

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

March 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 March, 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 ("MAC"); Michael Murr of Murr Incorporated ("Murr Inc."); Kelly Jurecek of Tax Tech, Inc.; Jacob Clark and Michael Rusk of LJA Engineering, Inc ("LJA"); Albert Ramirez and Joe Voigt of Lake Management Services, LP ("LMS"); Jeff Perry and Michael Brooks of Levee Management Services, LLC; 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 13, 2023, special meeting, the February 23, 2023, regular meeting, and the March 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.

PHASE II MS4 STORMWATER MANAGEMENT PLAN

There was no discussion regarding this agenda item.

CITY OF SUGAR LAND ("COSL") MATTERS

There was no discussion regarding this agenda item.

## 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 requested LMS postpone the dying of the lakes, primarily lakes 1 and 2, until a week before the tournament that is scheduled to take place on April 29, 2023, and April 30, 2023. Mr. Ramirez advised that LMS will postpone the dying of lakes 1 and 2 until a week before the tournament and will move forward with dying lakes 3 and 4 on the regular schedule.

Mr. Boyd updated the Board regarding issues with the irrigation pump in lake 1. He stated the division of Lake Management Services who handles the pumps conducted an inspection and found an issue with the cycle stop and LMS was able to repair it. He further stated that after testing the system they found there was a large leak inhibiting the function of the system. Discussion ensued regarding concerns of ongoing irrigation issues and lack of communication between LMS, Houston Landscapes Unlimited, Inc. ("HLU"), and CIA Services ("CIA"). The Board directed Mr. Ramirez and Mr. Voight to be present at the next parks meeting on April 14, 2023. Mr. Voight advised that LMS will coordinate a meeting with Ed Barnett of CIA and Rome Alfaro of HLU for Friday, March 24, 2023, to discuss any irrigation issues and any needed repairs.

## 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. Mihills reviewed and discussed check no. 4971 payable to Levee Management Services, LLC in the amount of \$33,383.91, which includes \$21,498.00 for bermuda grass overseeding performed by CDC Unlimited, LLC.

Ms. Mihills next reviewed and discussed check no. 4774 payable to Murr Incorporated for Gorilla Disc Golf expenses.

Ms. Mihills informed the Board that MAC purchased a Certificate of Deposit in the general operating fund from Veritex Community Bank and it is currently earning 4.54 percent interest. Discussion ensued regarding the financial climate of the banking industry and ensuring any banks that currently hold District funds have been fully vetted.

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 are remaining funds to be reallocated totaling \$206,531.67.

Ms. Lutz updated the Board regarding reappointment of Directors and the Board potentially moving to a five-member Board. Discussion ensued.

Following review and discussion, Director Cantu moved to approve the bookkeeper's report, including the payment of the bills listed in the report. Director Vannerson 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 94.25% of the District's 2022 taxes have been collected to date.

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 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.

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 updated the Board regarding action items for the completion of the Frisbee Course and the grand opening event to be held on April 30, 2023. He stated the new tee pads have been installed and the sun deck topping will be installed at the beginning of next week, weather permitting. He next reviewed and presented a mock-up of the proposed signage, which needs final approval. Mr. Vannerson next discussed that the posts for the signs for each of the tee boxes will be installed next week. He stated the posts will be installed next and that the signage will be in within the next couple of weeks. He further advised there is approximately 30 to 40 feet of sidewalk that needs to be repaired as the COSL advised they will not repair until after the Mann Eye Institute construction is completed. Mr. Jacobs advised it would be approximately \$1,500.00 to repair the sidewalk. Mr. Vannerson stated that once the sidewalk is complete, the main sign will be installed. He next advised that the disc course flier will be going out in the mail tomorrow along with the notice of the annual meeting, which is scheduled for Thursday, April 20, 2023. Discussion ensued regarding who to invite, and what will be presented on behalf of the District. Mr. Vannerson advised that the details of the grand opening for the Frisbee Course are being handled by the Riverpark Property Owners Association ("RiverPark POA"). He proposed offering a personalized disc to all participants who participate in

