

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

October 22, 2020

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 10 (the "District"), met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 22nd day of October, 2020, and the roll was called of the members of the Board being present by telephone:

Don Burns	President
Johnny J. Cantu	Vice President/ Assistant Secretary
Rodney Vannerson	Secretary

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

Also attending the teleconference were David Beyer of Storm Water Solutions, LLC; Guillermo Salcedo of the City of Sugar Land ("COSL"); Kelley Jurecek of Tax Tech, Inc. ("Tax Tech"); Mary Ann Mihills of Municipal Accounts & Consulting, L.P. ("MAC"); Michael Murr of Park Rangers; Michael Rusk of LJA Engineering, Inc. ("LJA"); Jeff Perry of Levee Management Services, LLC ("LMS"); and Angie Lutz and Anne-Marie Bradford of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Lutz reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at [www.districtdirectory.org/agendapackets/fbclid10](http://www.districtdirectory.org/agendapackets/fbclid10).

OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC

Ms. Lutz reported that no emergency actions have been taken since the last Board meeting.

PUBLIC COMMENTS

Director Burns offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public wishing to address the Board, Director Burns moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the September 24, 2020, regular meeting, which were provided in advance. Following review and discussion, Director

Cantu moved to approve the minutes, as provided. Director Vannerson seconded the motion, which passed unanimously with all directors voting in favor of the motion.

#### PHASE II MS4 STORM WATER MANAGEMENT PERMIT PLAN MATTERS

Mr. Beyer updated the Board on the status of the District's Stormwater Management Program ("SWMP"). He reviewed the year 2 training and goals under the SWMP, copies of which are attached. Mr. Beyer also explained that there was a delay in the SWMP review and approval by the TCEQ due to the COVID-19 pandemic.

Mr. Beyer began his training session with the Board and other consultants. The topic of the year 2 training was the minimum control measures, and bacteria-specific elements. Mr. Beyer reviewed and explained the program elements of the SWMP and the year 2 goals accomplished to date.

#### LAKE MANAGEMENT SERVICES

The Board reviewed a report provided in advance by Lake Management Services, a copy of which is attached. Director Vannerson discussed a proposal for the replacement of the submergible irrigation pump at lake no. 1 in the amount of \$8,933. Following review and discussion, Director Burns moved to approve the proposal and authorize the repair of the submergible irrigation pump at lake no. 1 in an amount not to exceed \$8,933. Director Cantu seconded the motion, which passed by unanimous vote.

#### CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Salcedo provided an update regarding COSL matters.

#### FINAL ARBITRAGE REBATE REPORT FOR THE SERIES 2011 REFUNDING BONDS

Ms. Lutz presented and reviewed the Final Arbitrage Rebate Report for the Series 2011 Bonds (the "Report"). After review and discussion, Director Vannerson moved to accept the Report and direct that it be filed appropriately and retained in the District's official records. Director Cantu seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills reviewed the bookkeeper's report, a copy of which is attached, including the checks presented for payment, as listed in the report. Following review and discussion, Director Cantu moved to approve the bookkeeper's report, including payment of the bills listed in the report. Director Burns seconded the motion, which passed unanimously with all directors voting in favor of the motion.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Jurecek reviewed the tax assessor/collector's report, a copy of which is attached, and reported that 98.48% of the District's 2019 taxes have been collected to date and 0% of the District's 2020 taxes have been collected to date. Following review and discussion, Director Cantu moved to approve the tax assessor/collector's report and payment of the tax bills. Director Vannerson seconded the motion, which passed unanimously with all directors voting in favor of the motion.

## ENGINEER'S REPORT

Mr. Rusk reviewed the engineer's report, a copy of which is attached.

Mr. Rusk provided an update regarding the status of the construction of the pump station site access improvements and sluice gates installation. He stated that bids were received for the Phase II construction of the pump station site access improvements and installation of the backup sluice gates and recommended that the Board award the contract to Rodney Hunt, Inc. ("Rodney Hunt") in the amount of \$66,900. The Board concurred that, in its judgment, Rodney Hunt was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Mr. Rusk stated there are no channel erosion matters to discuss.

Mr. Rusk next provided an update regarding the necessary CenterPoint easements for relocation of the powerline poles and the finalization of bond application no. 7.

Following review and discussion, Director Vannerson moved to approve the engineer's report and to award the contract for the Phase II construction of the backup sluice gates to Rodney Hunt in the amount of \$66,900, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Burns seconded the motion, which passed unanimously.

## CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Rusk reviewed an updated CIP.

Director Vannerson discussed concerns regarding an unclean worksite and surrounding areas at the Phase I construction of the pump station site access improvements and directed LJA to discuss same with the contractor, Crostex Construction.

## OPERATION OF DISTRICT FACILITIES

Mr. Perry reviewed the operations report, a copy of which is attached, and discussed maintenance of the levee, channels, ditches, and pump station.

Mr. Perry stated the fourth quarter preventative maintenance tasks are currently being performed to the District's gate and generator.

Director Vannerson discussed scheduling a tour of the levee.

Following review and discussion, Director Vannerson moved to approve the operator's report. Director Cantu seconded the motion, which passed unanimously.

## PERIMETER LEVEE MATTERS

The Board discussed the Fort Bend County fall levee improvement district seminar.

## PARK AND RECREATIONAL FACILITIES

Mr. Murr reviewed a park maintenance report, a copy of which is attached, and provided an update to the Board regarding maintenance of and repairs to park and recreational facilities in the District. He reported on an obstruction of the irrigation "tip cup" at Thistle Rock park and stated he will coordinate with the appropriate party to have the obstruction removed.

Mr. Murr then reported on the Trex boardwalk at Magnolia Park, noting certain areas have begun to sag. He stated he is coordinating with LJA to prepare a recommendation for the repair of said areas.

Mr. Murr then recommended replacement of the granite gravel at Magnolia Park and requested authorization to replace same in an amount not to exceed \$500. The Board noted that Park Rangers has been previously authorized to perform all recommended repairs under the amount of \$2,500, so no additional authorization is necessary.

## ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") AND NATIONAL ASSOCIATION OF FLOOD & STORMWATER MANAGEMENT AGENCIES ("NAFSMA") CONFERENCES

There was no discussion on this matter.

## REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this matter.

HOLIDAY MEETING SCHEDULE

The Board discussed the holiday meeting schedule and concurred to reschedule its November meeting to Monday, November 30, 2020, at noon, and its December meeting to Thursday, December 17, 2020, at 11:30 a.m.

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

/s/ Rodney Vannerson  
Secretary, Board of Directors

(SEAL)

