

MINUTES  
FIRST COLONY LEVEE IMPROVEMENT DISTRICT  
OF FORT BEND COUNTY, TEXAS

July 16, 2019

The Board of Directors (the "Board") of First Colony Levee Improvement District of Fort Bend County, Texas (the "District"), convened in special session, open to the public, on the 16<sup>th</sup> day of July, 2019, at the Fort Bend Chamber of Commerce, 445 Commerce Green Blvd., Sugar Land, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Scott Jacobson	President
Richard E. Sherrill	Vice President/ Assistant Secretary
Debra Coffman	Secretary

and all of the above were present, except Director Jacobson, thus constituting a quorum.

Also present at the meeting were Jeffrey Janecek and Neil Goertz of the Fort Bend County Drainage District ("FBCDD"); Jorge Alba of the City of Sugar Land ("COSL"); Andre D. McDonald, Bryan K. Chapline, and Glen R. Gill of Fort Bend County Levee Improvement District No. 2 ("FB LID 2"); Ron Frerich and Chris Lukin of First Colony Levee Improvement District No. 2 ("FC LID 2"); Sujeeth Draksharam and Shaizad Chatriwala of Fort Bend County Levee Improvement District No. 14 ("LID 14"); Kalapi Sheth and Glenn Wong of Fort Bend County Levee Improvement District No. 19 ("LID 19"); Sonal Shah, Jennie Mussler, and Jobin John of Fort Bend County Municipal Utility District No. 46 ("MUD 46"); Mike Stone and Phil Martin of Mike Stone Associates, Inc.; Mike Thelen and Jason Klump of LID Solutions, LLC; Craig Kalkomey of LJA Engineering, Inc.; Rebekah Campbell of Jones & Carter, Inc.; John Cannon, Mallory Craig, and Laken Jenkins of Coats Rose PC; Nancy Carter of The Muller Law Group, PLLC; and Justine M. Cherne of Allen Boone Humphries Robinson LLP.

The Board attended the First Colony - Missouri City (aka SugarStone) perimeter levee participants meeting and discussed routine business regarding perimeter levee facilities operations matters. No action was taken by the Board.

Mr. Frerich called the meeting to order.

PERIMETER LEVEE INSPECTION AND MAINTENANCE MATTERS

Mr. Martin distributed the Shared Perimeter Levee Reports for April, May, and June, 2019, copies of which are attached. Mr. Draksharam stated that the sluice gates indicated on the report for LID 14 are actually box gates. Mr. Thelen stated that FB LID 2 uses stop logs as a backup. Ms. Kwon stated that the minimally acceptable rating for

LID 19's flap gate operations is due to one of the four flap gates undergoing repair. She stated the repair will be completed soon.

Mr. Kalkomey reported that a routine inspection of the perimeter levee by the new United States Army Corp of Engineers ("USACE"), Galveston District team of representatives is scheduled on July 18, 2019. Mr. Kalkomey said he will send a reminder of the inspection to all of the engineers for the perimeter levee participants. He stated that he provided documents requested by USACE in advance of the inspection, consisting of information previously submitted to USACE and supplemental items regarding how the levees performed during the last five significant rainfall events. He stated that USACE has requested updated contact information for the perimeter levee participants for the Rehabilitation Inspection Program.

Discussion ensued regarding erosion repairs needed at Flat Bank Creek. Mr. Janecek stated that FBCDD is evaluating the erosion at Flat Bank Creek and anticipates beginning repairs soon. He stated that representative(s) from FBCDD will attend USACE's inspection of the perimeter levee.

Mr. Kalkomey reported that he has contacted USACE to request assistance with repairing the erosion along Ditch H near I-69 due to FB LID 2's inclusion in the Rehabilitation Inspection Program. He said USACE is currently reviewing the request to determine eligibility for assistance.

Mr. Janecek provided an update on FBCDD's county-wide levee inspections. He reported that the inspection for MUD 46 was completed on April 12, 2019, and the final report is anticipated to be issued soon. He stated that FBCDD has completed inspections and issued final reports for FB LID 2, LIDs 14, 15, and 19, and MUD 46.

Mr. Frerich and Mr. Sheth reported that FC LID 2 and LID 19 submitted their respective updated Emergency Preparedness Plans ("EPP") to the Fort Bend County Office of Emergency Management ("FBC OEM"). Mr. Kalkomey stated that LID 14 is scheduled to approve its updated EPP for submission to the FBC OEM at its August regular meeting. Mr. Martin reported that FB LID 2 annually updates its EPP and is scheduled to approve its updated EPP for submission to the FBC OEM at its August regular meeting.

Mr. Draksharam discussed LID 14's evaluation of procedures and training for deploying auxiliary pumps during significant rainfall events.

Ms. Kwon stated that LID 15 and LID 19 have 12 trailer mounted pumps deployed at Steep Bank Creek during the hurricane season.

Mr. Frerich reported on planned updates to FC LID 2's EPP at the end of July, 2019, due to the installation of a gas generator to supplement the diesel generator for auxiliary power and the expansion of FC LID 2's storm water pump station with the

installation of a new pump. He discussed FC LID 2's planned replacement of two older pumps. He stated that the new pump and the pump replacement project will quadruple FC LID 2's amount of pumping capacity. In response to questions, Mr. Frerich discussed the design, specifications, and operating procedures related to FC LID 2's pump expansion and replacement projects.

Mr. Frerich and Mr. Draksharam reported on FC LID 2's and LID 14's respective installations of new hog prevention fencing. Discussion ensued regarding the effectiveness of hog prevention fencing.

