

MINUTES  
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

May 25, 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 25th day of May, 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 Sherry Burns, a member of the public; Mary Ann Mihills of Municipal Accounts & Consulting, LP; Michael Murr of Murr Incorporated; Kelly Jurecek of Tax Tech, Inc.; Michael Rusk of LJA Engineering, Inc ("LJA"); Albert Ramirez of Lake Management Services, LP; Jeff Perry and Michael Brooks of Levee Management Services, LLC ("LMS"); Nik Raha of the City of Sugar Land; and Angie Lutz and Shammara Polk of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

Director Burns offered any members of the public attending the meeting the opportunity to make a 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 April 14, 2023, special meeting, and the April 27, 2023, 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

There was no discussion on this agenda item.

CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Raha discussed COSL matters.

## 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 informed the Board that the fountain in lake 2 is currently inoperable. He stated there is either an issue with the cable or motor that the motor will be pulled to investigate the matter further. Discussion ensued, and the Board directed Mr. Ramirez to proceed with any necessary repairs if the cost to repair is \$2,500.00 or less. If the repair is over \$2,500.00, Mr. Ramirez should contact Director Burns for approval.

Ms. Lutz reviewed and discussed a service agreement between the District and Lake Management Services, LP (the "Agreement") for irrigation pump maintenance services.

Following review and discussion, Director Burns moved to (1) approve the lake maintenance report; (2) approve the repair to the fountain in lake 2 in an amount not to exceed \$2,500; and (3) approve the Agreement and direct that it be filed and retained in the District's official records. Director Cantu seconded the motion, which passed unanimously.

## TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") AND NATIONAL ASSOCIATION OF FLOOD AND STORMWATER MANAGEMENT AGENCIES ("NAFSMA") SUMMER CONFERENCES

Ms. Lutz discussed the District's Travel Reimbursement Guidelines and director expenses for the upcoming AWBD and NAFSMA summer conferences, collectively (the "Conferences"). Following review and discussion, Director Burns moved to authorize reimbursement to any directors attending the Conferences for up to four per diems, three nights of hotel, and six meals during the Conferences. 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. Mihills reviewed and discussed check no. 2494, payable to International Bronze Plaque Co. Inc. in the amount of \$895.00 for the plaque to replace the one that was stolen at the Park at the Levee.

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 items with asterisks in the report are projects that are being reallocated.

Following review and discussion, and based on the bookkeeper's recommendation, Director Cantu moved to approve the bookkeeper's report, and the payment of the bills listed in the report including check no. 2494, as discussed. 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 96.08% of the District's 2022 taxes have been collected to date.

Following review and discussion, and based on the tax assessor/collector's recommendation, Director Vannerson 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 regarding the Frisbee Course project. He reviewed and recommended approval of Pay Estimate No. 4 and Final in the amount of \$6,160.20, submitted by Platinum Grass Services, LTD ("PGS").

Mr. Rusk provided an update regarding the Park at the Levee (Enclave). He reviewed and presented a proposal in the amount of \$4,200.00 for LJA to prepare a metes and bounds for the 0.3419-acre tract in connection with the land swap between the District and the COSL. Ms. Lutz reviewed correspondence from the COSL attorney advising that an appraisal, metes and bounds description, and survey should be provided to the COSL and in turn the COSL will determine if the land being exchanged is of comparable size and value. Discussion ensued, and Ms. Lutz advised that the COSL attorney has confirmed that by state law they must receive fair market value for the land being exchanged.

Mr. Rusk provided an update regarding the Overlook Trail Extension. He stated the contractor is proceeding with the work and that LJA is currently reviewing the submittals and shop drawings.

Mr. Rusk provided an update on the District's capital improvement plan. He stated LJA will bring the final cost estimate and the various options for the pump station to the June 9, 2023, parks meeting.

Following review and discussion, and based on the engineer's recommendation, Director Vannerson moved to (1) approve the engineering report; (2) approve Pay

Estimate No. 4 and Final in the amount of \$6,160.20, submitted by PGS; (3) approve the proposal in the amount of \$4,200.00 for LJA to prepare the metes and bounds for the 0.3419-acre tract; and (4) authorize LJA to obtain an appraisal for the 0.3419-acre tract. 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 LMS and a Homeowner's Association representative will have a meeting on June 6, 2023, regarding resident's dropping grass clippings in the swale.

Following review and discussion, and based on the operator's recommendation, Director Burns 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

There was no discussion regarding this agenda item.

#### 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 the spare lights have arrived.

Mr. Murr updated the Board on the replacement of additional trees along the Grand Parkway. He stated there are six trees left to be planted and there are 95 trees for planting on the second row in the Fall. Discussion ensued regarding the timeline for the planting of the six remaining trees and the planting of the additional 95 trees in the fall.

Mr. Murr updated the Board on the turf replacement at the recreation center. He stated this project is still pending as the Board previously advised to hold off on this project until further notice.

#### PERIMETER LEVEE MATTERS

Director Burns discussed perimeter levee matters.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

The Board discussed Senate Bill 2521 and how the potential changes will affect Levee Management Districts.

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 parks meetings on June 9, 2023, and the next regular meeting on June 29, 2023.

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



  
Secretary, Board of Directors

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