

FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

Minutes of Meeting of Board of Directors
November 7, 2024

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 7 (the "District") met in regular session at 445 Commerce Green Blvd, Sugar Land, Fort Bend County, Texas 77478, an official meeting place of the Board, on November 7, 2024, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Cindy Picazo, Chairman
Gerald Kazmierczak, Vice-Chairman
Nathan Bedee, Secretary
Susheem Mehta, Assistant Secretary
James R. Grotte, Director

and all of said persons were present, thus constituting a quorum.

Also present were: Phil Martin of Mike Stone Associates, Inc. ("MSA"); Kane Mudd and Craig Kalkomey of LJA Engineering, Inc. ("LJA"); Tyson Duncan of AECOM Technical Services, Inc. ("AECOM"); Rhonda Gideon of Assessment of the Southwest, Inc. ("ASW"); Jeff Perry and Michael Brooks of Levee Management Services, LLC ("LMS"); Rick Marriott of Si Environmental, LLC ("SE"); Calep Estes and Daenon Russell of Touchstone District Services, LLC ("Touchstone"); Tina Tran of Forvis Mazars, LLP ("FM"); and Christopher Skinner and Matthew Reed of Schwartz, Page & Harding, L.L.P. ("SPH").

The Chairman called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. No public comments were offered.

MINUTES

As the next order of business, the Board considered approving the draft minutes of the Board meetings held on October 3, 2024, and October 15, 2024. After discussion, Director Bedee moved to approve the draft minutes for the October 3, 2024, and October 15, 2024, meetings, as written. Director Kazmierczak seconded said motion, which carried unanimously.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Gideon next presented to and reviewed with the Board the Tax Assessor-Collector Report (the "TAC Report") for the period ended October 31, 2024, attached hereto as **Exhibit A**,

including the disbursements presented for payment from the District's tax account and a list of delinquent taxpayers. After discussion, Director Bedee moved that the TAC Report be approved and the disbursements identified therein be approved for payment from the District's tax account. Director Mehta seconded said motion, which unanimously carried.

DELINQUENT TAX COLLECTIONS REPORT

The Board deferred consideration of the Delinquent Tax Report from Perdue, Brandon, Fielder, Collins & Mott L.L.P. Mr. Skinner informed the Board that the report is presented quarterly.

BOOKKEEPER'S REPORT

Ms. Tran presented to and reviewed with the Board a Bookkeeper's Report, dated November 7, 2024, prepared by FM, attached hereto as **Exhibit B**. After discussion, Director Kazmierczak moved that the Bookkeeper's Report be approved, and the checks and wires reviewed by the Board be authorized for payment, as discussed. Director Bedee seconded said motion, which unanimously carried.

ANNUAL REVIEW OF ORDER ESTABLISHING POLICY FOR INVESTMENT OF DISTRICT FUNDS AND APPOINTING INVESTMENT OFFICER

Mr. Skinner advised that, pursuant to Chapter 2256, Texas Government Code (the "Public Funds Investment Act"), as amended, and Section 49.199, Texas Water Code, as amended, the Board is required to adopt a written policy governing the investment of District funds and to appoint one or more investment officers ("Investment Officer") to be responsible for the investment of such funds. In that regard, Mr. Skinner presented for the Board's review an amended Investment Policy, and a Resolution Regarding Review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer ("Resolution"), copies of which are attached hereto as **Exhibit C**. After discussion on the matter, Director Kazmierczak moved that the amended Investment Policy be approved to reflect the proposed changes, as discussed, that the Board adopt the Resolution and that the Chairman and Secretary be authorized to execute the amended Investment Policy and the Resolution on behalf of the Board and the District. Director Bedee seconded said motion, which unanimously carried.

FINANCIAL MANAGEMENT PLAN

It was noted this matter would be discussed under Capital Improvements Projects later in the meeting.

STORM WATER MANAGEMENT PLAN ("SWMP")

Mr. Klump presented to and reviewed with the Board the District's proposed Notice of Intent ("NOI") and Storm Water Management Program ("SWMP") in accordance with the requirements set forth in the Texas Pollutant Discharge Elimination System General Permit No. TXR040000, Small MS 4 (Phase II) General Permit (the "Permit"). In connection therewith, Mr.

