Wells Fargo Bank to Compass Bank. Director Kerr seconded the motion, which was approved by unanimous vote.

## ACCEPT RESIGNATION OF DIRECTOR HALICK AND APPOINT NEW DIRECTOR

Ms. Holoubek stated Mr. Halick submitted his resignation from the Board.

The Board next considered appointing Ashlee E. Ross to the Board, to replace Director Halick in Board position number seven (7) for the unexpired term ending June 1, 2023.

After review and discussion, Director Hightower moved to accept Director Halick's resignation and appoint Ashlee E. Ross to position number seven (7) of the Board of Directors, for the unexpired term ending June 1, 2023. Director Elgohary seconded the motion, which passed unanimously.

APPROVE SWORN STATEMENT, OATH OF OFFICE, AND OFFICIAL BOND OF NEW DIRECTOR

The Board considered approving the Sworn Statement, Oath of Office, and Official Bond of Director Ross in connection with her 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 Ross 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 Lane seconded the motion, which passed unanimously.

REORGANIZATION OF BOARD AND EXECUTION OF DISTRICT REGISTRATION FORM

The Board considered reorganizing. Ms. Holoubek stated that the District is required to file an updated District Registration Form with the Texas Commission on Environmental Quality reflecting the new District Director and any changes in offices. Following review and discussion and upon a motion made by Director Fincher and seconded by Director Lane, the Board voted unanimously to reorganize the Board and authorize execution and filing of the District Registration Form reflecting Director Ross in position number seven (7) and the following offices:

David W. Hightower	President
Vacant	Vice President
D. Bruce Fincher	Secretary
Brandon Kerr	Assistant Secretary
Peter Elgohary	Director
Ashlee E. Ross	Director
Tom Halaska	Director
Chase Crawford	Director
David L. Lane	Director

OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

Ms. Holoubek presented a memorandum to Director Ross 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. Holoubek then discussed the methods by which Director Ross can receive the required training and requested that she forward her 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. Holoubek 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. Holoubek reviewed the updated List of Local Government Officers. After review and discussion, Director Fincher 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 Lane seconded the motion, which passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Williams updated the Board regarding initiatives being undertaken by District staff and welcomed Director Ross.

Mr. Williams stated the deadline to provide comments to the United States Army Corps of Engineers ("USACE") Buffalo Bayou Tributaries Resiliency Study has been extended. He stated he sent letters to the USACE regarding the District's concerns to the proposed plan. Mr. Williams stated the District joined Houston Stronger to help address viable solutions for flood fighting and drainage in the area.

Mr. Williams updated the Board regarding various items, including: the Board of Directors retreat, the request for proposals for the Strategic Action Plan and Design Standards and Streetscape Guidelines, the land use demographic study, staff evaluations, progress of the Eldridge Parkway/ Memorial Intersection, Langham Park Master Plan and Park Row projects, and economic development discussions.

Mr. Williams confirmed the budget subcommittee will be comprised of: Directors Crawford, Elgohary and Halaska and the compensation subcommittee will be comprised of: Directors Kerr, Elgohary and Lane.

MEMORANDUM OF UNDERSTANDING WITH THE WOODLANDS TOWNSHIP COMMUTER SERVICE

Mr. Williams discussed a Memorandum of Understanding between The Woodlands Township Commuter Service and the District ("MOU"). Ms. Whitton presented an overview of the negotiations with The Woodlands Township for commuter services between The Woodlands Township and the District. She discussed the Pilot Commuter Bus Service program and the components of the MOU. Ms. Whitton discussed steps and planning activities with the ultimate goal of entering into an interlocal agreement the Woodlands Township to provide long term commuter service options to District users. She recommended the Board approve the MOU and

Affidavit of No Objection with The Woodlands Township Commuter Services. After discussion, Director Elgohary moved to approve the MOU and Affidavit of No Objection. Director Kerr seconded the motion, which passed unanimously.

#### PARK ROW COMPLETION PROJECT

Ms. Hennings discussed the completion of the Park Row and slope embankment projects. Ms. Hennings updated the Board regarding the restoration of the Terry Hershey Trail and the completion of the Park Row northside trail connection project. She updated the Board regarding Federal Emergency Management Agency reimbursement. There were no action items presented.

#### CONSTRUCTION PROJECTS UPDATE

Mr. Rayburn updated the Board regarding construction projects in the District.

#### MEMORIAL DRIVE AND ELDRIDGE PARKWAY INTERSECTION UPDATE

Mr. Rayburn updated the Board regarding the Memorial Drive and Eldridge Parkway intersection project, noting it is nearing completion.

#### LANGHAM PARK MASTER PLAN UPDATE

Mr. Rayburn updated the Board regarding the Langham Park Master Plan and stated plans are being revised in response to minor comments from the USACE. He stated he believes a final plan at the December meeting.

#### CONSIDER AND APPROVE PROPOSAL FOR STRATEGIC ACTION PLAN; AUTHORIZE APPROPRIATE STAFF ACTION

Ms. Demarie discussed the process for compiling the information for the request for qualifications for a firm to prepare a Strategic Action Plan. She reviewed the information received and recommended the Board select the proposal from HALFF Associates (with Hawes Hill, Inc.), for preparation of a Strategic Action Plan. After review and discussion, Director Halaska moved to authorize the appropriate staff action to negotiate the proposal for the Strategic Action Plan. Director Kerr seconded the motion, which passed unanimously.

#### CONSIDER AND APPROVE PROPOSAL FOR DESIGN STANDARDS AND STREETScape GUIDELINES; AUTHORIZE APPROPRIATE STAFF ACTION

Mr. Williams reviewed a proposal from Design Workshop for the Design Standards and Streetscape Guidelines. After review and discussion, Director Lane moved to authorize the appropriate staff action to negotiate the proposal for the Design Standards and Streetscape Guidelines. Director Kerr seconded the motion, which

passed unanimously.

NEXT MEETING

The next regular meeting will be held on December 11, 2020, at 8:30 a.m.

ADJOURN

There being no further business to come before the Board, Director Kerr moved to adjourn the meeting. Director Fincher seconded the motion, which passed unanimously.

/s/ D. Bruce Fincher  
Secretary, Board of Directors

