

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

September 28, 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 28th day of September, 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 except Director Vannerson, thus constituting a quorum.

Also attending the meeting were Mary Ann Mihills of Municipal Accounts & Consulting, LP; Michael Murr of Murr Incorporated; 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 and Michael Brooks of Levee Management Services, LLC; Nik Raha of the City of Sugar Land; Chase Eastland of Masterson Advisors LLC; David Beyer of Storm Water Solutions, 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 comments. 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 July 14, 2023, special meeting, the August 24, 2023, regular meeting, and the September 15, 2023, special meeting, as presented. Following review and discussion, Director Cantu moved to approve the minutes, as presented. Director Burns seconded the motion, which passed unanimously.

PHASE II MS4 STORMWATER MANAGEMENT PLAN

Mr. Beyer updated the Board on the District's Storm Water Management Plan ("SWMP"). He also reviewed the a summary of the year 5 training and goals under the SWMP, a copy of which is attached.

CITY OF SUGAR LAND ("COSL") MATTERS

Mr. Raha updated the Board on discussion from the August 24, 2023, Board meeting regarding reports of water leaks throughout the community. He stated all water leaks have been repaired to date.

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.

AUTHORIZE AUDITOR TO CONDUCT AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2023

The Board reviewed a letter from McGrath & Co., PLLC ("McGrath") requesting authorization to conduct the District's audit for the September 30, 2023, fiscal year end. Following review and discussion, Director Cantu moved to authorize McGrath to conduct the District's audit for the September 30, 2023, fiscal year end. Director Burns seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING DIRECTOR FEES OF OFFICE AND DISTRICT REIMBURSEMENT POLICY

Ms. Lutz stated that House Bill No. 2815, which became effective on June 18, 2023, sets the maximum water district director fees of office at the per diem amount set by the Texas Ethics Commission for members of the legislature. She noted that, pursuant to House Bill No. 2815, the current maximum amount for director fees of office is \$221.00, and going forward, the maximum amount automatically will be indexed for inflation.

The Board then considered adopting a Resolution Establishing Director Fees of Office and District Reimbursement Policy to reflect that directors' fees of office shall be paid at the maximum rate allowed by law, noting that this would replace the previously adopted Resolution. Discussion ensued, and the Board concurred not to increase the director fees to \$221.00 and to stay at \$150.00.

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.

The Board reviewed and discussed a draft budget for the fiscal year ending September 30, 2024.

The Board reviewed the District's Investment Policy and concluded no changes were necessary at this time. Ms. Lutz presented a Resolution Regarding Annual Review of Investment Policy for the Board's consideration.

Ms. Lutz then reviewed a list of authorized Broker/Dealers provided by the District's bookkeeper and a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions.

Following review and discussion, Director Burns moved to (1) approve the bookkeeper's report, including the payment of the bills listed in the report; (2) adopt the budget for the fiscal year ending September 30, 2024, as presented; (3) adopt the Resolution Regarding Annual Review of Investment Policy; and (4) adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. Director Cantu seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Hebert reviewed the monthly tax assessor/collector's reports, including the tax bills presented for payment. A copy of the tax assessor/collector's reports is attached. She reported that 98.85% of the District's 2022 taxes have been collected to date.

Following review and discussion, Director Cantu moved to approve the tax report and the checks presented for payment. Director Burns seconded the motion, which passed unanimously.

PUBLIC HEARING REGARDING DISTRICT'S 2023 TAX RATE, ADOPT ORDER LEVYING TAXES AND EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Hebert stated that the notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2023 total tax rate of \$0.57.

Director Burns opened the public hearing. There being no comments from the public, Director Burns closed the public hearing.

Ms. Lutz presented an Order Levying Taxes reflecting the proposed 2023 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Fort Bend County.

Following review and discussion, Director Burns moved to (1) adopt the Order Levying Taxes reflecting a total 2023 tax rate of \$0.57 per \$100 of assessed valuation, comprised of \$0.20 to pay debt service and \$0.37 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. 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. He stated LJA is working to gather the survey data and to start the preliminary design of the generator replacement and pump station improvements.

Mr. Clark provided an update regarding the Park at the Levee (Enclave). He informed the Board that to move forward with the land swap, the COSL is requesting that the District establish a budget for the potential improvements associated with the Park at the Levee (Enclave) project and reviewed a cost estimation spreadsheet. Director Cantu discussed proposing to swap the land with the splash pad which is currently owned by the Homeowner's Association with the COSL. Discussion ensued, and the Board concurred to utilize the remaining bond funds of \$432,584.24 and to add an additional \$500,000 to be taken out of the District's emergency reserve fund and to authorize ABHR and LJA to obtain an appraisal of the land with the splash pad.

Mr. Clark provided an update regarding the Overlook Trail Extension. He stated the contractor has poured foundation for the pavilion and expects the pavilion to be installed the first week of October.

Following review and discussion, and based on the engineer's recommendation, Director Burns moved to (1) approve the engineering report; (2) approve utilizing the remaining bond funds in the amount \$432,584.24 and to add an additional \$500,000.00 from the District's emergency reserve fund for improvements for the Park at the Levee (Enclave) project; and (3) authorize ABHR to obtain an appraisal of the land with the splash pad. 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.

Following review and discussion, Director Cantu moved to approve the operations report. Director Burns 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 on the turf replacement at the Clubhouse Park turf next to the RiverPark Recreation Center, which park land is owned by the District. He stated the contractor is requesting the Board advise where they can put a dumpster and a portable bathroom during construction. Discussion ensued, and the Board directed Mr. Murr to confirm with Director Vannerson.

Mr. Murr updated the Board on the installation of granite gravel in front of the zip line next to the splash pad. He stated the granite gravel will be installed this month.

PERIMETER LEVEE MATTERS

Director Burns updated the Board regarding perimeter levee matters.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion regarding this agenda item.

DISTRICT WEBSITE MATTERS

There was no discussion regarding this agenda item.

LEVEE IMPROVEMENT DISTRICT DIRECTOR CONTINUING EDUCATION REQUIREMENTS

The Board reviewed a list of each Director's completed continuing education hours during the 2023 calendar year, as required by Fort Bend County, and directed ABHR to finalize and file the list as appropriate.

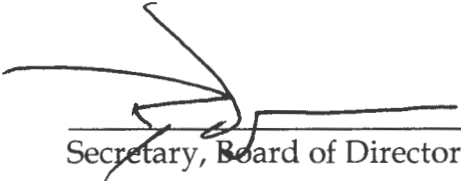
The Board considered authorizing attendance at the Association of Water Board Directors ("AWBD") Fall Seminar, which will be held on October 30, 2023, at the Houston Marriott Westchase.

Following review and discussion, Director Cantu moved to authorize attendance at the AWBD Fall Seminar at the Houston Marriott Westchase on October 30, 2023. Director Burns seconded the motion, which passed unanimously.

The Board concurred to hold the next parks meeting on October 13, 2023, and the next regular meeting on October 19, 2023.

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




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Storm Water Management Plan Year 5 training and goals	1
Lake maintenance report	2
Bookkeeper's report.....	2
Tax assessor/collector report.....	3
Engineer's report.....	4
Operations report.....	4
Park maintenance report.....	5