

MINUTES
FIRST COLONY LEVEE IMPROVEMENT DISTRICT
OF FORT BEND COUNTY, TEXAS

January 18, 2022

The Board of Directors (the "Board") of First Colony Levee Improvement District of Fort Bend County, Texas (the "District") met in regular session open to the public, on the 18th day of January, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas outside the boundaries of the District, and the roll was called of the members of the Board:

Scott Jacobson	President
Richard E. Sherrill	Vice President/ Assistant Secretary
Debra Coffman	Secretary

and all of the above were present, thus constituting a quorum.

Also attending the meeting were Justin Klump of Stormwater Solutions, LLC; Robin Goin of Bob Leared Interests, Inc. ("BLI"); Cynthia Colondres of Municipal Accounts & Consulting, L.P. ("MAC"); Mike Thelen and Jason Klump of LID Solutions, LLC ("LID Solutions"); Jeff Ebersole of Costello, Inc. ("Costello"); and Angie Lutz, Catherine Murray, and Kerri Houck of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board.

PUBLIC COMMENTS

Director Jacobson offered any members of the public attending the meeting in person or by telephone the opportunity to make public comment. There being no members of the public requesting to make public comments, Director Jacobson moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the November 30, 2021, regular meeting. Following review and discussion, Director Coffman made a motion to approve the minutes of the November 30, 2021, regular meeting, as submitted. Director Jacobson seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin reviewed the tax assessor/collector's report for December 2021, a copy of which is attached. Following review and discussion, Director Jacobson moved to approve the tax assessor/collector report and payment of the tax bills. Director Sherrill seconded the motion, which passed unanimously.

MS4 STORM WATER MANAGEMENT PLAN

Mr. Klump updated the Board on the District's Stormwater Management Program ("SWMP"). He distributed and reviewed the Year 3 Annual Report for the SWMP and a summary of the year 4 training and goals under the SWMP, copies of which are attached. Discussion ensued regarding the annual report.

He then presented a utility bill insert regarding stormwater runoff and prevention of stormwater pollution, a copy of which is also attached. Mr. Klump began his training session with the Board and other consultants. The topic of the year 4 training was stormwater pollution prevention, the minimum control measures, and bacteria-specific elements. Mr. Klump explained the importance of keeping household hazardous waste, pet waste, and yard waste out of the storm sewers to prevent adding to bacterial impairment. He then continued with the training, thoroughly explaining the sources of bacteria and outlining the program elements of the SWMP that deal with these sources.

After review and discussion, Director Jacobson moved to approve and authorize filing of the Year 3 Annual Report and posting of the utility bill insert to District's website. Director Sherill seconded the motion, which passed unanimously.

FORT BEND COUNTY COMMISSIONERS COURT

There was no discussion on this agenda item.

DISTRICT WEBSITE

The Board reviewed website analytics reports for the months of November and December 2021, copies of which are attached, and discussion ensued regarding updates to the District website.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Colondres reviewed the bookkeeper's report, including the list of checks presented for approval. A copy of the bookkeeper's report is attached.

Ms. Colondres noted additional check no. 5037 in the amount of \$164,612.25 for Pay Estimate No. 1 to Rally Construction, Inc. ("Rally Construction") and additional check no. 5038 in the amount of \$481,474.70 for Pay Estimate No. 3 to Texas Dewatering, LLC ("Texas Dewatering"). The Board discussed how these payments were not timely submitted to the District's bookkeeper and instructed the District engineer to process future pay estimates timely.

Following review and discussion, Director Jacobson moved to approve the bookkeeper's report and payment of the District's bills. Director Coffman seconded the motion, which passed unanimously.

ANNUAL DISCLOSURE STATEMENTS OF INVESTMENT OFFICER AND BOOKKEEPER

Ms. Lutz stated that in accordance with the District's Investment Policy, Ms. Colondres, as the District's bookkeeper, and Mr. Mark Burton and Ms. Ghia Lewis, as the District's Investment Officers, are required to execute Disclosure Statements that disclose any relationships with banks and brokers who seek to sell investments to the District. She added that the Disclosure Statements will be filed with the Texas Ethics Commission. Following review and discussion, Director Jacobson moved to accept the Disclosure Statements pursuant to the District's Investment Policy and the Public Funds Investment Act, and direct that the statements be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which passed unanimously.

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board reviewed a Resolution Concerning Exemptions from Taxation. Ms. Lutz noted that the District currently grants a \$25,000 homestead exemption for disabled persons or persons over 65 years of age and discussion ensued regarding the optional exemptions. After review and discussion, Director Jacobson moved to adopt the Resolution Concerning Exemptions from Taxation reflecting that the Board of Directors rejects a general residential homestead exemption and grants a \$25,000 homestead exemption for disabled persons or persons over 65 years of age. Director Coffman seconded the motion, which passed unanimously.

