

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

December 17, 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 17th day of December, 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 Aaron Gannaway of Lake Management Services, 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.

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.

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 reviewed and recommended Pay Estimate No. 3 for the Phase I construction of the storm water pump station improvements payable to Crostex Construction in the amount of \$168,507.00. Mr. Rusk next provided an update regarding the Phase II construction.

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

Mr. Rusk next provided an update regarding the status of the necessary CenterPoint easement for relocation of the powerline poles.

Mr. Rusk stated the bond application has been declared administratively complete by the Texas Commission on Environmental Quality.

Following review and discussion, Director Vannerson moved to (i) approve the engineering report; and (ii) approve the Pay Estimate, as presented. Director Cantu seconded the motion, which passed unanimously, with Director Vannerson abstaining.

CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Rusk stated there are no updates to the CIP.

MINUTES

The Board considered approving the minutes of the November 30, 2020, regular meeting, which were provided in advance. Following review and discussion, Director Cantu moved to approve the minutes, as provided. Director Burns seconded the motion, which passed unanimously with all directors voting in favor of the motion.

PHASE II MS4 STORM WATER MANAGEMENT PERMIT PLAN MATTERS

There was no discussion on this matter.

CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Salcedo stated the COSL has researched the ownership of the gates previously discussed and determined the COSL does not own them.

Director Vannerson then provided an update regarding various COSL matters.

ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE

The Board noted the conference will only be held virtually; therefore, there will be no travel cost reimbursements for consideration.

LAKE MANAGEMENT SERVICES

Mr. Gannaway reviewed a report provided in advance by Lake Management Services, a copy of which is attached, and reviewed recent repairs and maintenance in the District.

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 Vannerson moved to approve the bookkeeper's report, including payment of the bills listed in the report. Director Cantu 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 9.6% of the District's 2020 taxes and 98.7% of the District's 2019 taxes have been collected to date. She then reviewed a chart reflecting the current delinquent accounts under litigation, a copy of which is attached to the tax assessor/collector's report. Following review and discussion, Director Vannerson moved to approve the tax assessor/collector's report and payment of the tax bills. Director Cantu seconded the motion, which passed unanimously with all directors voting in favor of the motion.

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 discussed the installation of an additional 10,500 linear feet of hog fencing along the levee located to the west of the Grand Parkway. He stated the estimated cost to do so is approximately \$75,000. Discussion ensued regarding funding the project and the current damage caused by hogs along the levee. The Board considered using the District's Emergency Reserve Fund. Following review and discussion, Director Vannerson moved to declare this project an emergency, therefore allowing for the use of the District's Emergency Reserve Fund, and to authorize LMS to install the hog fencing as discussed, in an amount not to exceed \$75,000. Director Burns seconded the motion, which passed unanimously.

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

PARK AND RECREATIONAL FACILITIES

Mr. Murr stated he does not have a report for the Board's review and provided an update regarding the status of previously approved maintenance and repairs.

PERIMETER LEVEE MATTERS

The Board discussed the Fort Bend Flood Management Association meeting and Ms. Lutz provided an update regarding the same.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Lutz stated that the District's Eminent Domain Authority Annual Report has been filed with the Comptroller of the State of Texas, pursuant to Senate Bill 1812.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

The Board considered holding a special parks meeting every second Friday at 8:00 a.m. at the HOA clubhouse.

The Board next considered engaging a landscape architect for the projects included in the pending park bond application, and discussion ensued. Following discussion, Director Vannerson moved to authorize ABHR to submit requests for qualifications from landscape architects for review at the January 15, 2021, special meeting. Director Cantu seconded the motion, which passed unanimously.

HONORING DIRECTOR BURNS FOR HIS SERVICE TO THE DISTRICT

The Board discussed the re-appointment of Director Burns to the Board.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened in executive session at 12:43 p.m. to conduct a private consultation with the District's attorneys regarding potential litigation. ABHR, Mr. Perry, and Mr. Murr were present during the executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in regular session at 1:22 p.m.

Director Cantu moved to authorize Mr. Murr to perform the discussed gate repairs in an amount not to exceed \$10,000, as approved by the president of the Board prior to proceeding with the repairs, and to authorize LMS to continue to maintain the gates, as discussed. Director Burns seconded the motion, which passed unanimously.

The Board concurred to meet next at a special meeting on January 15, 2021, at 8:00 a.m. and to hold its next regular meeting on January 28, 2021, at 11:30 a.m.

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

(SEAL)



/s/Rodney Vannerson
Secretary, Board of Directors