the tournament, which would be approximately \$650.00. Discussion ensued regarding whether permits are required for the food trucks that will be at this event and the Board concurred to contact the COSL to confirm whether permits are required. Mr. Vannerson advised there will be 3 additional holes installed between lakes 2 and 3 along with temporary tee boxes and temporary baskets. He stated this will allow for 15 additional players to take part in the tournament. He stated the RiverPark POA will be posting signs throughout the District to alert the public that an event will be taking place at the Frisbee Course. He next discussed asking vendors to donate prize money for the event as neither the Riverpark POA nor the District can offer prize money for the event.

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 directed ABHR to prepare a letter to Joe Chesser offering two options (i) 13 and 8 acres behind the levee; and (ii) 100- foot- wide strip of land that goes from the feeder road to the District's pump station.

Mr. Clark provided an update regarding the Overlook Trail Extension. He stated the Notice to Proceed has been issued and the contractor is providing the necessary layout, shop drawing, and long lead items. Director Cantu discussed including a monument at the dedication for the pavilion.

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

#### REVIEW EMERGENCY PREPAREDNESS PLAN ("EPP") AND AUTHORIZE FILING OF UPDATES, IF NECESSARY

The Board discussed the District's EPP. Mr. Rusk stated that the District's consultants have reviewed the District's EPP and there are no changes needed at this time.

#### REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT'S FACILITIES AND AUTHORIZE ANNUAL FILING

The Board reviewed the District's critical load spreadsheet, which had been previously provided to the District's operator, engineer, and bookkeeper for review. Ms. Connally noted that the critical load information on the District's facilities is required to be reviewed at least annually and provided to certain entities, which include the District's electricity provider, the Public Utility Commission, and other governmental entities. Following review and discussion, Director Cantu moved to approve the critical load spreadsheet, authorize providing it to the appropriate entities, and direct that a copy be retained in the District's official records. Director Vannerson 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 replacement of additional trees along the Grand Parkway. He stated this project will be completed once irrigation leaks in the bubbler are repaired.

Mr. Murr updated the Board regarding the Lighting at Magnolia Park. Director Vannerson advised that half of the lights were not lit when he went and checked last week. Mr. Murr stated he would go out and investigate the issue further and report his findings to the Board.

Mr. Murr updated the Board on the turf replacement at the recreation center. He stated this project is still pending as the Board directed Murr Inc. to hold off on this project until further notice. Director Cantu advised Mr. Perry is looking into other options as well. Mr. Perry advised Levee Management Services, LLC is working with the turf company, Hellas, to see if they can offer any recommendations and he will coordinate with Mr. Murr with their recommendations.

## 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 he had another meeting with a representative from the Homeowner's Association ("HOA") and another drive-thru was conducted. He stated the HOA will be sending additional letters out to residents. Discussion ensued.

Mr. Perry discussed the installation of an air conditioning unit at the District's pump station and requested the Board authorize the purchase and installation of an air conditioning unit in an amount not to exceed \$6,500. Discussion ensued.

Mr. Perry introduced Michael Brooks to the Board as a new member of the Levee Management Services, LLC team.

Following review and discussion, Director Cantu moved to (1) approve the operations report; and (2) approve the installation of an a/c unit in an amount not to exceed \$6,500. Director Vannerson seconded the motion, which passed unanimously.

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

The Board continued discussion on the park land substitution with the COSL for ongoing park and recreational projects and the Board concurred to have ABHR and LJA

prepare a map of highlighted areas that are being proposed for the land swap along with a letter to Joe Chesser of the COSL.

LANDSCAPING MATTERS

There was no discussion regarding this agenda item.

PERIMETER LEVEE MATTERS

There was no discussion regarding this agenda item.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

The Board continued discussion on the installation of flock cameras, concerns with open records request, and the purpose of the flock cameras and the Board concurred to forgo the installation of flock cameras at the pump station.

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 April 27, 2023, and the next parks meetings on April 14, 2023.

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



  
Secretary, Board of Directors

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