

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

June 29, 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 29th day of June, 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 Mary Ann Mihills of Municipal Accounts & Consulting, LP; Michael Murr of Park Rangers; Kelley Jurecek of Tax Tech, Inc.; Jacob Clark and Michael Rusk of LJA Engineering, Inc. ("LJA"); Albert Ramirez of Lake Management Services, LP; Jeff Perry of Levee Management Services, LLC ("LMS"); and Brooke Milbauer, Shammara Polk, and Kathryn Blanton 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 May 13, 2022, special meeting, and the May 26, 2022, regular 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 ("COSL") MATTERS

The Board discussed Sagnik Raha taking over as the new COSL ambassador for the District.

## 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 reported that the repairs to the Lake 1 well are complete. He stated upon further inspection, the contractor did repair the electrical junction box as requested.

The Board then discussed creating an inventory of all fountains and wells within the District and directed Mr. Ramirez to prepare the inventory and coordinate with Mr. Rusk to add to the District's wish list.

Director Cantu discussed the exposed control panel at the Enclave and the possibility of getting it enclosed. Discussion ensued and the Board directed Mr. Ramirez to coordinate with Mr. Rusk to investigate the matter further.

## ARBITRAGE REBATE MATTERS

Ms. Milbauer reviewed the OmniCap Group LLC's arbitrage rebate report for the District's Series 2017 Unlimited Levee Improvement Bonds and stated no rebate is due to the Internal Revenue Service ("IRS").

## ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, REIMBURSEMENT OF ELIGIBLE EXPENSES, AND ATTENDANCE AT WINTER CONFERENCE

The Board discussed the AWBD summer conference and considered authorizing attendance at the winter conference. Following review and discussion, Director Vannerson moved to (1) approve reimbursement of all eligible expenses for Directors who attended the summer conference, which the District's bookkeeper confirmed are in compliance with the District's Travel Reimbursement Guidelines; and (2) authorize attendance of any interested Directors at the winter conference. 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 reported that the IRS is increasing mileage rates to 62.5 cents effective July 1, 2022.

Ms. Mihills discussed check no. 4884 in the amount of \$593.14, payable to the COSL for surface water irrigation. She stated the District will need to account for the increase in prices when the budget is discussed at the August Board meeting.

Following review and discussion, Director Vannerson moved to approve the bookkeeper's report, including the payment of the bills listed in the report. 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 98.34% of the District's 2021 taxes have been collected to date.

The Board discussed delinquent tax collections within the District and directed ABHR to have a representative from Linebarger Goggan Blair & Sampson, LLP ("Linebarger") provide a report at the next Board 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.

#### AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

The Board considered authorizing Linebarger to proceed with the collection of the 2021 real property taxes that are delinquent on July 1, 2022. Director Cantu moved to authorize Linebarger to proceed with the delinquent tax collection. Director Burns 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 he had no pay estimates for the Board's approval at this time. The Board discussed having photos of the newly installed Sluice Gates as a project update available on the District's website.

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

Mr. Rusk advised that the Emergency Action Plan ("EAP") has been updated with the new sluice gates and is ready for execution. He stated the EAP will be sent to Fort Bend County for filing once finalized.

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

Mr. Clark provided an update regarding the Frisbee Course. He stated the layout adjustments that were requested by the Board at the June 10, 2022, special meeting are ongoing. Discussion ensued regarding the commercial property owners review of the parking and amenity easement (the "Easement") at the trailhead/parking area. Director

Vannerson advised he would contact the commercial property owner again regarding acceptance of the Easement.

Mr. Clark provided an update regarding the Park at the Levee (Enclave). He stated LJA is continuing to work with the Access Service Team ("Access") to finalize bid set plans. Discussion ensued regarding obtaining engineering approval from the COSL and directed Mr. Clark to coordinate with the COSL to set up a meeting.

The Board considered approving an Interlocal Agreement (the "Agreement") with the COSL for park improvements. Discussion ensued and the Board concurred to approve the Agreement, subject to final review.

Mr. Clark provided an update regarding the Overlook Trail Extension. He stated LJA is continuing to work with Access to finalize bid set plans.

The Board continued discussion on the funding of park projects that have exceeded projected costs. Mr. Clark stated that at the July 8, 2022 meeting, he will have an updated spreadsheet to compare the budget and list of projects and determine which projects to continue to work and which ones to postpone.

Director Vannerson informed the Board that the Riverpark Property Owners' Association is requesting to have bollards installed in the driveway to keep cars from getting in the area near the basketball courts. Discussion ensued, and the Board directed Mr. Rusk to obtain pricing for the bollards, including installation of same.

Following review and discussion, Director Vannerson moved to (1) approve the engineering report; (2) approve the EAP, subject to final review; and (3) approve the Agreement, subject to final review and direct that it be filed appropriately and retained in the District's official 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 on the installation of additional hog fencing in the District. He stated the materials have been ordered and the hog wire is on back order.

Mr. Perry updated the Board regarding CenterPoint's work on the District's levee. He stated the work is now complete and LMS is working with LJA to complete the survey. Discussion ensued regarding the installation of additional no trespassing signs in the area and directed Mr. Perry to obtain pricing for additional signage.

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



## 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.

Mr. Murr updated the Board regarding the Lighting at Magnolia Park. He stated Park Rangers is completing the details and ownership of electrical service. He also stated he would like to have the plans reviewed by LJA's electrical engineer.

Mr. Murr updated the Board on the replacement of trees along the Grand Parkway. He stated the project is substantially complete. He further advised there are a couple of areas with stumps and roots that are widespread and requested the Board consider bringing in a backhoe, planting the trees in a different area or not to move forward with planting at all. The Board deferred action until the next special meeting.

Mr. Murr updated the Board on the installation of irrigation bubblers within the District. He stated this project is still ongoing and does not recommend payment until work is complete and satisfactory.

Mr. Murr updated the Board on the pruning of trees within the District. He stated this project will be complete next week.

Mr. Murr updated the Board on the tube separation on a slide at the recreation center.

Mr. Murr informed the Board that three additional benches have been ordered as discussed at the May 10, 2022, special meeting.

## PERIMETER LEVEE MATTERS

There was discussion on agenda item.

## REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion on this agenda item.

## DISTRICT WEBSITE MATTERS

The Board discussed the creation of the District's emergency flier and distribution to District residents.

## EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened into executive session at 12:57 p.m. pursuant to section 551.071, Texas Government Code. ABHR was present.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in open session at 1:13 p.m.

The Board concurred to hold the next regular meeting on July 28, 2022, and the next parks meeting on July 8, 2022.

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

(SEAL)



*Asst.*  \_\_\_\_\_  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

Minutes  
Page

Lake maintenance report .....	2
Bookkeeper's report.....	2
Tax assessor/collector report .....	3
Engineer's report.....	3
Operations report.....	4
Park maintenance report.....	5