

## MINUTES

### FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 2

November 14, 2018

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 2 (the "District"), met in regular session, open to the public, on the 14th day of November, 2018, at the William "Bill" Little Pump Station (aka Pump Station A), 4435 Greystone Way, Sugar Land, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Andre D. McDonald	President
Bryan K. Chapline	Vice President/ Assistant Secretary
Glen R. Gill	Secretary

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

Also present for all or part of the meeting were Jorge Diaz of McLennan & Associates, LP; Michelle Guerrero of Bob Leared Interests, Inc.; Jason Klump of Stormwater Solutions, LP; Mike Stone and Phil Martin of Mike Stone Associates, Inc.; Bob Hodge and Phillip Nichols of Tech3 Business Systems, LLC; Mike Thelen and Tyler Werlein of LID Solutions, LLC; Craig Kalkomey of LJA Engineering, Inc. ("LJA"); and David Oliver and Justine M. Cherne of Allen Boone Humphries Robinson LLP ("ABHR").

#### PUBLIC COMMENTS

Director McDonald opened the meeting to receive public comments. There being no public comments, Director McDonald closed the meeting to public comments

#### CONSENT AGENDA:

Approve Minutes;  
Financial and Bookkeeping matters, including Payment of District's Bills; and  
Tax Assessment and Collections Matters, including Payment of Tax Bills.

Following review and discussion, Director Chapline moved to approve the items included on the Consent Agenda, including the minutes of the Board's meetings held July 31, 2018, October 17, 2018, and November 7, 2018. Director Gill seconded the motion, which passed by unanimous vote. Copies of the minutes, and the bookkeeper's and tax assessor/collector's reports are included in the attached Board Book.

## ADDITIONAL TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Guerrero reported on customer communications related to the District's tax bills. Discussion ensued regarding the District's public communication efforts.

## ADDITIONAL FINANCIAL AND BOOKKEEPING MATTERS

Mr. Martin noted that an updated Capital Improvement Fund budget is included in the attached Board Book.

## ANNUAL REVIEW OF INVESTMENT POLICY

The Board conducted an annual review of the District's Investment Policy, a copy of which is included in the attached Board Book. Mr. Oliver stated there were no recommended changes to the District's Investment Policy. Following review and discussion, Director Chapline moved to adopt a Resolution Regarding Annual Review of Investment Policy. Director Gill seconded the motion, which was approved by unanimous vote. A copy of the resolution is included in the attached Board Book.

## AUTHORIZED DEPOSITORY INSTITUTIONS AND QUALIFIED BROKER/DEALERS

Mr. Oliver reported that the District's bookkeeper submitted an updated list of authorized depository institutions and qualified broker dealers, which includes all banks where the District maintains deposits and investments. A copy of the updated list is included in the attached Board Book. After review and discussion, Director Chapline moved to adopt a Resolution Establishing Authorized Depository Institutions and Adopting List of Qualified Broker Dealers with Whom the District May Engage in Investment Transactions. Director Gill seconded the motion, which was approved by unanimous vote.

## STORM WATER MANAGEMENT PLAN, TRAINING, AND PUBLIC COMMENTS

Mr. Klump updated the Board on the District's Storm Water Management Program ("SWMP") in compliance with the Texas Commission on Environmental Quality's (the "TCEQ") Phase II MS4 Permitting requirements. He discussed the anticipated schedule for renewal of the MS4 Permit by the TCEQ.

## GENERAL MANAGER MATTERS

Mr. Stone and Mr. Martin reported on General Manager matters, including the status of current and future District Capital Improvement Plan projects. A copy of the General Manager's report is included in the attached Board Book.

Mr. Martin reported on public communication matters, including the District's participation in a public meeting regarding Hurricane Harvey Recovery matters in

coordination with the City of Sugar Land (the "COSL") held on November 7, 2018.

Mr. Martin reviewed an updated advertisement providing registration information for the District's text and email message alerts. Discussion ensued regarding efforts to increase registration. Mr. Martin stated that website statistics will be included in future Board Books.

