

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 14

December 11, 2017

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 14 (the "District") met in regular session, open to the public, on the 11th day of December, 2017, at One Avalon Place, Sugar Land, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Jeffrey Anderson	President
Sujeeth Draksharam	Vice President/ Assistant Secretary
Herbert Krog	Secretary/ Assistant Vice President

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

Also present at the meeting were Jimmy Thompson and Jeff Perry of Levee Management Services ("LMS"); Robin Goin of Bob Leared Interests ("BLI"); Jason Kelly of LJA Engineering, Inc. ("LJA"); Christina Perry of Myrtle Cruz, Inc. ("MC"); Stacey Wagner of Champions Hydro-Lawn, Inc. ("Champions"); Keisha Seals of the City of Sugar Land ("City"); Valerie Lafite, resident of the District; and Angela Lutz and Nikole Cales of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the November 4 and November 8, 2017, special meetings, and November 13, 2017, regular meeting, which were provided in advance of the meeting. After review and discussion, Director Krog moved to approve the minutes of the November 4 and November 8, 2017, special meetings, and November 13, 2017, regular meeting, as amended. Director Anderson seconded the motion, which passed by majority vote.

COMMENTS FROM THE PUBLIC

Ms. Lafite stated she is having issues obtaining flood insurance due to the Federal Emergency Management Agency ("FEMA") Federal Insurance Rate Maps being incorrect. Mr. Kelly requested her address and stated he can resolve the issue with the floodplain manager and FEMA and give her necessary documentation noting she is not in the floodplain.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Lutz reported ABHR filed the District's Eminent Domain Report as required by the Texas Comptroller and noted the District did not exercise its eminent domain authority in 2017.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE

The Board discussed the winter AWBD conference in Dallas, Texas, January 26-28, 2018 and noted some Board members may attend the conference. After review and discussion, Director Anderson moved to authorize all interested directors to attend the conference including reimbursement of three per diems, two nights of hotel accommodations and necessary meals. Director Krog seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Perry distributed and reviewed the bookkeeper's report for November, including the list of checks presented for approval, investment report and budget comparison, a copy of which is attached. Following review and discussion, Director Krog moved to approve the bookkeeper's reports, investment reports, and authorize payment of the District's bills. Director Anderson seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Goin distributed and reviewed the tax assessor/collector's reports for December, copies of which are attached. She noted the District's 2017 taxes are 11.8% collected as of November 30, 2017. Ms. Goin reviewed a delinquent list with the Board, a copy of which is attached to the tax assessor/collector's report. After review and discussion, Director Krog moved to approve the tax assessor/collector's reports and payment of the tax bills. Director Draksharam seconded the motion, which passed by unanimous vote.

MATTERS PERTAINING TO THE CITY OF SUGAR LAND ("CITY")

Ms. Seals updated the Board regarding matters related to the installation of fiber optic cable and the encroachment on the District's property by Fort Bend Independent School District ("FBISD"). She stated the City is working on an ordinance requesting the contracting company install the cabling underground in the City's public right-of-way. It was noted PS Lightwave added two poles at end of Commonwealth Boulevard on each side of the bridge on District property and installed above ground fiber optic cables without authorization. Director Draksharam requested Mr. Kelly direct PS

Lightwave to also coordinate with the homeowners' associations in the District to ensure the installation is acceptable to all applicable parties. The Board requested lines that must be installed on District property be installed underground and noted the proper easements must be obtained. The Board requested ABHR send a letter to FBISD and the contractors regarding unauthorized installation of fiber optic cables and poles on the District's property and request the poles and cabling be removed by January 15, 2017.

The Board discussed the City's drainage study of Commonwealth Boulevard and Elkins Boulevard. Director Seals reported the proposal for the drainage study going before City Council on December 1, 2017. Director Draksharam discussed evacuation routes and noted he would like specific routes to be provided to District residents. He stated road flooding and ponding needs to be taken into account when selecting these routes to ensure residents are able to evacuate safely. Ms. Seals stated the municipal utility district, levee district or City do not prepare internal evacuation routes, and noted the City only prepares major evacuation routes. Director Draksharam recommended signs be installed when evacuations are necessary to assist in directing residents. Director Anderson recommended signs be installed notifying commuters of road closures ahead of time so they don't travel down a road only to be turned around due to a road closure. Director Draksharam stated he witnessed cars driving over medians at University and Commonwealth Boulevards and asked if the City can enact an ordinance to prevent this. The Board also requested the City consider adopting an ordinance or some type of enforcement to close Dawnington Place at the pump station during emergency events so the District's operator can safely attend to the pump station and flood fighting tasks. Ms. Seals stated she will look into the various matters and update the Board next month. She reported she has confirmed that a fuel invoice will be submitted from City for fuel it provided to the District during Hurricane Harvey.

PHASE II MS4 STORM WATER MANAGEMENT PLAN ("SWMP") IMPLEMENTATION

There was no discussion regarding this item.

REPORT ON LEVEE MAINTENANCE

Ms. Wagner presented and reviewed the levee maintenance reports and updated the Board regarding levee maintenance for the District. A copy of the report is attached. After review and discussion, Director Krog moved to approve the maintenance report. Director Draksharam seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Kelly distributed and reviewed the engineer's report, a copy of which is attached.

