

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

September 23, 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 23rd day of September, 2021, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, 24th Floor, Houston, Texas, outside the boundaries of the District, with supplemental access by telephone available to the public, and the roll was called of the members of the Board:

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| 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 Guillermo Salcedo of the City of Sugar Land (“COSL”); Tayo Ilori of McGrath & Co., PLLC (“McGrath”); Kelley Jurecek of Tax Tech, Inc. (“Tax Tech”); Mary Ann Mihills of Municipal Accounts & Consulting, L.P.; Michael Rusk and Jacob Clark of LJA Engineering, Inc.; Michael Murr of Park Rangers; Jeff Perry of Levee Management Services; and Angie Lutz and Anne-Marie Bradford of Allen Boone Humphries Robinson LLP (“ABHR”).

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 26, 2021, regular meeting. Following review and discussion, Director Cantu moved to approve the minutes, as presented. Director Vannerson 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 regarding this matter.

CITY OF SUGAR LAND MATTERS

Mr. Salcedo reported on the status of the COSL “hog taskforce.”

The Board discussed the maintenance schedule for mowing of certain tracts of land in the District.

LAKE MANAGEMENT SERVICES

There was no discussion regarding this agenda matter.

AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2021

Mr. Ilori requested authorization to conduct the District's audit for the September 30, 2021, fiscal year end. After review and discussion, Director Vannerson moved to authorize McGrath to conduct the District's audit for the September 30, 2021, fiscal year end. Director Burns seconded the motion, which passed unanimously.

DEVELOPER REIMBURSEMENT REPORT

Mr. Ilori reviewed a developer reimbursement report in connection with the Series 2021 Unlimited Tax Park Bonds, reflecting reimbursements to M/I Homes of Houston, LLC and KPS Land Investments, LP. Following review and discussion, Director Burns moved to approve the developer reimbursement report, as revised. Director Cantu seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

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

The Board reviewed a draft budget for the fiscal year ending September 30, 2022.

Mr. Perry discussed the transition to Comcast for the pump station phone line.

The Board reviewed the District's Investment Policy and concurred no changes were necessary at this time. Ms. Lutz 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.

The Board considered authorizing disbursement of the bond proceeds.

Following review and discussion, Director Vannerson 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, 2022, as presented; (iii) adopt the Resolution Regarding Annual Review of Investment Policy; (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 (v) authorize disbursement of the bond proceeds. Director Cantu seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

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 98.88% of the District's 2020 taxes have been collected to date. Following review and discussion, Director Cantu moved to approve the tax report and the checks presented for payment. Director Burns seconded the motion, which passed unanimously.

2021 TAX RATE

The Board opened the public hearing. No members of the public wished to make comments and the Board closed the public hearing.

Ms. Jurecek confirmed that Tax Tech published the required Notice of Public Hearing stating the District anticipates levying a \$0.6564 tax rate at this meeting.

Ms. Lutz reviewed with the Board an Order Levying Taxes for a \$0.6564 tax rate, comprised of \$0.25 for debt service on water, sewer, and drainage bonds, and \$0.4064 for operations and maintenance. She then presented an Amendment to Information Form reflecting the same tax rate.

Following review and discussion, Director Vannerson moved to adopt the Order Levying Taxes and authorize execution and filing of the Amendment to Information Form. Director Cantu 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 construction of the Pump Station Site Access Improvements and Sluice Gates Installation. He reviewed and recommended approval of Pay Estimate No. 8 and Final in the amount of \$18,997.26 submitted by Crostex Construction, Inc. ("Crostex") for the Site Access Improvements. Mr. Rusk stated delivery of the sluice gates has been rescheduled to late October and he provided an update regarding the installation of the sluice gates upon delivery.

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

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

Mr. Clark discussed the status of design of the various park projects included in the bond application. Discussion ensued, and the District's consultants addressed questions from the Board. The Board concurred to hold a special parks meeting on October 8, 2021.

Mr. Rusk stated there are no changes to the District's capital improvement plan.

Following review and discussion, and based on the engineer's recommendation, Director Burns moved to (i) approve the engineering report; and (ii) approve the pay estimate, as presented. Director Cantu seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Perry reviewed the operations report and updated the Board regarding the repairs and maintenance performed since the last meeting, a copy of which is attached.

Mr. Perry reported on Hurricane Nicholas's affects on the District.

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

PARK AND RECREATIONAL FACILITIES

Mr. Murr 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. He provided an update regarding the replacement of the Pour-N-Play feature located at the recreation center playground.

Mr. Murr then provided an update regarding the status of the installation of the Magnolia Park lighting fixtures and the Thistle Rock Park equipment.

Discussion then ensued regarding the removal of dead trees along the Grand Parkway frontage road.

PERIMETER LEVEE MATTERS

The Board discussed the Fort Bend Economic Development Committee.

The Board considered designating a director to vote in the Association of Water Board Directors bylaws election. Following review and discussion, Director Vannerson moved to designate Director Burns and authorize him to cast a vote in favor of the bylaws on behalf of the District. Director Cantu seconded the motion, which passed unanimously.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this agenda item.

DISTRICT WEBSITE MATTERS

The Board discussed general updates to the District's website.

LEVEE IMPROVEMENT DISTRICT DIRECTOR CONTINUING EDUCATION REQUIREMENTS

The Board reviewed a list of each Director's completed continuing education hours during the 2021 calendar year, as required by Fort Bend County, and directed ABHR to finalize and file the list as appropriate.

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

LIST OF ATTACHMENTS TO MINUTES

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