INFORMATION KIT

The Board reviewed an updated Information Kit and discussion ensued. Following review and discussion, the Board concurred to discuss this further at the next meeting.

FORT BEND COUNTY COMMISSIONERS COURT AND APPROVE FILING OF EDUCATION/TRAINING COMPLIANCE

Ms. Lutz reported that the list of educational training hours each director earned by attending events during 2021 will be filed with Fort Bend County.

OPERATOR'S REPORT

Mr. Klump reviewed the operator's report regarding general mowing, maintenance, weather watch, and turf management, a copy of which is attached.

Mr. Klump stated that a pipe has separated from a concrete drainage box in the levee and requires repair. He estimated that the cost for repair to be approximately \$24,000.00.

The Board then reviewed the Sugar Stone shared perimeter levee report, a copy of which is attached.

After review and discussion, Director Jacobson moved to (1) approve the operator's report; and (2) authorize LID Solutions to repair the pipe that has separated from a concrete drainage box for a cost not to exceed \$30,000.00. Director Sherrill seconded the motion, which passed unanimously.

ENGINEER'S REPORT

Mr. Ebersole reviewed an engineering report, a copy of which is attached. He provided an update on pending construction matters in the District.

Mr. Ebersole updated the Board regarding the slope paving and interior pond expansions for Ditch A-3 and Pond A-2 and reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$164,612.25, payable to Rally Construction.

Mr. Ebersole updated the Board regarding the ditch "B" pond rehab and east levee raising and reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$481,474.70, payable to Texas Dewatering.

Mr. Ebersole then reviewed and recommended approval of Change Order No. 1 and Change Order No. 2 to the contract with Texas Dewatering for the ditch "B" pond rehab and east levee raising to increase the contract in the amount of \$54,021.76 and \$39,356.45, respectively. The Board determined that Change Order No. 1 and Change Order No. 2 are beneficial to the District.

After review and discussion, Director Coffman moved (1) to approve the engineer's report; (2) based on the engineer's recommendation, to approve Pay Estimate

No. 1 in the amount of \$164,612.25 for the slope paving and interior pond expansions for Ditch A-3 and Pond A-2; (3) based on the engineer's recommendation, to approve Pay Estimate No. 3 in the amount of \$481,474.70 for the ditch "B" pond rehab and east levee raising; and (4) to approve Change Order No. 1 and Change Order No. 2 in the amount of \$54,021.76 and \$39,356.45, respectively, as increases to the contract with Texas Dewatering, based upon the Engineer's recommendation and the Board's finding that the Change Orders are beneficial to the District. Director Jacobson seconded the motion, which passed unanimously.

ANNUAL WRITTEN REPORT FROM OPERATOR AND ENGINEER

There was no discussion on this item.

FORT BEND ECONOMIC DEVELOPMENT COUNCIL ("FBEDC") MEETINGS AND UPDATES, NATIONAL FLOOD INSURANCE PROGRAM ("NFIP") LEGISLATION, FLOOD MANAGEMENT CONFERENCES, AND APPROVE ALL REIMBURSEMENTS TO DIRECTORS

The Board discussed FBEDC and NFIP matters.

Ms. Lutz reviewed a draft letter from the District to the Federal Emergency Management Agency ("FEMA") regarding a request for information on the NFIP's floodplain management standards for land management and use. Discussion ensued. Following review and discussion the Board concurred to have ABHR finalize the letter, as discussed, and to submit the letter to FEMA.

EMERGENCY ACTION PLANNING

There was no discussion on this agenda item.

RESOLUTION ESTABLISHING ADDRESSES AND METHODS FOR TEXAS PUBLIC INFORMATION ACT REQUESTS

Ms. Lutz reviewed with the Board a memorandum regarding designating addresses and methods for receipt of requests for public information under the Texas Public Information Act ("TPIA Requests"), a copy of which is attached. The Board considered designating a mailing address and an email address and approving other methods for receipt of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. After review and discussion, Director Jacobson moved to: (1) adopt a Resolution Establishing Addresses and Methods for Texas Public Information Act Requests ("Resolution") to (a) designate the address of the District's official office as the mailing address and fir000@txdistricts.info as the email address for receipt of TPIA Requests to the District and (b) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government

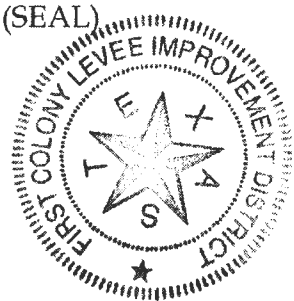
Code; and (2) direct the Resolution to be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which passed unanimously.

AGENDA ITEMS FOR NEXT MEETING

The Board discussed agenda items for the next Board meeting and concurred to hold the next regular meeting on February 22, 2022.

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

(SEAL)



D.M. Coffman

Secretary, Board of Directors

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