Mr. Martin discussed proposed articles for the District's 2019 winter newsletter.

Mr. Stone discussed the proposed development of an annual pamphlet summarizing the District's accomplishments and goals for distribution after each fiscal year end. Discussion ensued regarding options for communicating with new homeowners in the District.

Mr. Martin discussed responses to public correspondence regarding the District's tax rate and exemptions, recreational trails, and the District's purchase of the high-water vehicle.

Mr. Martin discussed coordination with ABHR on an easement required for establishing an art and statue trail near Brooks Lake and the north levee in coordination with local organizations.

Mr. Martin reported on the status of the District's pilot project to install articulated concrete block material on top of a portion of the District's west levee from the William "Bill" Little Pump Station to US Highway 59 and project to construct overflow parking at the pump station and an additional levee access point near US Highway 59 (the "West Levee Top Armoring Pilot Project"). Mr. Martin reviewed and recommended approval of Pay Estimate No. 3 and Final in the amount of \$36,342.70 and Change Order No. 4 to the contract with Lecon, Inc. for the West Levee Top Armoring Pilot Project to increase the contract in the amount of \$2,900.00. The Board determined that Change Order No. 4 is beneficial to the District. After review and discussion, Director Chapline moved to approve: (1) Pay Estimate No. 3 and Final in the amount of \$36,342.70; (2) Change Order No. 4 in the amount of \$2,900.00 as an increase to the contract with Lecon, Inc., based upon the Board's finding that the change order is beneficial to the District and the General Manager's recommendation; and (3) acceptance of the West Levee Top Armoring Pilot Project. Director Gill seconded the motion, which passed by unanimous vote. Copies of the pay estimate, change order, and the Engineer's Certificate of Completion are included in the attached Board Book.

Mr. Martin reported on the status of the District's project to rehabilitate Ditches B, B-1, C, C-1, and E, including the COSL's outfall rehabilitation project (the "Interior Ditch Rehabilitation Project"). Mr. Martin stated there were no pay estimates payable to Texas Wall and Landscape LLC for the Interior Ditch Rehabilitation Project at this time. Mr. Stone discussed delays in the project schedule.

Mr. Martin recommended approval of a request for a budget allocation increase from Tolunay-Wong Engineers for testing services for the Interior Ditch Rehabilitation Project in the amount of \$21,700.00. After review and discussion, Director Chapline moved to approve the budget allocation increase in the amount of \$21,700.00. Director Gill seconded the motion, which passed by unanimous vote. A copy of the request is included in the attached Board Book.

The Board discussed the District's proposed rehabilitation and improvement project for the District's south and east levees. Following discussion, the Board concurred to remove this proposed project from the meeting agenda until August, 2019.

Mr. Martin reported on the status of AECOM's design of the District's proposed third storm water pump station and ancillary facilities. He discussed an upcoming field visit to Texas A&M University to inspect and listen to a comparable back-up generator system.

Mr. Stone and Mr. Martin reported on the status of Hatch Associates Consultants, Inc.'s preparation of plans and specifications for the pump replacement project at the Michael "Mike" Thelen Pump Station (aka Pump Station F), including modeling of the current and proposed pump configurations by Freese and Nichols, Inc. ("FNI"). Mr. Kalkomey discussed the results of additional surveying performed in the Pump Station F watershed to confirm slab elevations in the watersheds of Ditches A and H.

Mr. Martin reported that delivery of rainfall and stream gauge equipment is complete pursuant to the District's Interlocal Agreement for Installation and Maintenance of Seven (7) Gauge Stations with the COSL and participation in the Harris County Flood Warning System. He stated that installation will begin when Harris County crews are available.

Mr. Martin stated that a progress report on FNI's hydrologic and hydraulics analyses of the District's drainage system is included in the attached Board Book. He stated FNI will evaluate the District's gravity drainage system inside and outside of the levee using recently published Atlas 14 data which increased the 100-year, 24-hour rainfall total from 12.5" to 16.23."

Mr. Martin reported that LJA is preparing a task order to design a connection between the Ditch A and Steep Bank Creek watersheds to redirect flows away from the Steep Bank Creek outfall structure.

