

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 14

January 8, 2018

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 8th day of January, 2018, 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"); Ann Sabrino of the Brazos Landing Homeowners Association; Alan Sandersen of Sandersen & Scheffer PLLC; and Angela Lutz and Veronica Seguin of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the December 11, 2017 regular meeting, which were provided in advance of the meeting. After review and discussion, Director Krog moved to approve the minutes of the December 11, 2017 regular meeting, as amended. Director Draksharam seconded the motion, which passed by majority vote.

COMMENTS FROM THE PUBLIC

No public comments were received by the Board.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Perry distributed and reviewed the bookkeeper's report for December, including the list of checks presented for approval, investment report and budget comparison, a copy of which is attached. Discussion ensued regarding Hurricane Harvey expense tracking and electricity charges incurred due to the storm event. Ms. Perry stated she will work to add any applicable electricity charges as a result of the hurricane to the Hurricane Harvey expense tracking sheet to be submitted for reimbursement by the Federal Emergency Management Agency.

Following review and discussion, Director Draksharam moved to approve the bookkeeper's reports, investment reports, and authorize payment of the District's bills. Director Krog seconded the motion, which passed unanimously.

ACCEPT ANNUAL DISCLOSURE STATEMENTS FOR INVESTMENT OFFICER AND BOOKKEEPER

Ms. Lutz stated that in accordance with the District's Investment Policy, the District's bookkeeper and Investment Officer, are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. She added that the disclosure statements will be filed with the Texas Ethics Commission. Ms. Garcia presented the executed disclosure statements for the Board's consideration. After review and discussion, Director Krog moved to accept the disclosure statements from the District's bookkeeper and investment officer and direct that it be filed appropriately and retained in the District's official records. Director Draksharam 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 70.50% collected as of December 31, 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.

APPROVE AND AUTHORIZE FILING OF EDUCATION/TRAINING COMPLIANCE STATUS FOR BOARD OF DIRECTORS WITH THE FORT BEND COUNTY DRAINAGE DISTRICT

The Board reviewed a list of each Directors' continuing education during the 2017 calendar year ("CE List"), as required by Fort Bend County. After review and discussion, Director Krog moved to approve the CE List and direct that it be submitted to the County, filed appropriately and retained in the District's official records. Director Draksharam seconded the motion, which passed unanimously.

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

There was no discussion on this item.

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.

Discussion ensued regarding the completion status of the City's work adjacent to the District which has causes some minor damage to the District's land. Mr. Kelly stated he will follow up with the City regarding the matter.

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

## APPROVE AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017

Mr. Sandersen presented and reviewed drafts of the District's audit for the fiscal year ended September 30, 2017, and the management letter and the District's response. After review and discussion, Director Krog moved to approve the audit, subject to final consultant review, and to direct that the audit be appropriately filed and retained in the District's official records. Director Draksharam seconded the motion, which passed by unanimous vote.

## 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 a plan of work has been received from PS Lightwave. Director Anderson reported all stakeholders involved in the matter will be meeting regarding a resolution to the issue. The Board discussed all legal and engineering time incurred as a result of the unauthorized installation of the fiber optic cabling be billed to PS Lightwave.

Discussion ensued regarding possible new FBCDD requirements and possible District improvements. Mr. Kelly stated he will present schematics for the new pump station at the next meeting.

Mr. Kelly reported the boring under the District's east levee at First Colony Levee Improvement District No. 2 has been completed.

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

Mr. Kelly stated LJA will begin to update the District's Capital Improvement Projects spreadsheet in the first quarter of 2018.

Mr. Kelly discussed a discrepancy between the current flood insurance maps and the elevations of District homes. He reported some homes in the District are being reflected on the maps as being in the floodplain. He recommended submitting a Letter of Map Revision to remove the residences inside the District that are being reflected as in the floodplain. He stated the cost to prepare and submit a Letter of Map Revision is \$7,500.

After review and discussion, Director Krog moved to (1) approve the engineer's report; (2) approve the preparation and submittal of a Letter of Map Revision, as discussed. 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: trash and debris removal; repairs to ruts in homeowner association reserve; and tube steel fence repairs.

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. Mr. Kelly stated LJA's electrical engineer is reviewing the list and will make replacement recommendations at the next meeting.

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 LMS has backup light towers, if required. The Board concurred to table further action on the lighting installation at the stormwater pump station until the pump station upgrades are completed.

Director Draksharam requested Mr. Perry post signs opposite the entrance signs for the District, reflecting that pedestrians or drivers are exiting the District. Mr. Perry stated he will provide pricing for such signage at the next meeting.

Mr. Perry discussed the pending City of Sugar Land ordinance regarding barricading streets during emergency events. He stated the City may allow the District to purchase barricades but require that the City to place them out during an emergency event.

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

Ms. Lutz stated the Board has already approved this item.

REVIEW LIST OF LOCAL GOVERNMENT OFFICERS PURSUANT TO CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE

The Board reviewed a list of the District's Local Government Officers ("List"). After review and discussion, Director Krog moved to approve the List and direct that it be filed appropriately and retained in the District's official records. Director Draksharam seconded the motion, which passed by unanimous vote.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Lutz reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

REVIEW DISTRICT INFORMATION KIT

The Board reviewed the District Information Kit. After review and discussion, Director Krog moved to approve the District Information Kit and direct it be filed appropriately and retained in the District's official records. Director Draksharam seconded the motion, which passed unanimously.

WEBSITE

Ms. Lutz stated ABHR will notify the District homeowner associations of the link to the District's website.

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.

Discussion ensued regarding Fort Bend County Levee Improvement District No. 2 commissioning of reports on behalf of the entire perimeter levee without the authorization of any other perimeter levee participants. The Board directed ABHR to send LJA's letter regarding Fort Bend County Levee Improvement District No. 2's HR Wellingford Study to the Texas Professional Engineer's Board.

DISCUSS NEXT MEETING DATE

The Board discussed its regular meeting date and concurred to meet on February 12, 2018, at 3:00 p.m.

CONSULTANT REVIEW PROCESS

The Board reviewed the District's Legal Services Agreement with ABHR. The Board requested ABHR present an updated Agreement at the next meeting.

Discussion ensued regarding open meetings act matters during emergency events. After discussion, the Board directed ABHR to send a letter to State Senator Huffman and Representatives Miller and Stephenson regarding a petition for levee improvement district boards to communicate and authorize action during emergency events without violating certain open meeting act statutes, including posting notice of meetings, quorums, and authorize the President of the Board or next available Board member to authorize necessary action during an emergency event.

There being no further business, the meeting was adjourned.

(SEAL)



*Herbert P. Lopez*  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	<u>Page</u>
Bookkeeper's report.....	1
Tax assessor/collector's report .....	2
Maintenance report.....	3
Engineer's report.....	3
Operator's report.....	4