

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

April 28, 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 28th day of April, 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:

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"); Mary Ann Mihills of Municipal Accounts & Consulting, LP; Michael Murr of Park Rangers; Kristy Hebert of Tax Tech, Inc.; Michael Rusk and Jacob Clark of LJA Engineering, Inc. ("LJA"); Albert Ramirez of Lake Management Services, LP; Jeff Perry of Levee Management Services, LLC ("LMS"); Julie Peak of Masterson Advisors, LLC; and Nellie Connally 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.

Director Vannerson discussed the election for the Board of Directors for the Riverpark on the Brazos Property Owners Association (the "Riverpark POA").

MINUTES

The Board considered approving the minutes of the March 11, 2022, special meeting, March 24, 2022, regular meeting, and the April 8, 2022, special meeting, as presented. Following review and discussion, Director Cantu moved to approve the minutes, as presented. Director Vannerson seconded the motion, which passed unanimously.

PHASE II MS4 STORMWATER 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 meeting held on April 27, 2022, with COSL staff and representatives from a variety of levee improvement districts and homeowners associations regarding continued discussion of feral hogs within the District.

Mr. Perry reported on the damage and repair of fencing due to work being done by contractors in the District. Discussion ensued regarding contractors working without the required permits. Mr. Salcedo advised the COSL will coordinate with the contractor to ensure work is performed with the required permits.

The Board discussed damaged curbs along Highway 99 and Riverpark Drive. The Board requested Mr. Salcedo look into getting the curbs repaired by the COSL.

## 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.

Mr. Ramirez reviewed a proposal in the amount of \$23,385 to replace the well motor. As this was considered an emergency repair, approval was previously provided by Director Burns and the repair will start tomorrow. Mr. Ramirez also advised that the panel for the well meter is old and most likely needs to be replaced. Discussion ensued and the Board directed Mr. Ramirez to obtain proposals to replace the panel and coordinate with Mr. Rusk to have the repairs added to the capital improvement plan for the District. The Board directed Mr. Ramirez to contact Mr. Murr, Ed Barnett of CIA Services, and Mr. Perry immediately regarding any irrigation issues to ensure timely resolution.

Mr. Murr reported on debris and trash found in the lake at Magnolia Park. Discussion ensued and the Board directed Mr. Ramirez to have the debris and trash removed as soon as possible.

Mr. Ramirez reported on an issue with the pump at lake no. 2. He stated it appears that the wire was pulled by someone casting a net. He stated the pump will be repaired.

Ms. Connally presented and reviewed an amended Service Agreement between the District and Lake Management Services, which states any Board member can approve work or repairs up to \$5,000. If repairs are identified in between Board meetings, repairs cannot take place until written approval is provided from a Director, copying the District operator and District attorney on the written communication.

Following review and discussion, Director Vannerson moved to (1) approve the lake maintenance report; (2) ratify approval of the well motor replacement proposal; and

(3) approve the amended Service Agreement, as presented. 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.

Ms. Milhills requested the Board authorize the annual transfer of funds in the amount of \$216,175 to the emergency reserve fund.

Following review and discussion, Director Vannerson moved to (1) approve the bookkeeper's report, including the payment of the bills listed in the report; and (2) authorize the transfer of funds in the amount of \$216,175 to the emergency reserve fund. Director Cantu 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 97.60% of the District's 2021 taxes have been collected to date.

The Board discussed check no. 2367 in the amount of \$8,037.28 for a potential litigation refund to BRE PC Riverpark SC TX, L.P.

Following review and discussion, Director Burns moved to approve the tax report and the checks presented for payment. 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 stated there are no pay estimates for the Board's approval at this time.

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

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

Mr. Clark provided an update regarding the Frisbee Course. He stated the project was awarded to Platinum Grass Services, LTD at the April 8, 2022, special meeting. He stated LJA has requested the contractor move forward with getting the Frisbee Course consultant involved. The Board directed LJA have the contractor and Frisbee Course consultant attend the May special meeting.

The Board considered accepting a parking and amenity easement from BRE RC Riverpark SC TX LP for 0.2736 acres (the "Easement"). The Board directed ABHR to coordinate with the commercial property owners regarding acceptance of the Easement and any other documentation needed to start construction of the Frisbee Course.

Mr. Clark provided an update regarding the Park at the Levee (Enclave). He stated the Sugar Land 4B Corporation Grant Program (the "Program") does not consider the District to be a community organization. He stated LJA is trying to confirm with the COSL if the same application submission can be transferred over to the Riverpark POA. Discussion ensued and the Board directed LJA to coordinate the transfer of the submission of the application to the Riverpark POA and to keep the Board updated. Mr. Clark further advised that LJA has received the electrical drawings from the Access Service Team ("Access") and is working to finalize bid set plans.

Mr. Clark provided an update regarding the Overlook Trail Extension. He stated LJA has received the electrical drawings from Access and is working to finalize bid set plans.

Following review and discussion, Director Vannerson moved to (1) approve the engineering report; and (2) accept the Easement and direct that the Easement be filed appropriately and retained in the District's records. 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 CenterPoint's work on the District's levee. He advised LMS and Mr. Rusk will continue to monitor their work and will conduct a survey once work is complete.

Mr. Perry reported on a section of hog fencing missing in the District. Discussion ensued and the Board directed Mr. Perry and Mr. Rusk to obtain pricing for cement barriers, including the delivery and installation of same.

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

#### PARK AND RECREATIONAL FACILITIES

Mr. Murr updated the Board regarding the maintenance of park and recreational facilities in the District.

Mr. Murr updated the Board on the proposal from Houston Landscapes Unlimited for the installation of a temporary drip system to be installed off Highway 99. Discussion ensued and the Board directed Mr. Murr to obtain additional proposals.



Mr. Murr updated the Board on the repair of the tube separation on a slide at the recreation center. He stated he is working to get the repairs covered under the warranty.

The Board discussed additional tree pruning in the District. Director Vannerson reported on trees along Summit Creek and Wimberly Cannon that were not pruned. Mr. Murr advised he would get this resolved.

Mr. Murr updated the Board regarding the lighting fixtures at Magnolia Park.

Mr. Murr updated the board on the removal and stump grinding of 54 trees in the District. He stated the trees have been flagged for the Directors to check and ensure that the correct trees will be removed and stumps grinded.

#### PERIMETER LEVEE MATTERS

Mr. Burns reported on the approved government grant in the amount of \$8,500,000 for the Project Brazos erosion repair project. Discussion ensued and the Board directed LJA to contact Huitt-Zollars, Inc. regarding the scope of work and directed ABHR to inform the Fort Bend County Commissioner that the District accepts the government grant and intends to proceed with the project.

Following review and discussion, Director Cantu moved to accept the government grant and to proceed with the project. Director Vannerson seconded the motion, which passed unanimously.

#### REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this agenda item.

#### DISTRICT WEBSITE MATTERS

There was no discussion on this agenda item.

#### 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.

The Board concurred to hold the next regular meeting on May 26, 2022, and the next parks meeting on May 13, 2022.

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

(SEAL)



  
Secretary, Board of Directors

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