

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

May 28, 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 28th day of May, 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 Ike Akinwande, a resident of the District; Dave Ciarella of Enhanced Energy Services; Guillermo Salcedo of the City of Sugar Land ("COSL"); Greg Lentz of Masterson Advisors LLC; Kelley Jurecek of Tax Tech, Inc.; Mary Ann Mihills of Municipal Accounts & Consulting, L.P. ("MAC"); Jeff Perry of Levee Management Services ("LMS"); Michael Murr of Park Rangers; Michael Rusk, Jacob Clarke, and James Pottharst 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).

OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19 EPIDEMIC

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

MINUTES

The Board considered approving the minutes of the April 23, 2020, regular meeting and April 28, 2020, special meeting, which were provided in advance. Following review and discussion, Director Vannerson moved to approve the minutes, as provided. Director Cantu seconded the motion, which 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. Akinwande inquired about the pump station access improvements construction schedule and Mr. Rusk reported that the project is scheduled to begin in July 2020.

There being no further members of the public wishing to address the Board, Director Burns moved to the next agenda item.

## UPDATE FROM ENHANCED ENERGY SERVICES

Mr. Ciarella reviewed a report regarding the current CenterPoint Energy Electric Rate Case, a copy of which is attached. He noted that ratchet charges have been eliminated and discussion ensued.

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

The Board discussed the rescheduled AWBD summer conference and concurred to authorize attendance and reimbursements at the next Board meeting.

## PHASE II MS4 STORM WATER MANAGEMENT PERMIT PLAN MATTERS

There was no discussion on this matter.

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

Director Cantu requested the mowing schedule for the land adjacent to the Grand Parkway and discussed concerns regarding the drainage facilities located on a tract of land along the Grand Parkway near the Memorial Hermann hospital. Mr. Rusk discussed the Texas Department of Transportation's ("TxDOT") plans to repair the facilities.

Director Vannerson then discussed the efforts made by the Riverpark on the Brazos Property Owners Association to prepare a comprehensive list of all needed sidewalk and curb repairs and requested Mr. Salcedo provide the correct COSL contact for future coordination. He then requested Mr. Rusk investigate the ownership of a tract of land at the northeast corner of the Grand Parkway and I-69.

## LAKE MANAGEMENT SERVICES

The Board reviewed and noted there are no action items on the report provided by Lake Management Services. A copy of the report is attached.

## SERIES 2020 UNLIMITED TAX PARK BONDS

Ms. Lutz provided an update regarding the status of the land appraisal and stated the 2019 certified taxable value for the Enclave at Riverpark Sections 1 and 2 is \$50,288,830.

The Board then discussed holding a special meeting to discuss the Summary of Costs for the park bond application. After discussion, the Board concurred to hold a special meeting on Friday, June 5, 2020, at 8:30 a.m. at the RiverPark Subdivision Recreation Center, with an option to call in via teleconference for the public.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills reviewed the bookkeeper's report, including a quarterly investment report, a copy of which is attached, and the checks presented for payment, as listed in the report.

Upon an inquiry by the Board, Ms. Mihills stated she will research and provide an update to the Board regarding the annual transfer of funds to the District Emergency Reserve fund from the maintenance tax collections revenue.

After 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 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 96.49% of the District's 2019 taxes have been collected to date. She stated the District's 2020 preliminary taxable value is \$492,176,121 and Director Vannerson requested the breakdown of residential property value versus commercial property value in the District. 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. 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.

Mr. Rusk provided an update regarding the status of the design of the pump station site access improvements and sluice gates installation and reviewed a final cost estimate for same, a copy of which is attached to the engineer's report. Mr. Rusk then presented a proposed street view landscaping exhibit and discussion ensued regarding same.

Mr. Rusk presented and recommended approval of a proposal from Ninyo & Moore for geotechnical materials testing in the amount of \$23,000.

Mr. Rusk then discussed the relocation of certain CenterPoint facilities to improve access to the pump station and presented and recommended approval of two proposals from CenterPoint. He stated Proposal No. 1 includes relocating the overhead lines closer to levee and the preparation of the required easements for doing same in the total amount of \$21,044. He stated CenterPoint will fund any costs in excess of this proposal. Mr. Rusk then stated Proposal No. 2 includes the installation of two new electricity poles adjacent to the pump station in order to relocate the path of the electricity lines into the pump station in the amount of \$25,419. Discussion ensued regarding the proposals and the feasibility of installing underground lines.

Mr. Rusk stated there are no channel erosion matters, or deeds or easements for the Board's consideration.

After review and discussion, Director Vannerson moved to approve (i) the engineering report; (ii) the proposal from Ninyo & Moore in an amount not to exceed \$23,000, subject to finalization; and (iii) the two proposals from CenterPoint in a total amount not to exceed \$46,463, subject to final review. Director Burns seconded the motion, which passed by unanimous vote.

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

Mr. Rusk stated the CIP will be revised to include the final costs for the pump station site access improvements and sluice gates installation.

The Board discussed reimbursement requirements to District developers.

#### 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 and towers along Highway 99 by CenterPoint.

Mr. Perry reported on the status of the repair of fallen concrete wall panels.

Mr. Perry reviewed an amended Operation and Maintenance Service Contract with LMS with the Board and addressed questions regarding same.

The Board then reviewed the District's Critical Load Spreadsheet, noting the Spreadsheet was reviewed and approved by the District's operator and engineer.

After review and discussion, Director Vannerson (i) approve the operator's report; (ii) approve the District's Critical Load Spreadsheet and authorize it to be filed appropriately and retained in the District's official records; and (iii) approve the amended Operation and Maintenance Service Contract, subject to finalization. Director Burns seconded the motion. Followed by a roll call vote, the motion passed unanimously.

#### 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. Discussion ensued regarding the maintenance of the drainage facilities in the District's parks and replacing the fencing at Magnolia and Thistle Rock parks. Mr. Murr stated he will obtain a cost estimate for the recommended fence replacements for review at the next meeting.

#### PERIMETER LEVEE MATTERS

There was no discussion on this matter.

#### REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this matter.

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

(SEAL)



/s/ Rodney Vannerson  
Secretary, Board of Directors