Klump also presented to and reviewed with the Board a handout, attached hereto as **Exhibit D**, detailing the District's proposed public training measures and permit goals for Year 1 under the Permit. After discussion, Director Bedee moved to (i) approve the NOI and SWMP, (ii) authorize the Vice Chairman to electronically execute same on behalf of the Board and the District, (iii) authorize SWS to submit same to the Texas Commission on Environmental Quality ("TCEQ") by the deadline, and (iv) upon approval of the SWMP by the TCEQ, post a copy of same to the District's website. Director Mehta seconded said motion, which unanimously carried.

STATUS OF NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING FOR NEW TERRITORY

Mr. Martin reported on the status of National Flood Insurance Program Community Rating for New Territory.

FORT BEND LEVEE COALITION

Mr. Martin and Director Bedee reported on the status of activities of the Fort Bend Levee Coalition.

OPERATIONS AND MAINTENANCE REPORTS

Mr. Perry presented to and reviewed with the Board a written Operations and Maintenance Report dated November 7, 2024, attached hereto as **Exhibit E**, regarding maintenance performed on levee and drainage facilities throughout the District.

Mr. Marriott presented to and reviewed with the Board written Operations Report for the month of October 2024, relative to the District's Reclaimed Water System prepared by SE. A copy of such Operations Report is attached hereto as **Exhibit F**.

Mr. Marriott exited the meeting at this time.

CAPITAL IMPROVEMENTS PROJECTS

Mr. Martin next presented to and discussed with the Board the General Manager's Report dated November 7, 2024, attached hereto as **Exhibit G**. Regarding the Brazos River Bank Erosion Control Project, following discussion, Director Bedee moved to approve Change Order No. 3, and Pay Estimate No. 14 in the amount of \$5,114,124.63, from Texas Dewatering LLC, as recommended by MSA and AECOM. Director Kazmierczak seconded said motion, which unanimously carried.

Mr. Mudd next presented to and reviewed with the Board an Engineering Report dated November 7, 2024, prepared by LJA, attached hereto as **Exhibit H**. Regarding the Detention and Drainage Improvements and Facilities project, following discussion, Director Mehta moved to approve Pay Estimate No. 10 from Harris Construction, LLC in the amount of \$279,948.74, as recommended by LJA. Director Kazmierczak seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the attorney's report. In connection therewith, Mr. Skinner advised the Board that, pursuant to Section 2206.154, Texas Government Code, as amended, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1 of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). He requested the Board's authorization for SPH to prepare and file such annual report. After discussion, it was moved by Director Bedee, seconded by Director Kazmierczak and unanimously carried, that the Board authorize SPH to prepare and file the annual eminent domain report with the Texas Comptroller of Public Accounts on behalf of the District prior to February 1, 2025, pursuant to Section 2206.154, Texas Government Code, as amended.

WEBSITE AND COMMUNICATION MATTERS

Ms. Russell presented to and reviewed with the Board Touchstone's Communications Report attached hereto as **Exhibit I**.

CLOSED SESSION

The Chairman announced at 7:00 p.m. that the Board would convene in Closed Session pursuant to Texas Government Code Section 551.071. Those in attendance, with the exception of the Board, Mr. Skinner, Mr. Reed and Mr. Martin exited at this time.

The Board reconvened in Regular Session at 7:15 p.m.

FUTURE AGENDA ITEMS

The Board considered items for placement on future agendas.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Kazmierczak, seconded by Director Bedee and carried unanimously, the meeting was adjourned.




Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

- EXHIBIT A Tax Assessor/Collector Report
- EXHIBIT B Bookkeeper's Report
- EXHIBIT C Resolution Regarding Review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer
- EXHIBIT D Stormwater Management Program (SWMP)
New Permit Term Goals & Training – 11.07.2024
- EXHIBIT E LMS Operation and Maintenance Report
- EXHIBIT F SE Operations Report
- EXHIBIT G MSA Report
- EXHIBIT H LJA Engineering
- EXHIBIT I Communications Report