

FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

Minutes of Meeting of Board of Directors
September 5, 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 September 5, 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 and Caitlyn Cox of Mike Stone Associates, Inc. ("MSA"); Kane Mudd and Craig Kalkomey of LJA Engineering, Inc. ("LJA"); Jeff Masek of AECOM Technical Services, Inc. ("AECOM"); Brittany Keeswood 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"); Sherri Greenwood and Tina Tran of Forvis Mazars, LLP ("FM"); Tim Jahn of the City of Sugar Land Engineering Department; and Christopher Skinner of Schwartz, Page & Harding, L.L.P. ("SPH"). Ms. Tran and Mr. Mudd each entered the meeting after it was called to order, as noted herein.

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 August 1, 2024, and August 20, 2024. After discussion, Director Bedee moved to approve the draft minutes for the August 1, 2024, and August 20, 2024, meetings, as written. Director Kazmierczak seconded said motion, which carried unanimously.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Keeswood next presented to and reviewed with the Board the Tax Assessor-Collector Report (the "TAC Report") for the period ended August 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 Kazmierczak seconded said motion, which unanimously carried.

Ms. Tran entered the meeting at this time.

DELINQUENT TAX COLLECTIONS REPORT

Mr. Skinner presented to and reviewed with the Board the Delinquent Tax Report from Perdue, Brandon, Fielder, Collins & Mott L.L.P. ("Purdue"), the District's delinquent tax collections attorneys; a copy of said report is attached hereto as **Exhibit B**. Mr. Skinner noted that no action is required by the Board in connection with said report.

BOOKKEEPER'S REPORT

Ms. Tran presented to and reviewed with the Board a Bookkeeper's Report, dated September 5, 2024, prepared by FM, attached hereto as **Exhibit C**. After discussion, Director Bedee moved that the Bookkeeper's Report be approved, and the checks and wires reviewed by the Board be authorized for payment, as discussed. Director Kazmierczak seconded said motion, which unanimously carried.

Mr. Mudd entered the meeting at this time.

FINANCIAL MANAGEMENT PLAN

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

2024 TAX RATE RECOMMENDATION

The Board next considered the Financial Advisor's recommendation concerning the District's proposed 2024 tax rate. In connection therewith, Mr. Skinner reminded the Board that at its August 1, 2024 meeting, Masterson Advisors LLC ("Masterson"), the District's financial advisors, presented to and reviewed with the Board a tax rate analysis and tax rate recommendation prepared by Masterson relative to the District's 2024 debt service and maintenance tax rates.

There next followed a discussion concerning the District's 2024 debt service and maintenance tax rates and the requirements for notice of the District's intention to adopt a 2024 tax rate. Mr. Skinner next advised that, pursuant to Section 49.236 of the Texas Water Code, as amended, the District is required to provide a notice containing certain tax-related information in connection with each meeting at which the adoption of a tax rate will be considered. Mr. Skinner

further advised that the information to be included in the notice is set forth in the Texas Water Code and includes the proposed tax rate to be adopted. He advised that the District must provide the notice by either (1) publishing it at least once in a newspaper having general circulation in the District at least seven days before the date of the meeting at which the tax rate will be adopted, or (2) mailing it to each owner of taxable property in the District, at the address shown on the most recently certified tax roll of the District, at least ten days before the date of the meeting.

After discussion, Director Grotte moved that (i) the Board declare its intention to levy a proposed 2024 debt service tax rate of \$0.215 and a proposed maintenance tax rate of \$0.13356, for a total tax rate of \$0.34856, and (ii) the District's tax assessor-collector be authorized to publish, in the *Fort Bend Herald* newspaper, notice of the District's intention to adopt a 2024 tax rate at its October 3, 2024, meeting in the form and at the time required by law. Director Bedee seconded said motion, which unanimously carried.

STORM WATER MANAGEMENT PLAN ("SWMP")

Mr. Klump 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 5 Extension of the District's Storm Water Management Plan in connection with the District's TPDES Phase II Municipal Separate Storm Sewer System General Permit (the "General Permit").

Mr. Klump next discussed the renewal of the General Permit and permitting obligations under same. In connection therewith, Mr. Klump presented to and reviewed with the Board a proposal for professional services to assist the District in obtaining permit coverage under the General Permit, including development of an updated storm water management plan and implementation of same. A copy of such proposal is attached hereto as **Exhibit E**. Following discussion, Director Bedee moved to approve the proposal for professional services to assist the District in obtaining permit coverage under the General Permit, including development of an updated storm water management plan and implementation of same. Director Grotte 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 reported on the status of activities of the Fort Bend Levee Coalition.

AMENDMENT TO OPERATION AND MAINTENANCE AGREEMENT WITH LMS

Mr. Perry presented to and reviewed with the Board a schedule of rates relative to the proposed amendment to Operation and Maintenance Agreement between the District and LMS. Following discussion, the Board deferred consideration of such amendment to the Operation and

Maintenance Agreement with LMS until its next regular meeting.

REQUESTS FOR RIGHT OF ENTRY FROM TEXAS DEPARTMENT OF TRANSPORTATION

The Board next considered approval of certain requests from Texas Department of Transportation ("TSDOT") relative to TXDOT's intention to perform surveying on the District's external channel. Following discussion, Director Bedee moved to approve the Right of Entry Requests from TXDOT for surveying purposes and authorize the Chairman to execute same on behalf of the Board and the District. Director Grotte seconded said motion, which unanimously carried.

FORCE MAIN EASEMENT

The Board then considered a request from the City of Sugar Land for a Force Main Easement relative to the City of Sugar Land's Wastewater Treatment Plant improvements project. Following discussion, Director Bedee moved to grant the Force Main Easement to the City of Sugar Land and authorize the Chairman to execute same on behalf of the Board and the District.

OPERATIONS AND MAINTENANCE REPORTS

Mr. Perry presented to and reviewed with the Board a written Operations and Maintenance Report dated September 5, 2024, attached hereto as **Exhibit F**, 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 August 2024, relative to the District's Reclaimed Water System prepared by SE. A copy of such Operations Report is attached hereto as **Exhibit G**.

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 September 5, 2024, attached hereto as **Exhibit H**. Regarding the Brazos River Bank Erosion Control Project, following discussion, Director Bedee moved to approve Pay Estimate No. 12 in the amount of \$2,024,491.97 from Texas Dewatering, 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 September 5, 2024, prepared by LJA, attached hereto as **Exhibit I**. Regarding the Detention and Drainage Improvements and Facilities project, following discussion, Director Kazmierczak moved to approve Pay Estimate No. 8 from Harris Construction, LLC in the amount of \$202,005.00, as recommended by LJA. Director Bedee seconded said motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the attorney's report. In connection therewith, Mr. Skinner advised that he had nothing further of a legal nature to discuss with the Board at this time.

WEBSITE AND COMMUNICATION MATTERS

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

CLOSED SESSION

The Chairman announced at 7:05 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 and Mr. Martin exited at this time.

The Board reconvened in Regular Session at 7:30 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 Grotte, seconded by Director Bedee and carried unanimously, the meeting was adjourned.

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Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

- EXHIBIT A Tax Assessor/Collector Report
- EXHIBIT B Delinquent Tax Report
- EXHIBIT C Bookkeeper's Report
- EXHIBIT D Handout detailing the District's proposed public training measures and permit goals for Year 5 Extension
- EXHIBIT E SWS Proposal
- EXHIBIT F LMS Operation and Maintenance Report
- EXHIBIT G SE Operations Report
- EXHIBIT H MSA Report
- EXHIBIT I LJA Engineering
- EXHIBIT J Communications Report