

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

September 24, 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 24th day of September, 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 Mark McGrath of McGrath & Co., PLLC ("McGrath"); Guillermo Salcedo of the City of Sugar Land ("COSL"); Aaron Gannaway of Lake Management Services ("Lake MS"); 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"); 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.

MINUTES

The Board considered approving the minutes of the August 25, 2020, special meeting and August 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, which passed unanimously with all directors voting in favor of the motion.

PHASE II MS4 STORM WATER MANAGEMENT PERMIT PLAN MATTERS

There was no update regarding this matter.

CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Salcedo updated the Board regarding COSL matters.

AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2020

Mr. McGrath requested authorization to conduct the District's audit for the September 30, 2020, fiscal year end. After review and discussion, Director Cantu moved to authorize McGrath to conduct the District's audit for the September 30, 2020, fiscal year end. Director Burns seconded the motion, which passed unanimously.

LEVEE IMPROVEMENT DISTRICT DIRECTOR CONTINUING EDUCATION REQUIREMENTS

The Board reviewed a list of each Director's completed continuing education hours during the 2020 calendar year, as required by Fort Bend County, and directed ABHR to file the list as appropriate.

LAKE MANAGEMENT SERVICES

Mr. Gannaway reviewed a lake maintenance report with the Board and discussed lake maintenance and repairs performed in the District. A copy of the lake maintenance report is attached. Following review and discussion, Director Burns moved to approve the lake maintenance report. 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.

The Board reviewed a draft budget for the fiscal year ending September 30, 2021.

The Board reviewed the District's Investment Policy and concurred no changes were necessary at this time. Ms. Lutz then presented a Resolution Regarding Annual Review of Investment Policy for the Board's consideration.

Ms. Lutz reviewed a list of authorized Broker/Dealers provided by the District's bookkeeper and a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions.

Following review and discussion, Director Cantu moved to (i) approve the bookkeeper's report, including payment of the bills listed in the report; (ii) adopt the budget for the fiscal year ending September 30, 2021, as presented; (iii) adopt the Resolution Regarding Annual Review of Investment Policy and direct that it be filed appropriately and retained in the District's official records; (iv) adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and direct that it be filed appropriately and retained in the District's official records. Director Vannerson 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 97.7% of the District's 2019 taxes have been collected to date. Director Cantu requested additional information regarding the delinquent tax accounts. 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, which passed unanimously with all directors voting in favor of the motion.

2020 TAX RATE

Ms. Lutz opened the public hearing. No members of the public wished to make comments and Ms. Lutz closed the public hearing.

Ms. Jurecek confirmed that Tax Tech published the required Notice of Public Hearing stating the District anticipates levying a \$0.6824 tax rate at this meeting.

Ms. Lutz reviewed with the Board an Order Levying Taxes for a \$0.6824 tax rate, comprised of \$0.26 for debt service and \$0.4224 for operations and maintenance. She then presented an Amendment to Information Form reflecting the same tax rate. After review and discussion, Director Vannerson moved to adopt the Order Levying Taxes and authorize execution of the Amendment to Information Form. Director Burns seconded the motion, which passed unanimously.

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 then reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$132,282.00 to the

contract with Crostex Construction, Inc. Mr. Rusk next provided an update regarding the advertisement for bids for installation of the backup sluice gates. He stated bids are scheduled to be received on October 7, 2020, and the Board concurred to review and award the contract at the next parks special meeting.

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

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

Following review and discussion, Director Cantu moved to approve the engineer's report and approve Pay Estimate No. 1 in the amount of \$132,282.00, as presented. Director Vannerson seconded the motion, which passed unanimously.

CAPITAL IMPROVEMENT PLAN ("CIP")

There was no discussion on this matter.

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. He reported on the effects of Tropical Storm Beta on the District, noting the District is no longer in the "Action Stage" and there are no issues to report. He then stated LMS is pumping water out of the pump station daily for the ongoing construction, which has resulted in a higher than normal electricity invoice for the District. Following review and discussion, Director Cantu moved to approve the operator's report. Director Vannerson seconded the motion, which passed unanimously.

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.

PERIMETER LEVEE MATTERS

Ms. Lutz discussed a letter from the Judge KP George notifying all Fort Bend County special districts of available grant funds for the installation of electric vehicle charging stations, a copy of which is attached.

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

There was no discussion on this matter.

LAKE MANAGEMENT SERVICES (CONTINUED)

Mr. Gannaway reviewed and recommended approval of a proposal for the repair of the fountain motor in the Enclave south lake in the amount of \$1,947.90. The Board stated that Lake MS was previously authorized to conduct all recommended repairs under the amount of \$2,500.00, therefore this repair does not require additional approval.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened in executive session at 12:23 p.m. to conduct a private consultation with the District's attorneys regarding potential litigation. ABHR, Mr. Rusk, Mr. Perry, Mr. Murr, and Mr. Salcedo were present during the executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in regular session at 12:38 p.m. The Board took no action.

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

(SEAL)



/s/ Rodney Vannerson
Secretary, Board of Directors