Mr. Stone and Mr. Martin reported on FB LID 2's current and proposed drainage improvement projects incorporating updated drainage criteria per recently published Atlas 14 data, which increased the 100-year 24-hour rainfall total from 12.5 to 16.23 inches. Mr. Stone discussed the schedule for the construction of FB LID 2's third storm water pump station and ancillary facilities project, including a generator barn containing 28 generators for auxiliary power, and replacement of the pumps at FB LID 2's Michael "Mike" Thelen Pump Station (aka Pump Station F) to increase pumping capacity by 10 to 15%. Mr. Stone stated that the third pump station facility is anticipated to be operational in the first quarter of 2021. He discussed FB LID 2's planned ditch improvement projects and stated that preparation of Preliminary Engineering Reports for expanding the storage capacity of Ditch A and the pumping capacity of the Michael "Mike" Thelen Pump Station are underway. Mr. Martin discussed FB LID 2's issuance of Series 2019 Bonds in the amount of \$48,000,000 and voter authorization for an additional \$88,000,000 in bonds to fund the drainage improvement projects.

Mr. Sheth reported on the status of the design of LID 15's and LID 19's joint storm water pump station expansion project. He stated that the project includes the installation of three new pumps to increase pumping capacity by 150,000 gallons per minute and will be financed through the issuance of \$10,000,000 in bonds. Ms. Kwon stated that construction is scheduled for completion in January, 2022. In response to Director Coffman's inquiry, Ms. Kwon explained that the storm water pump station expansion project is for immediate relief and that the regional watershed modeling is broader in scope.

Ms. Shah reported that the engineer for MUD 46 has begun evaluating design and location options for additional pumping capacity.

Mr. Draksharam reported that LID 14 has a new attorney and bookkeeper and has experienced substantial savings by contracting with the Fort Bend County Tax Assessor-Collector for tax collection services. In response to inquiries, Mr. Draksharam stated that LID 14 will be debt free in a couple of years. Mr. Draksharam reported on LID 14's coordination with COSL related to incorporating LID 14 into COSL's Hazard Mitigation Plan and assisting LID 14 with storm water permitting matters.

Mr. Frerich stated that FC LID 2 is evaluating whether to contract with the Fort Bend County Tax Assessor-Collector for tax collection services.

Discussion ensued regarding the Brazos River Workshop held June 6, 2019, at COSL's City Council Chambers, including Huitt-Zollars, Inc.'s Brazos River Erosion Study and Final Report, USACE's research regarding the best streambank stabilization methods for the Brazos River, and USACE's adaptive hydraulics two dimensional shallow water model of the Brazos River. Mr. Janecek stated he would distribute copies of the slides and report presented at the workshop. Mr. Janecek discussed Half Associates, Inc.'s and Freese and Nichols, Inc.'s joint performance of additional two dimensional modeling to provide more information regarding Brazos River water surface elevations.

Mr. Janecek discussed Fort Bend County's installation of a new United States Geological Survey ("USGS") gauge at the Brazos River near the US 59 northbound frontage road in COSL to provide another data point for modeling. He stated COSL is also installing a rain gauge. Mr. Frerich stated that the rain gauge installed by FC LID 2 has been extremely helpful with operations matters. He stated that FC LID 2 is measuring and monitoring rainfall rates and amounts and the water elevations at the outfall ditch at the Brazos River. Mr. Martin stated that FB LID 2 is measuring inside water elevations. Discussion ensued regarding comparing the data from the new USGS gauge that measures at mean sea level with the data from the Richmond gauge.

In response to an inquiry regarding the FBCDD water surface elevation maps, Mr. Janecek discussed additional studies and high water marks observed after the recent significant rainfall events.

There was no discussion regarding levee irrigation matters.

## LEGISLATIVE AND REGULATORY DEVELOPMENTS

Discussion ensued regarding legislative and regulatory development matters related to federal levee, floodplain management, and flood insurance matters with potential significant impacts on Fort Bend County levees. Messrs. McDonald and Gill discussed the Federal Emergency Management Agency's ("FEMA") anticipated implementation of Risk Rating 2.0, a redesign of FEMA's risk rating plan which will change the method for determining how much homeowners are charged for participating in the National Flood Insurance Program (the "NFIP"). Mr. Gill stated that, during a recent Association of State Floodplain Managers conference, there was disturbing discussion regarding the proposed implementation of Risk Rating 2.0, including costly mandatory flood insurance for properties protected by levees. He stated that the implementation plan is anticipated to be made public in April, 2020 and implemented in October, 2020. Mr. McDonald stated that through relationships previously formed with U.S. Congressional lawmakers, Fort Bend County levee

improvement districts need to continue to participate in efforts to influence national legislative and regulatory developments to minimize the risks and consequences to Fort Bend County's locally funded levee facilities. He reported on FB LID 2's efforts to participate in a federal pilot program for community purchased insurance. Discussion ensued regarding partnering with COSL and Fort Bend County on these matters. Following discussion, Mr. Chatriwala stated that he would coordinate a meeting between the perimeter levee directors and Fort Bend County Judge KP George to discuss upcoming federal legislation impacting the NFIP.

REPORTS ON EMERGENCY OPERATIONS

There were no additional reports regarding emergency operations.

MEETING SCHEDULE, ASSIGNMENTS, AND RESPONSIBILITIES

Following discussion, the meeting attendees concurred to hold the next quarterly meeting on January 21, 2020, to be chaired by FB LID 2. Additionally, the meeting attendees confirmed to schedule the annual inspection of the perimeter levee at 8:00 a.m. on Friday, October 4, 2019. The meeting attendees concurred to schedule an alternate date for the annual inspection in the event of inclement weather at 8:00 a.m. on October 25, 2019.

There being no further business, the meeting was adjourned.

(SEAL)



*D.M. Goffman*  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

Minutes  
Page

Shared Perimeter Levee Reports .....1