

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

March 26, 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 26th day of March, 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 Youssouf Cisse, a resident of the District; Kelley Jurecek of Tax Tech, Inc.; Mary Ann Mihills of Municipal Accounts & Consulting, L.P. ("MAC"); Jimmy Thompson and Jeff Perry of Levee Management Services ("LMS"); Michael Murr of Park Rangers; Michael Rusk of LJA Engineering, Inc. ("LJA"); 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).

DECLARE EMERGENCY

Ms. Lutz reported on Governor Abbott's disaster declaration dated March 13, 2020, authorizing political subdivisions of the State of Texas to use all available resources to facilitate and expedite the use and deployment of District resources to enhance preparedness and response to the novel coronavirus (COVID-19). She stated in response to the Governor's declaration, an emergency may be declared within the District for the duration of this declared disaster and for the limited purposes authorized by Governor Abbott. After discussion, Director Burns moved to declare an emergency within the District for the duration of this declared emergency/disaster and for the limited purposes authorized by the Governor as a result of the novel coronavirus (COVID-19). Director Cantu seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

CONSIDER OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC; MEMORANDUM REGARDING PREPARATION FOR POTENTIAL EFFECTS OF COVID-19 ("MEMORANDUM"); AND ADOPT RESOLUTION REGARDING DELEGATION OF AUTHORITY DUE TO AN EMERGENCY

The Board discussed the necessity of continuing District operations and services during the state of disaster and the likely inability of a majority of the Board to convene and sign checks to pay District expenses relating to District services and District contracts during the declared disaster. Ms. Lutz reviewed the Memorandum and a Resolution Regarding Delegation of Authority Due to an Emergency (the "Resolution"). A copy of the Memorandum is attached. She noted the Resolution reflects delegations of authority to take certain actions on behalf of the Board or District, including delegation to the bookkeeper to sign approved, authorized checks on behalf of the District in accordance with Section 49.151 of the Texas Water Code. Following review and discussion, Director Burns moved to adopt the Resolution and direct it be filed appropriately and retained in the District's official records. The motion was seconded by Director Cantu. Followed by a roll call vote, the motion passed unanimously with all Directors voting in favor of the motion.

PUBLIC COMMENTS

Director Burns offered any members of the public attending the meeting by telephone the opportunity to make public comment. Mr. Cisse introduced himself to the Board and discussed concerns regarding his property tax statement. The Board requested he coordinated with the District's attorney and tax assessor-collector to resolve his issue. There being no additional members of the public requesting to make public comment, Director Burns moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the February 27, 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. Followed by a roll call vote, the motion 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 MATTERS

Mr. Perry reported the City of Sugar Land has installed the rain gauge in the District.

## ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance and concurred no changes are required at this time.

## LAKE MANAGEMENT SERVICES

There was no discussion on this agenda item.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills reviewed the bookkeeper's report, a copy of which is attached, and the checks presented for payment, as listed in the report. She then reviewed an Amended and Restated Agreement for Bookkeeping Services with the Board. After review and discussion, Director Vannerson moved to approve the bookkeeper's report, including payment of the bills listed in the report, and the Amended and Restated Agreement for Bookkeeping Services. Director Cantu seconded the motion. Followed by a roll call vote, the motion 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 95.3% of the District's 2019 taxes have been collected to date. Following review and discussion, Director Burns moved to approve the tax assessor/collector's report and payment of the tax bills. Director Cantu seconded the motion. Followed by a roll call vote, the motion 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. He provided an update regarding the status of the pump station access improvements and backup motorized sluice gates project design, and reviewed a list of additional recommended revisions due to the original design of the pump station. He further stated he intends to present a proposal for geotechnical testing at the next Board meeting.

## CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Rusk reviewed the CIP, noting no new projects have been included. A copy of the CIP is attached to the engineer's report.

## RESOLUTION IN SUPPORT OF PROJECT BRAZOS

Ms. Lutz reviewed with the Board a Resolution in Support of Project Brazos. She stated Project Brazos is a unified regional approach organized by Fort Bend County to address the accelerated rate of erosion of the Brazos River, as well as, mitigate future erosion with state and federal funding. After review and discussion, Director Burns moved to adopt the Resolution in Support of Project Brazos. Director Cantu seconded the motion. Followed by a roll call vote, the motion passed unanimously with all Directors voting in favor of the motion.

## OPERATION OF DISTRICT FACILITIES

Mr. Perry reviewed the operations report and updated the Board regarding the status of repairs and maintenance performed since the last meeting. A copy of his report is attached.

Mr. Perry provided an update regarding the status of the relocation of certain utility poles along Highway 99 by CenterPoint.

Mr. Perry then provided an update regarding the repair of the pump station tube enclosures. He reported the contractor closed before beginning the repair, due to the declared disaster, and the pump station continues to operate as designed. He stated the contractor intends to start the repair after the passing of the declared disaster.

After review and discussion, Director Cantu moved to approve the operations report. Director Vannerson seconded the motion. Followed by a roll call vote, the motion passed unanimously with all Directors voting in favor of the motion.

## PARK AND RECREATIONAL FACILITIES

Mr. Murr reviewed a park maintenance report, a copy of which is attached, and updated the Board regarding maintenance of park and recreational facilities in the District. He reported that all District playgrounds have been closed for the duration of the declared disaster.

## PERIMETER LEVEE MATTERS

There was no discussion on this matter.

## SERIES 2020 UNLIMITED TAX PARK BONDS

Ms. Lutz provided an update on the status of the preparation of the Summary of Costs and sizing of a future park bonds issue.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

Director Vannerson discussed the condition of certain wall panels in the District's brick perimeter wall. After discussion, the Board directed Mr. Perry to coordinate with FenceCrete to repair the fallen panels.

ENGINEER'S REPORT (CONTINUED)

Mr. Rusk then reviewed a proposal in the amount of \$42,500 for the preparation and submittal of a Series 2020 Unlimited Tax Park Bonds application. He reviewed a draft Summary of Costs for the bond issue and discussion ensued.

After review and discussion, Director Vannerson moved to (i) approve the engineering report; (ii) approve the pump station access improvements and backup motorized sluice gates cost revisions; and (iii) approve LJA's proposal in an amount not to exceed \$42,500. Director Cantu seconded the motion. Followed by a roll call vote, the motion passed unanimously with all Directors voting in favor of the motion.

The Board concurred to hold a special meeting, if necessary, to approve a final Summary of Costs and the next regular meeting on April 22, 2020.

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

(SEAL)



/s/ Rodney Vannerson  
Secretary, Board of Directors