Mr. Martin reported on District operation and maintenance activities, including the status of the biannual aerial survey of the District's facilities. Discussion ensued regarding operation and maintenance activities.

Mr. Oliver reported he is working with Husch Blackwell LLP on a revised

engagement letter.

The Board discussed First Colony - Missouri City (also known as SugarStone) perimeter levee system matters, including Mr. Kalkomey's draft report regarding the levee conditions observed during the tour of the perimeter levee system held October 12, 2018. A copy of the draft report is included in the attached Board Book. Following review and discussion, the Board requested that Mr. Kalkomey share his report with the engineers for the perimeter levee system participants and request that they add their participants' information to the report. The Board authorized distribution of the final report to the perimeter levee participants and newly elected Fort Bend County officials. Discussion ensued regarding methods for increasing communication and cooperation between the perimeter levee system participants, including encouraging the Fort Bend County Drainage District to lead such efforts.

In response to Board members' questions, Mr. Thelen reported on the status of testing for the District's water reel emergency irrigation plan for the District's north and west levees.

Mr. Martin reported on a scheduled meeting with FNI to discuss the scope of work for updating the District's Emergency Preparedness Plan. Discussion ensued regarding sharing the District's Emergency Preparedness Plan and conducting a table top exercise with the perimeter levee system participants.

There was no update on Ditch H matters.

#### RESOLUTION AUTHORIZING APPLICATION

Mr. Oliver discussed procedures for a proposed bond application and bond election. Mr. Martin recommended approval of LJA's Task Order 5 for preparation of the District's bond application. Following review and discussion, Director Chapline moved to: (1) approve LJA's Task Order 5 for preparation of the District's bond application in the amount of \$45,000.00; and (2) adopt a Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Project and Bonds. Director Gill seconded the motion, which was approved by unanimous vote. A copy of the task order is included in the attached Board Book.

Discussion ensued regarding proposed public communications related to the bond election.

#### OPERATION OF DISTRICT FACILITIES

Mr. Thelen reported on maintenance and operation matters, including pumping activities and use of lightning strike and drought maps. A copy of the operator's report is included in the attached Board Book.

## ENGINEERING MATTERS

Mr. Kalkomey stated that, as previously reported, the United States Army Corps of Engineers ("USACE") acknowledged receipt of the District's response to the USACE's final report on the Initial Eligibility Inspection of the First Colony - Missouri City (also known as SugarStone) perimeter levee for the Rehabilitation and Inspection Program submitted August 27, 2018. He stated that no schedule was provided for additional USACE levee inspections.

Mr. Kalkomey reported he is reviewing the COSL's plans for an additional sanitary sewer siphon at US 59, east of Lake Pointe Parkway.

Mr. Kalkomey reported that required benchmarks at each of the District's gauge sites and design related to the electrical services at each of the District's camera locations are finalized.

Mr. Kalkomey reported that he is finalizing a memorandum summarizing the data from additional surveying performed in the Pump Station F watershed to confirm slab elevations in the watersheds of Ditches A and H.

## DEEDS, EASEMENTS, RIGHT OF ENTRY, AND ENCROACHMENTS

Mr. Martin reported on an anticipated request for an easement for the installation of a gas line at State Highway 6 and upper Ditch H. Discussion ensued regarding the District's fees for such easements.

## CONFERENCES AND LEGISLATIVE MATTERS

The Board reviewed a calendar of upcoming conferences and discussed legislative and regulatory development matters related to federal levee, floodplain management, and flood insurance matters with potential significant impacts on Fort Bend County levees.

## MEETING SCHEDULE

The Board concurred to cancel its December 5, 2018, workshop meeting and hold its December 19, 2018, regular meeting at 8:30 a.m. at the William "Bill" Little Pump Station.

## CONVENE EXECUTIVE SESSION

The Board did not convene in executive session.

There being no further business to come before the Board, the meeting was adjourned.

*Byron K. Chyles*  
Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

Minutes  
Page

Board Book.....1