

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

July 22, 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 22nd day of July, 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 Chip Sutton of Linebarger Goggan Blair & Sampson, LLP; David Beyer of Storm Water Solutions; Dominic Cashiola of Classic Messaging; 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”); Michael Rusk and Jacob Clarke of LJA Engineering, Inc. (“LJA”); Jeff Perry of Levee Management Services, LLC; 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.

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.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Mr. Sutton reviewed the delinquent tax report with the Board, a copy of which is attached. Discussion ensued, and Mr. Sutton addressed questions from the Board.

MINUTES

The Board considered approving the minutes of the June 24, 2021, regular meeting. Following review and discussion, Director Vannerson moved to approve the minutes. Director Cantu seconded the motion, which passed unanimously with all directors voting in favor of the motion.

PHASE II MS4 STORM WATER MANAGEMENT PLAN IMPLEMENTATION

Mr. Beyer provided an update to the Board regarding the status of the pending Texas Commission on Environmental Quality review and approval of the District's storm water permit application.

CITY OF SUGAR LAND MATTERS

Mr. Salcedo reported on the COSL "hog taskforce," noting that he will have more information for the Board at the next meeting. He then provided an update regarding the maintenance of the COSL walking trail access gates in the District and the removal of certain dead trees along the Grand Parkway frontage road.

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 stated that the District's phonline services provided by AT&T have been cancelled and moved to Comcast.

Ms. Mihills stated that BBVA Compass is merging with PNC Bank and will no longer collateralize deposits. She recommended the Board move the District's funds to Central Bank, which she noted does offer collateralized deposits. She further stated the District will need to enter into a Depository Pledge Agreement with Central Bank.

Ms. Mihills requested the Board defer adopting the Resolution Rescinding Delegation of Authority Due to an Emergency until the new accounts at Central Bank are in place.

Following review and discussion, Director Vannerson moved to (i) approve the bookkeeper's report, including payment of the bills listed in the report; and (ii)

authorize the transfer of the District's funds to Central Bank, including approval of a Depository Pledge Agreement with Central Bank, subject to finalization. Director Burns seconded the motion, which passed unanimously.

SERIES 2021 UNLIMITED TAX PARK BONDS

Ms. Peak provided an update regarding the proposed timeline for the sale of the \$2,115,000 Unlimited Tax Park Bonds, Series 2021. Discussion ensued, and she and Ms. Lutz addressed questions from the Board.

TAX ASSESSMENT AND COLLECTIONS MATTERS (CONTINUED)

Ms. Jurecek reviewed the monthly tax assessor/collector's report, including the tax bills presented for payment. A copy of the tax assessor/collector's report is attached. She reported that 98.13% of the District's 2020 taxes have been collected to date.

The Board considered adopting a Resolution Rescinding Designation of Treasurer During COVID-19 Declared Disaster and Authorization of Disbursements.

Ms. Jurecek then discussed issues with Wells Fargo Bank and recommended the District terminate the existing tax account at Wells Fargo Bank and open a new tax account at Allegiance Bank. She reviewed the Treasury Management Services documents with Allegiance Bank for banking services and reviewed an Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech. Ms. Lutz reviewed a Depository Pledge Agreement with Allegiance Bank.

After review and discussion, Director Cantu moved to (i) approve the tax report and the checks presented for payment; (ii) approve termination of the tax account at Wells Fargo and authorize Tax Tech to open a new account at Allegiance Bank; (iii) approve a Depository Pledge Agreement with Allegiance Bank; (iv) authorize the Board President to execute the Treasury Management Services documents with Allegiance Bank, subject to ABHR comments; (v) approve the Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech; and (vi) direct that the documents be filed appropriately and retained in the District's official records. Director Vannerson seconded the motion, which passed unanimously.

WATER DISTRICT NOMINEE FOR THE ELECTION OF THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT

The Board considered adopting a Resolution Voting for Water District Nominee for Election of the Board of Directors of the Fort Bend Central Appraisal District (the "Resolution"). Upon a motion made by Director Burns and seconded by Director Cantu, the Board unanimously voted to adopt the Resolution, casting the District's votes for Michael D. Rozzell.

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. Director Cantu express his interest in attending the final site walkthrough with the contractor for the Pump Station Site Access Improvements construction. Discussion then ensued regarding the status of the contract for the installation of the sluice gates.

Mr. Rusk provided an update regarding Brazos River erosion matters.

Mr. Rusk then provided an update regarding the status of the bond application, noting he is in the process of scheduling the pre-purchase inspection.

Following review and discussion, and based on the engineer's recommendation, Director Cantu moved to approve the engineering report. Director Burns seconded the motion, which passed unanimously.

CAPITAL IMPROVEMENT PLAN ("CIP")

There were no updates to the CIP.

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.

Following review and discussion, Director Cantu moved to approve the operations report. Director Vannerson seconded the motion, which passed unanimously.

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.

The Board then discussed removing dead trees along the Grand Parkway frontage road, and considered authorizing Director Vannerson to coordinate as necessary to have the trees removed.

Following review and discussion, Director Vannerson moved to authorize the removal of the dead trees discussed in an amount not to exceed \$60,000. Director Cantu seconded the motion, which passed unanimously.

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.

The Board then considered authorizing interested directors to attend the Association of Water Board Directors (“AWBD”) mid-winter conference. Following review and discussion, Director Burns moved to attendance at the AWBD mid-winter conference. Director Cantu seconded the motion, which passed unanimously.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

Mr. Cashiola reviewed the District’s new website, www.fbclid10.org, with the Board and discussion ensued regarding the required updates and documents to be posted to same.

Director Cantu provided an update regarding the status of the fence repairs to be conducted by FenceCrete.

The Board concurred to hold a special parks meeting on August 13, 2021, at 8:00 a.m.

LEGISLATIVE REPORT

Ms. Lutz reviewed an ABHR Capitol Report on the Texas 87th Regular Legislative Session, a copy of which is filed in the District’s records.

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)

Secretary, Board of Directors

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