

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

October 19, 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 19th day of October, 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; Kelley Jurecek of Tax Tech, Inc.; Michael Rusk, Jacob Clark, and Shanna OHara of LJA Engineering, Inc (“LJA”); Albert Ramirez of Lake Management Services, LP; Jeff Perry of Levee Management Services, LLC; Nik Raha of the City of Sugar Land; 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 August 11, 2023, special meeting, the September 28, 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.

CITY OF SUGAR LAND (“COSL”) MATTERS

Mr. Raha updated the Board regarding a discussion with Director Cantu regarding streetlights in the District.

Director Vannerson provided an update regarding discussion between the COSL and the RiverPark on the Brazos Property Owners Association, Inc. (the “POA”) regarding the POA taking ownership of the land where the splash pad currently stands. He stated the POA’s attorney, Walt Spears, is spearheading the communication between the POA and the COSL and will keep ABHR updated as things progress.

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.

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.

Following review and discussion, Director Cantu moved to approve the bookkeeper's report, including the payment of the bills listed in the report. Director Burns seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Jurecek 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 99.08% 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 Vannerson 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 still 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 stated LJA plans to resubmit plans to the COSL by the end of the month and once plans are finalized the project will be rebid.

Mr. Clark provided an update regarding the Overlook Trail Extension. He reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$21,896.60, submitted by Advanced Construction Development, LLC ("Advanced"). Discussion ensued regarding adding the stone cladding back to the plans and for the electrical boxes to be placed in a lockbox. Director Vannerson stated that the POA would like to manage the use of the pavilion and would like to rent the space in the same manner as the clubhouse. He stated an agreement needs to be in place between the District and the POA

that includes the POA as a named insured and the District agrees to allow the POA to collect a cleaning fee and for the POA to provide the cleaning services. The Board directed ABHR to coordinate with the POA's attorney to prepare an agreement, as discussed.

Following review and discussion, and based on the engineer's recommendation, Director Vannerson moved to (1) approve the engineering report; and (2) approve Pay Estimate No. 3 in the amount of \$21,896.60, submitted by Advanced. 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 he received a call from the Fort Bend County Levee Improvement District No. 7 advising that their Brazos River project will start next week. Discussion ensued, and the Board requested Mr. Perry include an update regarding this project in his monthly report.

Mr. Perry informed the Board that he was contacted by FM Global, an engineering firm for insurance companies, requesting to conduct an inspection of the District's levee. Discussion ensued, and the Board directed Mr. Perry to inform FM Global that the Board would like a formal presentation at the next Board meeting.

Following review and discussion, Director Cantu moved to approve the operations report. Director Vannerson 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

There was no discussion regarding this agenda item.

PERIMETER LEVEE MATTERS

The Board discussed Levee Management District matters.

REPORTS FROM DIRECTOR AND/OR DISTRICT CONSULTANTS

There was no discussion regarding this agenda item.

DISTRICT WEBSITE MATTERS

The Board discussed adding all park projects to the District's website.

HOLIDAY MEETING SCHEDULE

The Board discussed the holiday Board meeting schedule and concurred to reschedule the District's next regular meeting to November 30, 2023, at 11:30 a.m. The Board further concurred to hold parks meetings on November 10, 2023, and December 15, 2023, and not to hold a regular meeting in December.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened into executive session at 2:06 p.m. pursuant to section 551.071, Texas Government Code. The Board, Ms. Lutz, and Ms. Polk were present.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

The Board reconvened in open session at 2:24 p.m. and took no action.

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

(SEAL)

Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Lake maintenance report	2
Bookkeeper's report.....	2
Tax assessor/collector report	2
Engineer's report.....	2
Operations report.....	3