

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

February 23, 2023

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 February, 2023, 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 Murr Incorporated; Kelly Jurecek of Tax Tech, Inc. ("Tax Tech"); Jacob Clark and Michael Rusk of LJA Engineering, Inc ("LJA"); Jeff Perry of Levee Management Services, LLC; Nik Raha of City of Sugar Land ("COSL"); and Angie Lutz 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 January 31, 2023, regular meeting, and the February 10, 2023, 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.

ATTORNEY'S REPORT

Ms. Lutz reviewed an Annual Report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions. She stated that the District is required to file certain financial and operating data with the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access ("EMMA") system in compliance with SEC Rule 15c12-12.

The Board then reviewed the District's procedures for continuing disclosure compliance. Ms. Lutz stated that no changes are required at this time.

Following review and discussion, Director Burns moved to approve the Annual Report, authorize ABHR to submit the District's updated financial and operating data to EMMA in compliance with the continuing disclosure provisions contained in the bond resolutions and direct that the Report be filed appropriately and retained in the District's official records. Director Cantu seconded the motion, which passed unanimously.

CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Raha updated the board regarding the portion of sidewalk that was removed near the trailhead of the Frisbee Course. He stated the COSL will reconstruct the sidewalk once construction at the Mann Eye Institute is complete.

Mr. Raha updated the Board regarding discussions with Councilman Kermally regarding the land swap between the District and the COSL. He stated the ultimate authority is with the parks department and that the COSL is not willing to swap the land that was first proposed. Discussion ensued and the Board concurred to have an additional discussion with Joe Chesser, Director of Parks and Recreation of the COSL, before deciding how to proceed.

LAKE MANAGEMENT SERVICES

The Board reviewed the lake maintenance report and discussed lake maintenance and repairs performed in the District. A copy of the lake maintenance report is attached.

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. She additionally presented check nos. (i) 4968 payable to Classic Messaging in the amount of \$4,942.60 for services rendered between August 2022 and August 2023 including the mail out that was done last year; and (ii) 2478 payable to Alex Fence Company LLC in the amount of \$30,732.00 for the bridge railing replacement project.

Ms. Mihills informed the Board that she and Mr. Jacobs are still determining where to reallocate funds from projects that will be postponed. She stated the shaded items on the report totaling \$258,194 will be reallocated to fund other District projects.

Following review and discussion, Director Cantu moved (1) to approve the bookkeeper's report, including the payment of the bills listed in the report and the additional checks presented. Director Burns seconded the motion, which passed by a vote of 2-0, with Director Vannerson abstaining from voting.

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 lights have been energized, the site has been cleaned, brick is installed, and a final walk through will be scheduled. Mr. Murr next reviewed options for staining the light discs and the Board concurred to leave the light discs as is.

Mr. Murr updated the Board on the replacement of additional trees along the Grand Parkway. He stated this project will be completed soon and that one tree from the recreation center has been transplanted to the Enclave Pond, and the benches and pads will be installed at lake locations.

Mr. Murr updated the Board on the tube separation on a slide at the recreation center. He stated the work is complete. He also updated the Board on the turf replacement at the recreation center and advised in the interim they are patching up any problem areas.

Mr. Murr informed the Board that the zip line is not operational at the moment and that parts have been ordered and will be installed once received.

Director Vannerson reviewed a proposal for flock cameras from Flock Group, Inc. in the amount of \$10,300.00. He stated the Riverpark Property Owners Association ("POA") has paid for 10 cameras to be installed at various access points in the District. Discussion ensued regarding placement of the flock cameras and who has access to the footage. The Board concurred to approve funding to install two cameras (i) one at the pump station; and (ii) one at the storage area contingent upon ABHR looking into the matter further and obtaining Director Burn's final approval. Director Cantu requested a member of the Sugar land Police Department come to the next Board meeting and the POA meeting in April to discuss the flock camera project.

Following review and discussion, Director Cantu moved to (1) approve the park maintenance report; and (2) approve funding to install two flock cameras in an amount not to exceed \$10,300.00. Director Burns seconded the motion, which passed unanimously.

