

DOC# 20-0912

POSTED

06/08/2020 03:04PM

GWENDALYNN CAMARENA

EAST MONTGOMERY COUNTY CLERK

MONTGOMERY COUNTY, TEXAS

**EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT
AGENDA**

TO: THE BOARD OF DIRECTORS OF EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT, AND TO ALL OTHER INTERESTED PERSONS:

Notice is hereby given to all interested members of the public that the Board of Directors of the above captioned District will hold a public meeting by online videoconference* at <https://us02web.zoom.us/j/86122924830?pwd=Vytmb1FDbk5QclhBeW9lLzJlZDV2hlQOT09>. If prompted for a Password: 880564. ZOOM meeting software may be downloaded at <https://zoom.us>

Members of the public only (not applicable to Directors or District Employees/Consultants) may also join by telephone with audio only at 888-788-0099 US Toll-free with Meeting ID: 861 2292 4830 and, if prompted for a password, using the password listed above.

The meeting will be held on **Thursday, June 11, 2020, at 5:30 p.m.**

The subject of the meeting will be as follows:

1. Consider comments from members of the audience,
2. Consider and act upon approval of the minutes of the Board of Directors meetings held on May 14, 2020 and May 28, 2020;
3. Consider engagement of auditor to prepare the District's audit report for fiscal year ending June 30, 2020;
4. Consider authorizing the construction of improvements and the leasing of space in the District's office building, and the taking of any actions required in connection therewith;
5. Consider financial, bookkeeping, cash flow and investment reports, and the taking of any actions required in connection therewith, including approval of separate bank account relative to Kingwood Parc detention pond construction project, and authorizing the payment of invoices presented or shown in such reports;
6. Consider adoption of operating budget for fiscal year ending June 30, 2021;
7. Review and act upon matters concerning or relating to the District's \$8,260,000 Sales Tax Revenue Refunding Bonds, Series 2020 (Taxable) ("Series 2020 Refunding Bonds"), including:
 - a) Review closing memorandum and authorize disbursement of bond proceeds relative to the District's Series 2020 Refunding Bonds;

*As a result of the current COVID-19 virus epidemic emergency, the convening at one location of a quorum of the Board is difficult or impossible. Therefore, the Board will conduct this meeting by video/telephone conference call rather than by physical quorum pursuant to the Texas Government Code Section 551.127 and guidance of the Governor of the State of Texas. Members of the public are entitled to participate and address the Board during the video/telephonic meeting. In all respects, this meeting will be open to the public and compliant with applicable law and guidance of the Governor of the State of Texas. An electronic copy of the agenda packet (which consists of the regular reports presented to the Board by its consultants) can be found at: www.districtdirectory.org/agenda.

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 713-942-9922 at least three business days prior to the meeting so that appropriate arrangements can be made.

- b) Authorize execution of closing documentation relative to the District's Series 2020 Refunding Bonds;
 - c) Authorize execution and filing of Internal Revenue Service reporting forms relative to the District's Series 2020 Refunding Bonds; and
 - d) Authorize approval and execution of other documents required in connection with the closing;
8. Consider report on engineering and construction projects in the Industrial Park and the District, including:
- a) Status of contract with Drymalla Construction Co., Inc. for construction of building #2 for YMER Technology, including approval of change orders requested by YMER;
 - b) status of sale of dirt out of future detention pond, including termination of contract with TDG for excavation and delivery of dirt and approval of contract for sale of dirt to Grand Parkway Infrastructure, LLC;
 - c) status of plat of Section 3;
 - d) status of contract between New Quest and Solid Bridge Const. for construction of detention pond and storm sewer trunk to serve Kingwood Parc project;
 - e) status of improvements to drainage along West Industrial Park Parkway; and the taking of any actions required in connection therewith;
9. Consider report on Economic Development Administration Business Center Building in the Industrial Park, including:
- a) approval of contract with J.A. Costanza & Associates Engineering, Inc. relative to program management and/or engineering services related to the project;
 - b) authorize Agreement for Architectural/Engineering Services and preparation of plans, specifications and construction documents;
 - c) approve plans, specifications and construction documents and authorize Project Bidding Phase;
 - d) review bids, consider architect's/engineer's recommendations, and consider award of project for construction;
 - e) status of contract with TDG General Contractors for clearing and grubbing of 4.8-acre tract;
 - f) review pay applications, change orders and construction recommendations and consider approval of same;
 - g) consider final project documents, accept architect's and engineer's certification of completion, and accept project;
 - h) other items that may arise from time to time; and the taking of any actions required in connection therewith;
10. Announcements;
11. Recess to Executive Session to discuss: real property matters pursuant to §551.072, Texas Government Code, pending or contemplated litigation pursuant to §551.071, Texas Government Code, matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government

*As a result of the current COVID-19 virus epidemic emergency, the convening at one location of a quorum of the Board is difficult or impossible. Therefore, the Board will conduct this meeting by video/telephone conference call rather than by physical quorum pursuant to the Texas Government Code Section 551.127 and guidance of the Governor of the State of Texas. Members of the public are entitled to participate and address the Board during the video/telephonic meeting. In all respects, this meeting will be open to the public and compliant with applicable law and guidance of the Governor of the State of Texas. An electronic copy of the agenda packet (which consists of the regular reports presented to the Board by its consultants) can be found at: www.districtdirectory.org/agenda.

