

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

July 21, 2023

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 21st day of July, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, 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 Alence Poudel of the City of Sugar Land (the "City"); Liz Currie, a resident of the District; Robin Goin of Bob Leared Interests, Inc. ("BLI"); Cynthia Colondres of Municipal Accounts & Consulting, L.P. ("MAC"); Jason Klump and Mike Thelen of LID Solutions, LLC ("LID Solutions"); Greg Frank of Costello, Inc. ("Costello"); and Brooke Milbauer, Angela Lutz, and Carli Trojcek of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Jacobson offered any members of the public attending the meeting the opportunity to make public comment.

Ms. Currie introduced herself and discussed her concerns regarding the Community Rating System ("Rating System") and how it might affect her flood insurance premiums. Discussion ensued. Director Coffman explained they are working with the City to get clarification on how the Rating System may affect the District.

MINUTES

The Board considered approving the minutes of the April 28, 2023, regular meeting and the minutes of the May 16, 2023, special meeting. Following review and discussion, Director Coffman moved to approve the minutes of the April 28, 2023, regular meeting and the minutes of the May 16, 2023, special meeting, as submitted. Director Jacobson seconded the motion, which passed unanimously.

EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Milbauer reported on legislation passed by the Texas Legislature to update the language for the Notice to Purchasers form that must be provided by persons proposing to sell or convey real property located in a water district. She said water districts that are required to maintain a website or have access to a website under Section 26.18, Tax Code, are also now required to post their Notice to Purchasers on the applicable website. The Board then considered authorizing execution of an Amendment to Information Form reflecting the District's new form of Notice to Purchasers attached thereto. Ms. Milbauer explained that the District is required to file the Amendment to Information Form in the Official Public Records of Real Property of Fort Bend County and with the Texas Commission on Environmental Quality ("TCEQ"). After review and discussion, Director Jacobson moved to authorize execution of the Amendment to Information Form and to authorize filing with Fort Bend County and the TCEQ. Director Coffman seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin reviewed the tax assessor/collector's report for June 2023, 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 Coffman seconded the motion, which passed unanimously.

MS4 STORM WATER MANAGEMENT PLAN

Mr. Klump updated the Board on the MS4 Storm Water Management Plan.

FORT BEND COUNTY COMMISSIONERS COURT

Ms. Milbauer addressed the email Mr. Poudel sent to Director Coffman, a copy of which is attached. She stated the District is not planning on holding a bond election this year or any year thereafter.

DISTRICT WEBSITE

Director Coffman reviewed a website analytics report for the month of April, May and June 2023, copies of which are attached. Discussion ensued regarding updates recently posted, including hurricane preparedness and the current status of the District's levee project.

AUDIT FOR FISCAL YEAR END JULY 31, 2023

Ms. Milbauer requested authorization for McGrath and Co., PPLC to conduct the District's audit for the fiscal year end July 31, 2023. Following review and discussion, Director Jacobson moved to authorize the auditor to begin preparation of the District's audit for the fiscal year end July 31, 2023, for an estimated fee of \$10,000 to \$12,000. Director Coffman seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING DIRECTOR FEES OF OFFICE AND DISTRICT REIMBURSEMENT POLICY

Ms. Milbauer 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. After review and discussion, Director Jacobson moved to adopt a Resolution Establishing Director Fees of Office and District Reimbursement Policy and direct that the Resolution be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which passed unanimously.

REPORT REGARDING LEGISLATIVE MATTERS

Ms. Milbauer presented and reviewed ABHR's Capitol Report, a copy of which is attached, and updated the Board on legislative matters from the 88th Regular Texas Legislative Session.

FINANCIAL AND BOOKKEEPING MATTERS; BUDGET FOR FISCAL YEAR END JULY 31, 2024

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

Director Coffman reviewed the final invoice from Tim's Fences for installation of the gate and fence in the amount of \$3,565.96, a copy of which is attached. Mr. Klump stated the gate and fence were inspected and was deemed satisfactory. He stated they will be removing the old swing gate and bollards.

Ms. Colondres reviewed the proposed budget for the fiscal year ending July 31, 2024. The Board reviewed and discussed certain line items in the proposed budget.

Following review and discussion, Director Jacobson moved to: (1) approve the bookkeeper's report and payment of the District's bills, subject to the discussion relating to the Fort Bend Economic Development Council director membership status; (2) approve the final invoice for the gate and fencing in the amount of \$3,565.96; and (3) adopt the budget for the fiscal year end July 31, 2024, as discussed and revised. Director Sherrill seconded the motion, which passed unanimously.

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. He stated a resident called concerned about a broken sidewalk and curb located at the delivery entrance of LA Fitness. Discussion ensued regarding whether the broken sidewalk and curb is within the District's right of way or Missouri City (the "City").

Director Coffman instructed Mr. Klump to contact the City and inquire whether the City plans on making the sidewalk and curb repairs. Mr. Klump stated he will report back to the Board at their next regular meeting.

After review and discussion, Director Coffman moved to approve the operator's report, as discussed. Director Sherrill seconded the motion, which passed unanimously.

ANNUAL WRITTEN REPORT FROM OPERATOR AND ENGINEER

Mr. Frank presented and reviewed a future projects list, a copy of which is attached. Discussion ensued regarding desilting of the lake. Ms. Lutz directed Mr. Frank to provide notice to the Homeowner's Association of this potential project and timeline.

The Board discussed hardening the levee tops with articulated concrete blocks. Discussion ensued regarding the estimated costs associated with installation of the articulated concrete blocks and future maintenance.

After review and discussion, Director Jacobson moved to: (1) approve the annual report; and (2) direct Mr. Frank to report at the next regular meeting the estimated costs associated with the projects discussed. Director Sherrill seconded the motion, which passed unanimously.

WILD HOGS

There was no discussion on this agenda item.

ENGINEER'S REPORT

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

Mr. Frank updated the Board on the levee fill project with Fort Bend Levee Improvement District No. 2 ("FBL No. 2"). He stated that the project is expected to be completed in August.

Mr. Frank inquired on the release of retainage for the outfall ditch slope paving and interior pond expansion completed by Rally Construction, Inc. ("Rally") in the amount of \$48,749.28. Ms. Colondres reviewed an additional check no. 5187 in the amount of \$48,749.28, payable to Rally.

Following review and discussion, Director Coffman moved to approve the engineering report, including check no. 5187 as detailed above. Director Jacobson seconded the motion, which passed unanimously.

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 the perimeter levee meetings, FBEDC matters and NFIP matters. Discussion ensued regarding industry meetings.

The Board reviewed membership options for joining the FBEDC. Following review and discussion, Director Coffman moved to join the FBEDC as a regular member. Director Jacobson seconded the motion, which passed unanimously.

EMERGENCY ACTION PLANNING ("EAP")

There was no discussion on this agenda item.

PARKS AND RECREATIONAL MATTERS

There was no discussion on this agenda item.

AGENDA ITEMS FOR NEXT MEETING

The Board discussed agenda items for the next Board meeting and concurred to hold the next regular meeting on September 15, 2023.

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

(SEAL)



Michael E. Sherwin
Asst. Secretary, Board of Directors

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