REVIEW OF INVESTMENT POLICY AND ADOPTION OF AMENDED INVESTMENT POLICY

The Board discussed the Emergency Reserve fund the District had accumulated pursuant to the District's plan and policy and concurred to continue to hold the money in the Emergency Reserve Fund and make no changes at this time.

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 92.29% of the District's 2022 taxes have been collected to date.

Ms. Jurecek reviewed resident correspondence advising of continued issues of their payments not being received by Tax Tech. Ms. Jurecek stated extensive research has been performed and there were no prior issues with receiving payment from the resident.

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.

RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board discussed the District's tax rate exemptions, and considered adopting a Resolution Concerning Exemptions from Taxation ("Resolution"). Ms. Lutz stated the District currently offers a \$20,000 exemption for residents who are disabled and/or 65 years of age or older and a 20% general homestead exemption, not less than \$5,000. After review and discussion, Director Cantu moved to adopt the Resolution granting a \$20,000 exemption for residents who are disabled and/or 65 years of age or older and a 20% general homestead exemption, not less than \$5,000. Director Vannerson seconded the motion, which carried unanimously.

ENGINEER'S REPORT

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

Mr. Rusk provided an update regarding Brazos River erosion matters. He stated the river continues to remain at a low level.

Mr. Rusk provided an update on the District's capital improvement plan. He reviewed a preliminary estimate of proposed construction cost for a generator replacement. Discussion ensued regarding options for a replacement and the Board concurred to defer discussion until the next parks meeting.

Mr. Clark provided an update regarding the Frisbee Course. He stated LJA is coordinating the final Change Order which includes removal of site signage and the Pay Application as discussed at the January 13, 2023, parks meeting. Director Vannerson reviewed and presented an updated proposal from Gorilla Disc Golf ("GDC") in the amount of \$22,800 for the fabrication and installation of signage and 9 additional tee signs and advised that the Board approved the proposal from Joe Ochoa Roofing, Inc. in the amount of \$24,375 ("Joe Ochoa") at the February 10, 2023 parks meeting. Discussion ensued regarding options for removing an award of the contract from Joe Ochoa and awarding the contract to GDC. Ms. Lutz advised that if Joe Ochoa has not bought any supplies or started working on the project we could send them a letter advising the project is no longer awarded to their company as a more competitive bid was received. Director Vannerson advised he would contact Joe Ochoa and discuss the matter further.

Mr. Clark provided an update regarding the Park at the Levee (Enclave). He stated LJA is currently awaiting direction on the best way to proceed. Discussion ensued and

the Board concurred to keep the project on hold until the land swap can be ironed out between the District and the COSL.

Mr. Clark provided an update regarding the Overlook Trail Extension. He stated the contractor is currently addressing comments to bonds and insurance and LJA anticipates execution of the contract and the issuance of the Notice to Proceed in the coming weeks.

Director Cantu reviewed and presented a proposal from International Bronze in the amount of \$895.00 to replace a plaque that was stolen from a monument at the Park at the Levee. Discussion ensued and the Board concurred to move forward with replacing the plaque in an amount not to exceed \$895.00. Mr. Raha advised that the COSL may be willing to mount the plaque.

Following review and discussion, Director Vannerson moved to (1) approve the engineering report; and (2) approve the proposal from International Bronze in an amount not to exceed \$895.00. Director Cantu seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

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

Mr. Perry informed the board that the representative with the Homeowner's Association wants to meet again in March. He stated the representative wants to see how many residents handled issues that were previously brought to their attention.

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

PARK LAND SUBSTITUTION WITH THE CITY OF SUGAR LAND FOR ONGOING PARK AND RECREATIONAL PROJECTS

The Board continued to discuss the park land substitution with the COSL for ongoing park and recreational projects and Board concurred to coordinate a meeting with Joe Chesser and have Councilman Kermally attend the meeting as well.

LANDSCAPING MATTERS

There was no discussion regarding this agenda item.

PERIMETER LEVEE MATTERS

The Board discussed perimeter levee matters.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

Ms. Lutz discussed two proposed bills that were presented during the legislative session regarding qualifications to serve on a Levee Improvement District and disbursements.

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 March 23, 2023, and the next parks meetings on March 10, 2023.

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



Secretary, Board of Directors

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