

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

April 22, 2021

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 April, 2021, 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 Julie Peak of Masterson Advisors 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 and Jacob Clarke 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

There were no items to report regarding this matter.

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 March 9, 2021, special meeting and the March 25, 2021, regular meeting. Following review and discussion, Director Cantu moved to approve the minutes. Director Burns seconded the motion, which passed unanimously with all directors voting in favor of the motion.

## PHASE II MS4 STORM WATER MANAGEMENT PLAN IMPLEMENTATION

There was no discussion on this matter.

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

Mr. Salcedo stated there was no update regarding COSL matters.

## LAKE MANAGEMENT SERVICES

There was no discussion regarding this matter.

## 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.

Discussion ensued regarding the pump station energy billings, and in response to a Board request, Ms. Mihills stated she will request that the District's energy advisor, Dave Ciarella, investigate the recent charges.

Following review and discussion, Director Burns moved to approve the bookkeeper's report, including payment of the bills listed in the report. Director Cantu seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Jurecek reviewed the tax assessor/collector's report, a copy of which is attached, and reported that 95.51% of the District's 2020 taxes have been collected to date. She stated the 2021 preliminary taxable value is \$514,059,376. Following review and discussion, Director Cantu moved to approve the tax assessor/collector's report and payment of the tax bills. Director Burns seconded the motion, which passed unanimously with all directors voting in favor of the motion.

## RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

Ms. Jurecek and Ms. Peak discussed the various available taxation exemptions for active duty, deployed service members and military veterans. Ms. Lutz then discussed the Resolution Concerning Exemptions from Taxation ("Resolution") with the Board. Following review and discussion, Director Cantu moved to adopt the Resolution, granting a 20% homestead exemption, not less than \$5,000, and a \$20,000 exemption for residents aged 65 years and older and/or disabled for 2021. Director Burns seconded the motion, which carried unanimously.

## ENGINEER'S REPORT

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

Mr. Rusk provided an update regarding the construction of the Pump Station Site Access Improvements and Sluice Gates Installation and reviewed and recommended approval of Pay Estimate No. 5 in the amount of \$82,580.65, payable to Crostex Construction. He then discussed the timeline for completion of Phase I of the project. Mr. Rusk next provided an update regarding the backup sluice gates and the proposed timeline for installation of same. He requested authorization to advertise for bids for the installation of the sluice gates.

Mr. Rusk then provided an update regarding the status of the designs of the park bond projects.

Mr. Rusk stated there are no deeds or easements for the Board's consideration this month.

Following review and discussion, and based on the engineer's recommendation, Director Burns moved to (i) approve the engineering report; (ii) to approve Pay Estimate No. 5 in the amount of \$82,580.65; and (iii) authorize LJA to advertise for bids for the installation of the sluice gates. Director Cantu seconded the motion, which passed unanimously.

#### CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Rusk discussed updates to the CIP, a copy of which is attached to the engineering report.

#### 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 provided an update regarding the future maintenance of the overgrown area along the I-59 frontage road and his ongoing coordination with the Texas Toll Road Authority regarding the installation of a new guard rail along the east side of the Grand Parkway to eliminate public access to the Brazos River.

Mr. Perry next reported that the District's pump stations, and Tiger Dam trailer have been inspected in preparation for hurricane season, and noted there are no issues to report. He stated the annual maintenance and inventory was also completed on the Tiger Dam trailer.

Mr. Salcedo reported that the COSL will not be assuming responsibility for the future ongoing maintenance of the new walking trail access gates, as discussed at the last meeting.

## 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 recommended the Board authorize replacing the electric panel on the park facilities at the recreation center park with a standard panel.

Mr. Murr then discussed his inspection of the Magnolia Park overlook, and recommended the Board authorize him to replace the fence and replace the Trex board with concrete in an amount not to exceed \$19,005.

Following review and discussion, Director Cantu moved to authorize Mr. Murr to (i) replace the electric panel on the recreation center park facilities with a standard panel, as discussed, and (ii) replace the fence and replace the Trex board with concrete at the Magnolia Park overlook in an amount not to exceed \$19,005. Director Burns seconded the motion, which passed unanimously.

Ms. Peak then provided an update regarding the park bond issue, and discussed the proposed timeline for same. She and Ms. Lutz then discussed concerns raised at the last Board meeting regarding House Bill 1410 and Senate Bill 1959, and they recommended the Board continue as planned with the current park bond application and consider selling additional park bonds in the future, should the legislation pass. Discussion ensued, and Ms. Peak and Ms. Lutz addressed questions from the Board.

## PERIMETER LEVEE MATTERS

Ms. Lutz discussed a proposed bill regarding amending Section 57.053 of the Texas Water Code, and stated that ABHR has reviewed the bill and does not believe it affects the District.

Ms. Lutz next discussed the status of the proposed Risk Rating 2.0, noting that it will be discussed at the next Fort Bend Flood Management Association meeting scheduled for May 14, 2021.

## REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

The Board concurred to hold its next special parks meeting May 7, 2021, at 8:00 a.m. and its next regular meeting on May 27, 2021, at 11:30 a.m.

## EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board did not convene in executive session.

## RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board did not convene in executive session.

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

(SEAL)



/s/ Rodney Vannerson  
Secretary, Board of Directors