

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

June 24, 2021

The Board of Directors (the "Board") of Fort Bend County Levee Improvement District No. 10 (the "District"), met in regular session, open to the public, on the 24th day of June, 2021, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, 24th Floor, Houston, Texas, outside the boundaries of the District, 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, and the roll was called of the members of the Board:

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 in person or via telephone were Tayo Ilori of McGrath & Co., PLLC; Guillermo Salcedo of the City of Sugar Land ("COSL"); Julie Peak of Masterson Advisors; Kelley Jurecek of Tax Tech, Inc.; Mary Ann Mihills of Municipal Accounts & Consulting, L.P. ("MAC"); Jacob Clarke and Craig Kalkomey of LJA Engineering, Inc. ("LJA"); Jeff Perry of Levee Management Services, LLC; and Angie Lutz, Anne-Marie Bradford, Mayera Iqbal, and Michelle Maynard 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

There were no items to report regarding this matter.

SERIES 2021 UNLIMITED TAX PARK BONDS

Ms. Peak reviewed the Preliminary Official Statement and Official Notice of Sale for the \$2,115,000 Unlimited Tax Park Bonds, Series 2021 (the "Bonds").

The Board considered appointing The Bank of New York Mellon Trust Company, N.A. as paying agent/registrar and escrow agent for the Bonds.

The Board then considered authorizing advertisement for bids for the Bonds and schedule the bond sale for July 22, 2021, contingent upon receipt of the Staff Memorandum from the Texas Commission on Environmental Quality.

Mr. Ilori requested authorization for McGrath & Co., PLLC to conduct the developer reimbursement report for the Bonds.

Following review and discussion, Director Vannerson moved to: (i) approve the Preliminary Official Statement and Official Notice of Sale, subject to final review and approval by the District's consultants; (ii) appoint Bank of New York Mellon Trust Company as paying agent/registrar and escrow agent; (iii) authorize advertisement for bids for the Bonds and schedule the bond sale for July 22, 2021, contingent upon receipt of the Staff Memorandum from the Texas Commission on Environmental Quality; and (iv) authorize McGrath & Co., PLLC to conduct a developer reimbursement report for the Bonds. Director Cantu seconded the motion, which carried unanimously.

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 May 27, 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 MATTERS, INCLUDING HOG TASK FORCE

Mr. Salcedo reported that the COSL is considering forming a "hog taskforce" and discussion ensued regarding District participation in same. Mr. Salcedo stated he will have more information for the Board at the next meeting.

ARBITRAGE REBATE REPORT

Ms. Lutz presented and reviewed the Arbitrage Rebate Report for the Series 2016 Refunding Bonds (the "Report"). Following review and discussion, Director Vannerson moved to approve the Report and direct that it be filed appropriately and retained in the District's official records. Director Cantu seconded the motion, which passed unanimously.

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.

Ms. Mihills reported on MAC's continued coordination with AT&T regarding the large invoices. She stated the service agreement between the District and AT&T expired, causing the rates to increase; however, MAC is coordinating with AT&T to lower the rates.

Discussion ensued regarding the increased electricity invoice and the Board requested that the District's energy consultant, Dave Ciarella, review the recent invoices and provide a recommendation.

Following review and discussion, Director Cantu moved to approve the bookkeeper's report, including payment of the bills listed in the report. Director Vannerson 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 97.83% of the District's 2020 taxes have been collected to date. Following review and discussion, Director Vannerson 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.

COLLECTION OF DELINQUENT TAXES.

The Board considered authorizing the delinquent tax attorney to proceed with the collection of delinquent taxes on July 1, 2021. Following discussion, Director Burns moved to authorize the delinquent tax attorney to proceed with the collection of delinquent taxes as discussed. Director Cantu seconded the motion, which passed unanimously.

Director Vannerson requested a representative from the District's delinquent tax attorney office attend the next meeting.

ENGINEER'S REPORT

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

Mr. Kalkomey provided an update regarding the construction of the Pump Station Site Access Improvements and Sluice Gates Installation. He stated bids were received for the Sluice Concrete Installation, and reviewed and recommend the Board

award the contract to Jerdon Enterprises in the amount of \$242,600. He then provided an update regarding the delivery of the backup sluice gates, which he noted are scheduled to be delivered by the end of August. Mr. Clarke then provided an update regarding the landscaping at the pump station.

Mr. Clarke next reviewed and recommended approval of two proposals for geotechnical services submitted by Gorrondona Engineering Services, Inc. ("Gorrondona") for the construction of the Frisbee Course in the amount of \$5,998 and for the construction of the Park at the Levee (Enclave) in the amount of \$5,998. He stated geotechnical work for the construction of the Overlook Trail Extension is not necessary because geotechnical work was recently completed for the site and LJA has reviewed and determined it does not need to be updated.

Following review and discussion, and based on the engineer's recommendation, Director Cantu moved to (i) approve the engineering report; (ii) award the contract for the Sluice Concrete Installation to Jerdon Enterprises in an amount not to exceed \$242,600, subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (iii) approve the two proposals for geotechnical services submitted by Gorrondona. Director Burns seconded the motion, which passed unanimously.

CAPITAL IMPROVEMENT PLAN ("CIP")

There were no discussions regarding 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.

Mr. Perry provided an update regarding the Fort Bend County Levee Improvement District No. 7 Brazos River erosion repairs north of the District and the proposed access driveway to be constructed by CenterPoint. He reviewed potential locations for the driveway, and stated he is continuing to coordinate with CenterPoint and will report back at the next meeting.

Mr. Perry next provided an update regarding 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, which he stated is dependent upon the location of the potential CenterPoint access driveway.

PARK AND RECREATIONAL FACILITIES

The Board reviewed a park maintenance report, a copy of which is attached, and reviewed an update regarding the maintenance of park and recreational facilities in the District. Discussion ensued regarding the warranty and replacement of the Pour N Play

feature located at the recreation center playground and needed repairs to the District's brick walls.

PERIMETER LEVEE MATTERS

Director Burns and Ms. Lutz discussed the recent Fort Bend County Economic Development Council meeting and the upcoming National Association of Flood and Stormwater Management Association summer conference.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

The Board requested an item on the July 16, 2021, special parks meeting agenda to consider creating a District website.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened in executive session at 1:13 p.m. to conduct a private consultation with the District's attorney regarding potential litigation. ABHR was present during the executive session.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in regular session at 1:29 p.m. The Board took no action.

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




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

Minutes
Page

Bookkeeper's report..... 3
Tax assessor/collector's report 3
Engineer's report..... 3
Operations report..... 4
Park maintenance report..... 4