

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

February 2, 2024

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 2<sup>nd</sup> day of February, 2024, 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 Liz Currie, resident of the District; 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 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 to the Board and expressed interest in learning new updates regarding the Risk Rating 2.0 ("Rating 2.0"). The Board concurred to discuss this matter further under the appropriate agenda item.

MINUTES

The Board considered approving the minutes of the December 1, 2023, regular meeting. Following review and discussion, Director Coffman moved to approve the minutes of the December 1, 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 January 2024, 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 5 Annual Report for the SWMP and a summary of the year 5 training and goals under the SWMP, copies of which are attached.

He presented a utility bill insert regarding yard waste, hazardous waste, and pet waste, a copy of which is also attached. Mr. Klump began his training session with the Board and other consultants. The topic of the year 5 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.

Following review and discussion, Director Coffman moved to approve and authorize filing of the Year 5 Annual Report and posting of the utility bill insert to the District's website. Director Sherrill seconded the motion, which passed unanimously.

## FORT BEND COUNTY COMMISSIONERS COURT

Ms. Lutz updated the Board regarding Director Sherrill's reappointment to the Board of Directors for a new term beginning February 12, 2024, to February 12, 2028.

Director Coffman reviewed an email from Jeffrey Wiley regarding a petition Commissioner Andy Meyer's is leading, a copy of which is attached. Discussion ensued regarding his requested response and deadline.

## DISTRICT WEBSITE

Director Coffman discussed updates to the District website. The Board concurred to authorize Mr. Klump to contact Off Cinco and request they update the website with the SWMP and bill insert, as mentioned above.

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

Ms. Colondres presented the bookkeeper's report, quarterly investment report, and five-year cash flow forecast, and submitted the bills for the Board's review. A copy of the bookkeeper's report is attached.

Following review and discussion, Director Coffman moved to approve the bookkeeper's report and payment of the District's bills. Director Sherrill 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, the District's bookkeeper and 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 \$35,000 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. Following review and discussion, Director Jacobson moved to approve the updated District's Information Kit and authorize Off Cinco to post on the District's website. Director Coffman seconded the motion, which passed unanimously.

## 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 2023 is required to be filed with Fort Bend County (the "County"). Following review and discussion, Director Jacobson moved to authorize ABHR to file the list of educational training hours with the County. Director Coffman 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. Discussion ensued regarding rainfall levels.

Mr. Klump requested the Board approve an annual budget increase of 10.5% for vegetation maintenance, which includes herbicide and fertilization.

Mr. Klump stated the emergency radios should be delivered in February and once they are received, they will be sent to the County for programming.

After review and discussion, Director Coffman moved to: (1) approve the operator's report, as discussed; and (2) approve an annual budget increase of 10.5% for vegetation maintenance. Director Sherrill seconded the motion, which passed unanimously.

## 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 from Costello in the amount of \$36,000.00, for engineering services for the Feasibility Analysis of Oyster Creek Storm Sewer Outfall Structures (the "Feasibility Analysis"), a copy of which is included in the engineering report.

Mr. Frank stated the levee fill project with Fort Bend Levee Improvement District No. 2 ("FBL No. 2") is complete. He reviewed and recommended approval of Final Pay Estimate No. 1 in the amount of \$250,316.54, payable to FBL No. 2.

Mr. Frank stated the design work is underway for the outfall structure upgrades and the hardening of the levee tops and headwall improvements at Cross Lakes Boulevard. Discussion ensued regarding advertising for bids once the design work is complete.

Following review and discussion, Director Coffman moved to: (1) approve the engineering report, as discussed; (2) approve the proposal from Costello in the amount of \$36,000.00 for engineering services related to the Feasibility Analysis; (3) approve the Final Pay Estimate No. 1, payable to FBL No. 2, in the amount of \$250,316.54 based on the engineer's recommendation; and (4) authorize Costello to advertise for bids once the design work is complete for the outfall structure upgrades and 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

Director Coffman reviewed a letter from the FBEDC, a copy of which is attached. She also provided an update on the recent FBEDC meeting she attended.

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM AND RISK RATING 2.0

The Board addressed Ms. Currie's concern regarding the current issues with the NFIP's pricing approach. The Board authorized ABHR to respond to Commissioner Andy Meyers pursuant to his request.

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 April 5, 2024, at 1:30 p.m.

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



*N.M. Coffman*  
Secretary, Board of Directors

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