

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

October 20, 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 20<sup>th</sup> day of October, 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, except Director Coffman, thus constituting a quorum.

Also attending the meeting were Tim Applewhite of McGrath and Co. PLLC (McGrath"); Robin Goin of Bob Leared Interests, Inc. ("BLI"); Cynthia Colondres of Municipal Accounts & Consulting, L.P. ("MAC"); Jason Klump of LID Solutions, LLC ("LID Solutions"); Greg Frank of Costello, Inc. ("Costello"); and Brooke Milbauer 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. 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 September 15, 2023, regular meeting. Following review and discussion, Director Jacobson moved to approve the minutes of the September 15, 2023, regular meeting, as submitted. Director Sherrill seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin reviewed the tax assessor/collector's report for September 2023, a copy of which is attached. Following review and discussion, Director Sherrill moved to approve the tax assessor/collector report and payment of the tax bills. Director Jacobson seconded the motion, which passed unanimously.

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

Ms. Milbauer stated that 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 \$0.12 per \$100 of assessed valuation.

Ms. Milbauer opened the public hearing. There being no comments from the public, the Board closed the public hearing.

Ms. Milbauer presented an Order Levying Taxes ("Order") reflecting the proposed 2023 tax rate. She then presented an Amendment to Information Form ("Amendment") 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.

After review and discussion, Director Jacobson moved to (1) adopt the Order Levying Taxes reflecting a total 2023 tax rate of \$0.12 per \$100 of assessed valuation 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 Sherrill seconded the motion, which passed unanimously.

MS4 STORM WATER MANAGEMENT PLAN

Mr. Klump updated the Board on the District's Stormwater Management Plan.

FORT BEND COUNTY COMMISSIONERS COURT

There was no discussion on this agenda item.

DISTRICT WEBSITE

There was no discussion on this agenda item.

AUDIT FOR FISCAL YEAR ENDED JULY 31, 2023

Mr. Applewhite reviewed the audit for the fiscal year ended July 31, 2023. Following review and discussion, Director Jacobson made a motion to approve the audit and authorize it to be filed with the Texas Commission on Environmental Quality. Director Sherrill seconded the motion, which passed unanimously.

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.

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

ADOPT RESOLUTION VOTING FOR WATER DISTRICT NOMINEE FOR THE ELECTION OF THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT ("FBCAD")

The Board considered adopting a Resolution Voting for Water District Nominee for the Election of the Board of Directors of the FBCAD. Following review and discussion, Director Jacobson moved to cast the Board's four votes for Michael Rozell and adopt the resolution regarding the same. 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.

Mr. Klump stated there is a wire belonging to Comcast that is hanging at an unsafe level. He stated he contacted a representative at Comcast and is waiting for them to assess the issue. Director Jacobson stated he would reach out to a Comcast representative he personally knows to get the issue rectified.

Mr. Klump stated the next Sugarstone perimeter levee annual inspection is scheduled for October 27, 2023, at 8:00 a.m.

Mr. Klump updated the Board on the emergency radios and stated they should be delivered soon.

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

ANNUAL WRITTEN REPORT FROM OPERATOR AND ENGINEER

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 presented and reviewed a proposal for preliminary engineering services, in the amount of \$165,850.00 for engineering services for the hardening of the levee tops and headwall improvements at Cross Lakes Boulevard, a copy of which is attached to the engineer's report.

He stated the Safety, Monitoring and Operational Upgrades at the Outfall Structure (the "Operational Upgrades") involves electrical components and he has selected an electrical engineer to begin assessing the project.

Mr. Frank updated the Board on the Flat Bank Creek Closure. Discussion ensued and the Board concurred to take no action.

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 late November.

Following review and discussion, Director Sherrill moved to: (1) approve the engineering report; and (2) approve the preliminary engineering design proposal, in the amount of \$165,850.00 for engineering services for the hardening of the levee tops and headwall improvements at Cross Lakes Boulevard. 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.

## 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 December 1, 2023, at 1:30 p.m.

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

(SEAL)



*M. M. Goffman*  
Secretary, Board of Directors

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