

## FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

Minutes of Meeting of Board of Directors  
June 6, 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 June 6, 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 of LJA Engineering, Inc. ("LJA"); Tyson Duncan of AECOM Technical Services, Inc. ("AECOM"); Brittany Keeswood of Assessment of the Southwest, Inc. ("ASW"); Jeff Perry of Levee Management Services, LLC ("LMS"); Rick Marriott of Si Environmental, LLC ("SE"); Angie Hartwell and Calep Estes of Touchstone District Services, LLC ("Touchstone"); Tina Tran of Forvis Mazars, LLP ("FM"); 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.

### **ACCEPTANCE OF QUALIFICATION STATEMENTS, OFFICIAL BONDS, OATHS OF OFFICE, ELECTIONS NOT TO DISCLOSE CERTAIN INFORMATION, AND AFFIDAVITS OF CURRENT DIRECTOR**

In connection with his election as Director of the District, Mr. Susheem Mehta presented his Statement of Elected Officer and Affidavit of Current Directors and took his Oath of Office. Mr. Mehta 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 Picazo, 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 Susheem Mehta 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. Reed 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 Mehta, 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. Reed next advised the Board that, pursuant 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 conflict of interest disclosure requirements. After discussion on the matter, Director Bedee 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.

## **MINUTES**

As the next order of business, the Board considered approving the draft minutes of the Board meetings held on May 2, 2024, and May 21, 2024. Director Bedee suggested revisions to typographical errors contained in the May 21, 2024 meeting minutes. After discussion, Director Bedee moved to approve the draft minutes for the May 2, 2024 meeting, as written, and the May 21, 2024 meeting, as revised. 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 May 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.

## **DELINQUENT TAX COLLECTIONS REPORT**

Mr. Reed presented to and reviewed with the Board the Delinquent Tax Report from Perdue, Brandon, Fielder, Collins & Mott L.L.P., a copy of which is included with **Exhibit B**. Mr. Reed 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 June 6, 2024, prepared by FM, attached hereto as **Exhibit C**. 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. Director Mehta advised the Board that he would be attending the Association of Water Board Directors summer conference in June 2024. The Board authorized any Director to attend said conference.

## **UNCLAIMED PROPERTY REPORT**

The Board considered approval of an Unclaimed Property Report as of March 1, 2024, and the filing of same with the Texas Comptroller of Public Accounts (the "Comptroller") prior to July 1, 2024. In connection therewith, Ms. Tran reported that the District did not have any unclaimed operating funds. Ms. Keeswood then presented and reviewed with the Board an Unclaimed Property Report in connection with tax funds, a copy of which is attached hereto as **Exhibit D**, which shows that the District has unclaimed tax funds in the total amount of \$96.50. After discussion, Director Bedee moved that FM and ASW be authorized to file said Unclaimed Property Reports with the Comptroller prior to July 1, 2024. 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. No action was necessary.

## **VOTING SYSTEM ANNUAL FILING FORM**

The Board next considered approval of a Voting System Annual Filing Form. Mr. Reed advised the Board that under the Texas Election Code, the District is required to complete and file a form provided by the Secretary of State regarding information related to District elections. After discussion, Director Kazmierczak moved that the District's attorneys be authorized to complete the Voting System Annual Filing Form and to file same with the Secretary of State's office. Director Bedee seconded the motion, which unanimously carried.

## **CRITICAL LOAD LIST**

Mr. Reed advised that state law requires the District to update its information identifying the location and description of facilities that have qualified for critical load status and its information regarding emergency contacts (a) annually to each electric utility that provides transmission and distribution service to the District and each retail electric provider that sells power to the District and (b) immediately upon any change in the information to the above entities, as well as to the Office of Emergency Management of Fort Bend County, the Public Utility Commission of Texas, and the Division of Emergency Management of the office of the Governor of the State of Texas. Following discussion, Director Kazmierczak moved to authorize LMS to provide information regarding emergency contacts (i) annually to each electric utility that provides transmission and distribution service to the District and each retail electric provider that sells power to the District and (ii) immediately upon any change in the information to the above entities, as well as to the Office of Emergency Management of Fort Bend County, the Public Utility Commission of Texas, and the Division of Emergency Management of the Office of the Governor of the State of Texas. Director Bedee seconded said motion, which unanimously carried.

## **OPERATIONS AND MAINTENANCE REPORTS**

Mr. Perry presented to and reviewed with the Board a written Operations and Maintenance Report dated June 6, 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 the Operations Report for the month of May 2024, prepared by SE, attached hereto as **Exhibit F**, relative to the District's Reclaimed Water System.

## **CAPITAL IMPROVEMENTS PROJECTS**

Mr. Martin next presented to and discussed with the Board the General Manager's Report dated June 6, 2024, attached hereto as **Exhibit G**. Regarding the Brazos River Bank Erosion Control Project, following discussion, Director Bedee moved to approve Pay Estimate No. 9 in the amount of \$2,062,660.78 from Texas Dewatering, as recommended by MSA and AECOM. Director Mehta seconded said motion, which unanimously carried.

Mr. Mudd next presented to and reviewed with the Board an Engineering Report dated June 6, 2024, prepared by LJA, included with **Exhibit H**. Regarding the Detention and Drainage Improvements and Facilities project, following discussion, Director Kazmierczak moved to

approve Pay Estimate No. 5 from Harris Construction, LLC in the amount of \$261,844.65, along with a reduction in the amount of retainage to 5%, 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. Reed reminded the Board that cybersecurity training is required annually by Chapter 2054, Texas Government Code, and should be completed by August 31, 2024. He requested that the directors submit their cybersecurity training certificates to SPH upon completion of the training course.

**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. The Board concurred to cancel its regularly scheduled meeting on the first Thursday of the month and consider the regular items at the special meeting on July 16, 2024.

**ADJOURNMENT**

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

731464.1



  
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 Unclaimed Property Report
- EXHIBIT E LMS Operation and Maintenance Report
- EXHIBIT F SE Operations Report
- EXHIBIT G MSA Report
- EXHIBIT H LJA Engineering
- EXHIBIT I Communications Report