

FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

Minutes of Special Meeting of Board of Directors
July 16, 2024

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 7 (the "District") met in special session at 445 Commerce Green Blvd, Sugar Land, Fort Bend County, Texas 77478, an official meeting place of the Board, on July 16, 2024, in accordance with the duly posted Notice of Special 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, except Director Mehta, thus constituting a quorum.

Also present were: Phil Martin and Caitlyn Cox of Mike Stone Associates, Inc. ("MSA"); Kane Mudd 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"); Angie Hartwell, Calep Estes and Danae Dehoyos of Touchstone District Services, LLC ("Touchstone"); Sherri Greenwood of Forvis Mazars, LLP ("FM"); Christine Crotwell of Masterson Advisors LLC ("Masterson"); 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 June 6, 2024, and June 18, 2024. After discussion, Director Bedee moved to approve the draft minutes for the June 6, 2024, and June 18, 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 June 30, 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.

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. Greenwood presented to and reviewed with the Board a Bookkeeper's Report, dated July 16, 2024, prepared by FM, attached hereto as **Exhibit B**. After discussion, Director Bedee moved that (i) the Bookkeeper's Report be approved, and the checks and wires reviewed by the Board be authorized for payment, as discussed, and (i) authorize the filing of Designation of Subrecipient Agent-Primary Contacts form designating Tina Tran of FM as designee related to grant funding administration. Director Kazmierczak 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")

The Board deferred consideration of any matters related to the District's Storm Water Management Plan.

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. The Board concurred to authorize Director Kazmierczak to attend the National Association of Flood and Stormwater Management Agencies Conference in October.

OPERATIONS AND MAINTENANCE REPORTS

Mr. Perry presented to and reviewed with the Board a written Operations and Maintenance Report dated July 16, 2024, attached hereto as **Exhibit C**, regarding maintenance performed on levee and drainage facilities throughout the District. Following discussion, Director Kazmierczak moved to authorize LMS to replace the automatic transfer switch at the District's original pump station. Director Bedee seconded said motion, which unanimously carried.

The Board deferred consideration of the Operations Report, prepared by SE, relative to the District's Reclaimed Water System after noting that no such report was presented.

RETENTION OF DISTRICT RECORDS

Mr. Skinner presented to and reviewed with the Board a memorandum from SPH, which is attached hereto as **Exhibit D**, regarding the legal requirements to electronically store District records and destroy the paper copies of such records. In this regard, he recommended that the Board approve the Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records attached hereto as **Exhibit E** (the "Records Resolution"). After discussion, Director Picazo moved to approve the Records Resolution, and authorize the Records Management Officer to execute the related certifications, and that same be submitted to the Texas State Library and Archives Commission for review and approval. Director Kazmierczak seconded the motion, which unanimously carried.

Mr. Skinner reported that the District's Records Retention Schedules adopted in connection with its Records Management Program require that records of the District be retained only for specific periods of time based on the type of record. As an example, he explained that notes taken during meetings and which are used to prepare the official minutes of Board meetings are to be retained for ninety days after approval of such minutes by the Board. He next presented a request from the Records Management Officer for approval to destroy certain records (which will not be scanned in and stored electronically) in accordance with the District's Records Retention Schedules, a copy of which request is attached hereto as **Exhibit F** (the "Request"). After discussion, Director Picazo moved that SPH be authorized to destroy the records described in the Request. Director Kazmierczak seconded said motion, which carried unanimously.

CAPITAL IMPROVEMENTS PROJECTS

Mr. Martin next presented to and discussed with the Board the General Manager's Report dated July 16, 2024, attached hereto as **Exhibit G**. Regarding the Brazos River Bank Erosion Control Project, following discussion, Director Bedee moved to approve Pay Estimate No. 10 in the amount of \$2,413,944.39 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 July 16, 2024, prepared by LJA, attached hereto as **Exhibit H**. Regarding the Detention and Drainage Improvements and Facilities project, following discussion, Director Bedee moved to approve (i) Pay Estimate No. 23 from NBG Constructors, Inc. in the amount of \$159,165.61, and (ii) Pay Estimate No. 6 from Harris Construction, LLC in the amount of \$942,230.83, 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 that he had nothing further of a legal nature to discuss with the Board at this time.

WEBSITE AND COMMUNICATION MATTERS

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

CLOSED SESSION

The Board concurred that a Closed Session would not be required in connection with the matters discussed at the meeting.

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 Bedee, seconded by Director Kazmierczak and carried unanimously, the meeting was adjourned.

734866.1




Secretary
Board of Directors

LIST OF ATTACHMENTS TO MINUTES

- EXHIBIT A Tax Assessor/Collector Report
- EXHIBIT B Bookkeeper's Report
- EXHIBIT C LMS Operation and Maintenance Report
- EXHIBIT D Memorandum regarding the legal requirements to electronically store District records and destroy the paper copies of such records
- EXHIBIT E Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records
- EXHIBIT F Request from Records Management Officer for approval to destroy certain records
- EXHIBIT G MSA Report
- EXHIBIT H LJA Engineering
- EXHIBIT I Communications Report