

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

January 27, 2022

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 27th day of January, 2022, at Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, 24th Floor, Houston, Texas, outside the boundaries of the District, 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 the meeting were Guillermo Salcedo of the City of Sugar Land ("COSL"); Michael Murr of Park Rangers; Kristy Hebert of Tax Tech, Inc.; Jacob Clark of LJA Engineering, Inc. ("LJA"); Albert Ramirez of Lake Management Services, LP; Jeff Perry of Levee Management Services, LLC; David Beyer of Storm Water Solutions, LLC; Greg McGrath of McGrath & Co., PLLC; and Angie Lutz, Anne-Marie Bradford, and Shammara Polk of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Burns offered any members of the public attending the meeting 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 December 23, 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.

AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2021

Mr. McGrath reviewed the District's audit for the fiscal year ending September 30, 2021. Discussion ensued regarding the balance of fees due to the developer. Mr. McGrath advised he would investigate the matter further and update if necessary. After review and discussion, Director Burns moved to approve the District's audit and authorize filing, pending finalization. Director Cantu seconded the motion, which passed unanimously.

ATTORNEY'S REPORT

Ms. Lutz reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

PHASE II MS4 STORMWATER MANAGEMENT PROGRAM

Mr. Beyer updated the Board on the District's Storm Water Management Plan ("SWMP"). He reviewed the year 3 annual report for the SWMP, and a summary of the year 3 training and goals under the SWMP, copies of which are attached.

Mr. Beyer began his training session with the Board and other consultants. He stated the topic of the year 4 training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements. Mr. Beyer explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers, to prevent adding to bacterial impairment. He then continued with the training, thoroughly explaining the sources of bacteria and outlining the program elements of the SWMP that deal with these sources. After review and discussion, Director Cantu moved to approve the year 3 annual SWMP report. Director Vannerson seconded the motion, which carried unanimously.

CITY OF SUGAR LAND MATTERS

Mr. Salcedo reported on the status of the COSL "hog taskforce" and the mowing of certain tracts of land in the District.

The Board discussed road condition concerns within the District and the progress of plans regarding the Frisbee Course.

LAKE MANAGEMENT SERVICES

Mr. Ramirez 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.

Director Vannerson discussed the resloping of lake edges, noting that is scheduled to begin within the next month. He requested LMS remove any additional debris from this work while performing maintenance in the District.

FINANCIAL AND BOOKKEEPING MATTERS

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

Ms. Lutz then stated that in accordance with the District's Investment Policy, the District's bookkeeper and the District's Investment Officer, are required to execute

disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. She added that the disclosure statements will be filed with the Texas Ethics Commission ("TEC").

Following review and discussion, Director Cantu moved to (1) approve the bookkeeper's report, including payment of the bills listed in the report; and (2) accept the disclosure statements and authorize filing with the TEC. Director Vannerson seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Hebert 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 69.53% of the District's 2021 taxes have been collected to date. She additionally presented check no. 2350 payable to Walgreens in the amount of \$2,543.75 for an overpayment refund.

The Board discussed the value of commercial land within the District and directed ABHR to obtain a proposal for an attorney to assist with future value protests for review at the next meeting.

Following review and discussion, Director Cantu moved to approve the tax report and the checks presented for payment. Director Vannerson seconded the motion, which passed unanimously.

ENGINEER'S REPORT

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

Mr. Clark 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 Nos. 1 and 2 in the amounts of \$39,206.25 and \$37,021.50, respectively, payable to Jerdon Enterprises ("Jerdon").

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

Mr. Clark provided an update on the District's capital improvement plan.

Mr. Clark discussed the status of design and plan approval of the various park projects included in the bond application. He stated the plans are being finalized and a letter of no objection has been requested from the Riverpark Property Owners Association ("POA") for the Park at the Levee (Enclave).

Discussion ensued regarding obtaining landowner approval for the Frisbee Course and the Board directed LJA to prepare a request outlining the District's intention and schedule for the Frisbee Course.

Following review and discussion, and based on the engineer's recommendation, Director Burns moved to (1) approve the engineering report; and (2) approve Pay Estimate Nos. 1 and 2 in the amounts of \$39,206.25 and \$37,021.50, respectively, payable to Jerdon. 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 updated the Board regarding the levee gate repairs. Discussion ensued regarding ongoing maintenance and directed Mr. Perry to be in charge of identifying any repairs needed and then coordinate said repairs with Park Rangers.

PARK AND RECREATIONAL FACILITIES

Mr. Murr reviewed the park maintenance report, a copy of which is attached, and updated the Board regarding the maintenance of park and recreational facilities in the District.

The Board discussed resident concerns regarding the safety of new playground equipment at Thistle Rock and Mr. Murr stated he will obtain cost estimates to pressure wash the equipment.

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

PERIMETER LEVEE MATTERS

Ms. Lutz reviewed with the Board correspondence received from the Fort Bend Economic Development Council regarding a request for information on the National Flood Insurance Program's floodplain management standards for land management and use and an assessment of the program's impact on threatened and endangered species and their habitats.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this agenda item.

EDUCATION/TRAINING COMPLIANCE STATUS

The Board reviewed a list of each Director's continuing education during the 2021 calendar year ("CE List"), as required by Fort Bend County.

DISTRICT WEBSITE MATTERS

There was no discussion on this agenda item.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened into executive session at 12:59 p.m. pursuant to section 551.071, Texas Government Code. ABHR, except Ms. Bradford, and Mr. Perry were present.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION


The Board reconvened in open session at 1:14 p.m. No action was taken.

The Board concurred to hold the next regular meeting on February 24, 2022, and the next parks meeting on February 11, 2022.

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

(SEAL)




Asst. Secretary, Board of Directors

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