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 713-942-9922 at least three business days prior to the meeting so that appropriate arrangements can be made.

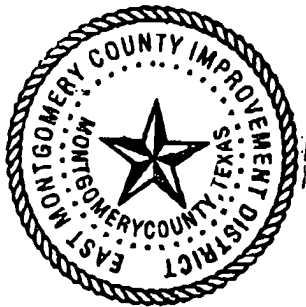
Code, pursuant to §551.071, Texas Government Code, personnel matters pursuant to §551.074, Texas Government Code, and Economic Development negotiations pursuant to §551.087, Texas Government Code;

12. Consider report on litigation between Drymalla Construction Co. and the subcontractor on the YMER construction project, and the taking of any actions required in connection therewith;
13. Consider status of economic development agreements, including:
 - a) status of Incentive Agreement relative to new development in Industrial Park; and the taking of any actions required in connection therewith;
14. Consider report on activities within the Industrial Park, and the taking of any actions required in connection therewith, including:
 - a) approval of Conveyance of Utility Facilities for water distribution and wastewater collection facilities to serve Industrial Park, Section 3 (Quadvest) to East Montgomery County MUD No. 3;
 - b) approval of Conveyance of Utility Facilities for wastewater lift station and force main improvements to serve Industrial Park, Section 3 (Quadvest) to East Montgomery County MUD No. 3;
 - c) approval of Conveyance of Utility Facilities for water, sanitary sewer and lift station facilities to serve Industrial Park, Section 4 (Clearwater);
 - d) status of Purchase and Sale Agreement with E9 Capital Inc. for purchase of tract in Industrial Park;
 - e) status of Option Agreement and Lease with Stanchi relative to 3-acre tract;
 - f) approval of land exchange with Catalyst Trading Services, Ltd.;
 - g) status of contracts for the purchase of land for expansion of the Industrial Park;
 - h) status of Contract for sale of land in Industrial Park;
 - i) approval of Resolution of Authority relative to purchase and financing 82.3 acre tract in IP North;and authorize the taking of all actions required in connection therewith;
15. Consider review and approval of proposals for use of electronic devices for director information for Board of Directors meetings, and the taking of any actions required in connection therewith; and
16. Consider request from Records Management Officer to destroy notes of Board of Directors meetings from February 2019 through February 2020;
17. Consider review and approval of amendment and extension of Contract of Employment between the District and Frank McCrady, and the taking of any actions required in connection therewith; and

***As a result of the current COVID-19 virus epidemic emergency, the convening at one location of a quorum of the Board is difficult or impossible. Therefore, the Board will conduct this meeting by video/telephone conference call rather than by physical quorum pursuant to the Texas Government Code Section 551.127 and guidance of the Governor of the State of Texas. Members of the public are entitled to participate and address the Board during the video/telephonic meeting. In all respects, this meeting will be open to the public and compliant with applicable law and guidance of the Governor of the State of Texas. An electronic copy of the agenda packet (which consists of the regular reports presented to the Board by its consultants) can be found at: www.districtdirectory.org/agenda.**

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 713-942-9922 at least three business days prior to the meeting so that appropriate arrangements can be made.

18. Consider matters for possible placement on future agendas.



By: Stephen Carlisle *lyth*
Stephen Carlisle
Secretary of the East Montgomery County
Improvement District

*As a result of the current COVID-19 virus epidemic emergency, the convening at one location of a quorum of the Board is difficult or impossible. Therefore, the Board will conduct this meeting by video/telephone conference call rather than by physical quorum pursuant to the Texas Government Code Section 551.127 and guidance of the Governor of the State of Texas. Members of the public are entitled to participate and address the Board during the video/telephonic meeting. In all respects, this meeting will be open to the public and compliant with applicable law and guidance of the Governor of the State of Texas. An electronic copy of the agenda packet (which consists of the regular reports presented to the Board by its consultants) can be found at: www.districtdirectory.org/agenda.

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 713-942-9922 at least three business days prior to the meeting so that appropriate arrangements can be made.