Mr. Kelly further updated the Board regarding the unauthorized installation of fiber optic cabling on District property. He stated he is awaiting a "Statement of Work" from PS Lightwave, but noted he is not sure this will address or resolve the issue. Mr. Kelly stated he will continue to follow up and monitor the situation.

Mr. Kelly updated the Board regarding discussion with the Fort Bend County Drainage District ("FBCDD") regarding the District's possible improvements and Fort Bend County's expectations and possible future requirements for levee districts. He stated the FBCDD expressed it would be supportive of any District flood-fighting or improvements, but noted possible new standards may be implemented for all levee districts, which to date have not been determined.

Discussion ensued regarding possible new FBCDD requirements and possible District improvements. The Board recommended Mr. Kelly provide improvement recommendations. He stated he presented recommendations two months ago, but the final decision is a Board decision. Discussion ensued regarding building an additional pump station and it was noted, if a new pump station is built, the District will have to coordinate with homeowners association regarding property ownership. Discussion ensued regarding implementing improvements that would meet a 100-year event scenario and simultaneously providing a pumping capacity of 12" in 24 hours. The Board requested Mr. Kelly and Mr. Perry coordinate regarding the possible construction of a new pump station and requested they present schematics, an estimated budget, and timeline from for the improvements at the District's next meeting. Director Draksharam requested Mr. Kelly send proposals for improvements to Mr. Mark Vogler of the FBCDD.

Mr. Kelly reported EnTouch is proposing boring under the District's east levee at First Colony Levee Improvement District No. 2. He stated LJA has reviewed plans and approved the proposed boring.

Mr. Kelly stated he sent a response letter to Fort Bend County Levee Improvement District No. 2 regarding Wallingford Study and the District's opinions regarding the same. A copy of the letter is filed in the District's official records.

Mr. Kelly stated LJA and LMS are still coordinating with the City regarding updates to the District's Emergency Action Plan ("EAP").

Director Draksharam discussed the possibility of the District conducting a tabletop type of exercise with District residents. Ms. Lutz discussed the sensitivity of emergency operations and disclosing certain information to unauthorized persons.

After review and discussion, Director Krog moved to approve the engineer's report. Director Draksharam seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Perry presented and reviewed the operator's report and updated the Board regarding operating matters, and maintenance and repairs within the District. A copy of the report is attached.

Mr. Perry reported on the following repairs and maintenance items: temporary pumps have been removed; LMS will repair the fence at the pump station in the next month; and ant bait was applied to the earthen levee.

Mr. Perry discussed a proposal to repair the District's weather station in an amount not to exceed \$9,000. After review and discussion, the Board concurred to decline authorization of the repair at this time.

Director Anderson requested the engineer and operator coordinate with the City and update the District's EAP to include the closure of Dawnington Place in front of the pump station during emergency operations.

Mr. Perry discussed a list of replacement electrical parts he recommends the District keep on reserve in case of an emergency including: flygt relays for \$3,200 each; pump sensors at \$1,900 each; and a pump transformer in the amount of \$3,450 per transformer. Director Draksharam requested LJA's electrical engineer review the list and make a determination of how many of each item is recommended for the District to keep on reserve.

Mr. Perry updated the Board regarding the installation of lighting at the stormwater pump station and noted the estimated cost is \$23,000. He stated the plans are currently being reviewed by the District's engineer. Director Anderson requested LMS secure temporary light towers for use during emergency events until the lighting is installed.

The Board discussed the possibility of purchasing additional flood fighting equipment and various flood fighting measures.

After review and discussion, Director Krog moved to approve the operator's report. Director Draksharam seconded the motion, which passed unanimously.

AMENDMENT TO AGREEMENT WITH LEVEE MANAGEMENT SERVICES, LLC

Mr. Perry discussed a possible amendment to the District's Service Contract with LMS and stated under the new contract the base rate will increase from \$4,675 to \$8,250, among other fee and rate revisions. The primary reason for this increase is to provide a dedicated operator at the District's pump station when the EAP is triggered. Additionally, the new base fee will now include all repairs under \$200. Mr. Perry stated LMS is unable to obtain the insurance coverage the District requested at this time. He

stated LMS will revisit the matter when the issue has been resolved and coverage can be obtained. After review and discussion, Director Krog moved to approve the amendment to the District's contract with LMS, which includes one additional person dedicated solely to the District during emergency events, at a monthly rate increase to \$8,250, acknowledge the new amendment is entered into without additional insurance coverage and direct that the amendment be filed appropriately and retained in the District's official records. Director Draksharam seconded the motion, which passed unanimously.

REVIEW DISTRICT INFORMATION KIT

The Board reviewed the District Information Kit and concurred to review it next month.

WEBSITE

The Board requested the website be activated.

PERIMETER LEVEE INSPECTION AND MEETINGS, DISCUSS COMMON INSPECTION AND OPERATION AND MAINTENANCE AND REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS REGARDING EVENTS AND ACTIVITIES ATTENDED DURING THE MONTH

The Board discussed the Perimeter Levee meeting on January 9, 2017 at 12:00 p.m., the National Association of Flood and Stormwater Management Agencies conference, and the possibility of rejoining the Fort Bend Flood Management Association.

DISCUSS NEXT MEETING DATE

The Board discussed its regular meeting date and concurred to meet on January 8, 2018, at 3:00 p.m.

CONSULTANT REVIEW PROCESS

The Board concurred to table this item.

There being no further business, the meeting was adjourned.



Herbert P. Krog
Secretary, Board of Directors

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