

## **FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7**

Minutes of Special Meeting of Board of Directors  
June 18, 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 June 18, 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, thus constituting a quorum.

Also present were: Phil Martin and Caitlin Cox of Mike Stone & Associates, Inc. ("MSA"); Craig Kalkomey and Kane Mudd of LJA Engineering, Inc. ("LJA"); Calep Estes and Angie Hartwell of Touchstone District Services, LLC ("Touchstone"); and Christopher Skinner 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.

### **ACCEPTANCE OF QUALIFICATION STATEMENT, OFFICIAL BOND, OATH OF OFFICE, ELECTION NOT TO DISCLOSE CERTAIN INFORMATION, AND AFFIDAVIT OF CURRENT DIRECTOR**

In connection with his election as Director of the District, Mr. James R. Grotte presented his Statement of Elected Officer and Affidavit of Current Directors and took his Oath of Office. Mr. Grotte also presented his Official Bond to the Board and the Board found said Bond to be in proper form. After discussion on the matter, it was moved by Director Kazmierczak, seconded by Director Bedee and unanimously carried, that the Board approve said Bond, accept said Statement of Elected Officer, Affidavit of Current Director, and Oath of Office and declare James R. Grote to be a duly elected and qualified Director of the District.

## **REORGANIZATION AND ELECTION OF OFFICERS**

The Board next considered the reorganization of the Board of Directors and election of officers. The Board concurred that the all Directors will continue to serve in the respective offices each currently holds.

## **DISTRICT REGISTRATION FORM**

The Board next considered approving a District Registration Form (the "DRF") required by the Texas Commission on Environmental Quality (the "TCEQ"). Mr. Skinner explained that, in accordance with the Texas Water Code, levee improvement districts are required to file the names, mailing addresses, officer positions and terms of office of new directors with the TCEQ within thirty days (30) after an election or appointment. He advised that, with the Board's approval, SPH will complete the DRF to reflect the new term of office for Director Grotte, and file same with the TCEQ. After discussion, Director Bedee moved that SPH be authorized to file the DRF with the TCEQ. Director Kazmierczak seconded said motion, which carried unanimously.

## **LOCAL GOVERNMENT OFFICERS LIST**

Mr. Skinner next advised the Board that, pursuant to amendments to Chapter 176 of the Texas Local Government Code, the District is required to maintain a list of Local Government Officers, which includes the members of the Board and the District's Investment Officers, in connection with statutory changes in conflict of interest disclosure requirements. After discussion on the matter, Director Picazo moved that the District prepare and maintain a list of local government officers as required by law. Director Kazmierczak seconded said motion, which unanimously carried.

## **FORT BEND LEVEE COALITION**

Mr. Martin and Director Kazmierczak provided the Board with an update regarding activities of the Fort Bend Levee Coalition.

## **RIGHT OF ENTRY AGREEMENT**

The Board next considered approval of a Right of Entry Agreement for Installation and Maintenance of Storage Shed on the City of Sugar Land Water Plant Site (the "Right of Entry Agreement") with the City of Sugar Land. In connection therewith, Mr. Skinner presented to and reviewed with the Board the proposed Right of Entry Agreement with the City of Sugar Land, a copy of which agreement is attached hereto as **Exhibit A**. Following discussion, Director Bedee moved to approve the Right of Entry Agreement with the City of Sugar Land, subject to approval of same by the City of Sugar Land, and authorize the Chairman to execute same on behalf of the Board and the District. Director Kazmierczak seconded said motion, which unanimously carried.

## **CAPITAL IMPROVEMENT PROJECTS**

Mr. Martin presented to and reviewed with the Board the Project Manager's Activity Report dated June 16, 2024, prepared by MSA, attached hereto as **Exhibit B**.

Mr. Mudd next presented to and reviewed with the Board an Engineering Report dated June 16, 2024, prepared by LJA, included with **Exhibit C**.

Regarding the construction of the additional Stormwater Pump Station in the Crescent Ridge subdivision (the "Stormwater Pump Station Project"), following discussion, Director Kazmierczak moved to approve Pay Estimate No. 22 in the amount of \$1,338,136.57 and Change Order No. 4 as a reduction of the contract in the amount of \$39,625.16 from NBG Constructors, Inc., 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 has no additional items that have not already been discussed.

## **WEBSITE AND COMMUNICATION MATTERS**

The Board authorized Touchstone to prepare and post on the District's website an update on construction of drainage and detention improvements and facilities within the District.

## **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. The Board concurred to hold one meeting in July on July 16, 2024, due to the July 4<sup>th</sup> holiday.

## **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.



  
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Secretary, Board of Directors

**LIST OF ATTACHMENTS TO MINUTES**

- EXHIBIT A      Right of Entry Agreement
- EXHIBIT B      MSA Activity Report
- EXHIBIT C      LJA Engineering Report