

MINUTES
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 10

November 30, 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 30th day of November, 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; Kristy Hebert of Tax Tech, Inc.; Eric Edwards of Lonestar Recreation of Texas, LLC ("Lone Star"); Michael Murr of Murr Inc.; Michael Rusk and Craig Kalkomey of LJA Engineering, Inc ("LJA"); Albert Ramirez of Lake Management Services, LP; Jeff Perry of Levee Management Services, LLC; John O'Donnell, John Jones, and Quentin Valdez of WaterLogic; Susie Lee of FM Global; 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 October 13, 2023, special meeting and the October 19, 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

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.

Mr. Ramirez informed the Board that the Lake 1 well meter is no longer functioning. He stated he will prepare a proposal and contact Director Burns and inform him of the cost for any needed repairs.

Mr. Ramirez updated the Board regarding the irrigation issue reported at Lake 2 on November 28, 2023. He stated the break is at the 4" gate valve and he will have a proposal prepared for any necessary repairs. The Board informed Mr. Ramirez that as this is an emergency repair, Lake Management Services, LP should handle any needed repairs and inform the Board of the cost once that information is determined.

ANNUAL UPDATE FROM WATERLOGIC

Mr. O'Donnell reviewed an annual water management report with the Board, a copy of which is filed in the District's official records.

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 the park land is owned by the District. He stated Lone Star has removed all of the pour in place and found there is no drainage. Mr. Murr reviewed and presented a proposal prepared by Lone Star for the installation of a drainage system in the amount of \$40,453.85. Mr. Murr next reviewed and presented a proposal prepared by Lone Star for the replacement for four posts for the pergola at the playground at the Riverpark Recreation Center in the amount of \$7,527.40. Discussion ensued regarding options for pour in place and remediation of drainage. Director Cantu noted he believed the drainage addition should be a cost borne by the contractor.

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.

Mr. Murr updated the Board on the replacement of trees along the Grand Parkway. He stated the trees would be replaced this week if the weather permits.

Following review and discussion, Director Burns moved to (1) approve the park maintenance report; (2) approve the proposal in the amount of \$40,453.85, prepared by Lone Star for the installation of a drainage system for the turf replacement at the Clubhouse Park next to the RiverPark Recreation Center; and (3) approve the proposal in the amount of \$7,527.40, prepared by Lone Star for the replacement of four posts for the pergola at the playground at the RiverPark Recreation Center. Director Vannerson seconded the motion, which passed by a vote of 2-1 with Director Cantu abstaining from voting.

RENEWAL OF INSURANCE POLICIES

The Board reviewed a renewal proposal provided by McDonald/Wessendorff and discussed the premium increase. A copy of the insurance proposal will be filed appropriately and retained in the District's official records. Following review and discussion, Director Cantu moved to accept the proposal from McDonald/Wessendorff, as presented. Director Vannerson seconded the motion, which passed unanimously.

DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE

The Board reviewed the District's Travel Reimbursement Guidelines for the upcoming Association of Water Board Directors winter conference in Dallas, Texas.

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 discussed amending the landscape maintenance agreement between the District and the RiverPark on the Brazos Property Owners Association, Inc. (the "POA") to increase the annual contribution from the District to the POA from \$200,000 to \$225,000 for increased water expenses. Discussion ensued, and the Board concurred to defer action until the January Board meeting.

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. 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.

Following review and discussion, Director Vannerson moved to approve the tax report and the checks presented for payment. Director Burns 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 Park at the Levee (Enclave). He stated LJA anticipates rebidding the project once the land swap with the City is finalized.

Mr. Rusk provided an update regarding the Overlook Trail Extension. He reviewed and recommended approval of Pay Estimate Nos. 4 and 5 in the amounts of \$131,643.56 and \$16,297.20, respectively, submitted by Advanced Construction Development, LLC ("Advanced"). Mr. Rusk reviewed a quote from Advanced to repaint the roof and to install outdoor receptacles in the amounts of \$3,837.70 and \$810.00, respectively. Discussion ensued, and the Board requested LJA reach out to Ed Barnett of CIA Services to obtain the contact information for the contractor who handled the roof repair after the freeze for the POA, as they may know the codes for the correct paint to use for repainting the roof.

Mr. Rusk provided an update on the District's capital improvement plan. He stated preliminary design of the generator replacement and pump station improvements will be completed by December 15, 2023, and the project will be bid in early February. Discussion ensued regarding the number of generators to have for the generator replacement project, and the Board concurred to move forward with two natural gas generators.

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 Nos. 4 and 5 in the amounts of \$131,643.56 and \$16,297.20, respectively, submitted by Advanced. Director Burns seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Ms. Lee discussed FM Global's intention of inspecting the District's levee with the Board. She stated she would like to look at design standards, condition, and operating and maintenance procedures of the levee. Discussion ensued, and the Board concurred not to allow FM Global to conduct a tour of the levee and not to provide any information that is not already publicly available. Ms. Lutz informed Ms. Lee to submit a Texas Public Information Act request to ABHR to obtain information that can be shared as previously discussed.

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 updated the Board regarding the Fort Bend County Levee Improvement District No. 7 Brazos River project. He stated this project is currently underway.

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, INCLUDING APPROVE AGREEMENT BETWEEN THE DISTRICT AND RIVERPARK ON THE BRAZOS PROPERTY OWNERS ASSOCIATION, INC.

There was no discussion regarding this agenda item.

PERIMETER LEVEE MATTERS

The Board discussed 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.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TEXAS COMPTROLLER

Ms. Lutz stated that the District's Eminent Domain Authority Annual Report has been filed with the Comptroller of the State of Texas, pursuant to Senate Bill 1812.

The Board concurred to hold the next regular meeting on January 25, 2024, and the next parks meetings scheduled for December 15, 2024, and January 12, 2024.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board convened into executive session at 2:03 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 2:07 p.m. and took no action.

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



Secretary, Board of Directors

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