

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

August 16, 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 16th day of August, 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; Anthea Moran 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 Pape-Dawson Engineers ("Pape-Dawson"); 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. There were no comments. Director Jacobson moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the June 21, 2024, regular meeting. Following review and discussion, Director Coffman moved to approve the minutes of the June 21, 2024, regular meeting, as submitted. Director Jacobson seconded the motion, which passed unanimously.

DISCUSS 2024 TAX RATE, ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2024 TAX YEAR, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

Ms. Moran considered the District's 2024 tax rate. Ms. Moran discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for

water districts, based on a district's development status and/or tax rate. She reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developed District for the 2024 tax year.

Ms. Moran distributed and reviewed a tax rate analysis reflecting the recommendation for the District to levy a 2024 maintenance and operations tax rate of \$0.11 per \$100 of assessed valuation, based on the District's initial 2024 certified value of \$1,934,165,122, which includes an amount of \$11,510,618 representing 80% of the uncertified value under protest. A copy of the tax rate analysis is attached. Ms. Moran discussed the two-step process for setting the District's tax rate.

Following review and discussion, Director Jacobson moved to: (1) adopt a Resolution Regarding Development Status for 2024 Tax Year establishing the District as a Developed District for the 2024 tax year, pursuant to Section 49.23602, Texas Water Code; (2) set the public hearing date for September 13, 2024; and (3) authorize the tax assessor/collector to publish notice in the Fort Bend Independent of the District's meeting on September 13, 2024, to set the proposed 2024 total tax rate of \$0.11 per \$100 of assessed valuation. Director Coffman seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin reviewed the tax assessor/collector's report for July 2024, a copy of which is attached. Following review and discussion, Director Coffman 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

There was no discussion on this item.

FORT BEND COUNTY COMMISSIONERS COURT

Director Coffman updated the Board regarding the Open House she attended that was hosted by Commissioner Andy Meyers. Discussion ensued regarding an appointed five member Board versus a three member Board.

DISTRICT WEBSITE

Director Coffman requested the Board consider sending a text notification to District text subscribers during an emergency. Discussion ensued regarding pricing.

Following review and discussion, the Board concurred to authorize Director Coffman to notify Off Cinco to send a text to District subscribers when an emergency presents itself.

FINANCIAL AND BOOKKEEPING MATTERS; AMEND BUDGET FOR FISCAL YEAR END JULY 31, 2025

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 Jacobson 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 the amount of rainfall during Hurricane Beryl.

Mr. Klump updated the Board regarding a reimbursement he requested on behalf of the District from Federal Emergency Management Agency ("FEMA") for debris removal. He stated they are pending for approval from FEMA, but all debris cleanup will be completed and documented for FEMA use. Discussion ensued regarding cleanup efforts between the City of Sugar Land (the "City") and Fort Bend County.

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

INTERLOCAL AGREEMENT FOR DISASTER DEBRIS MANAGEMENT

Ms. Lutz reviewed the terms of an Interlocal Agreement with the City and other participants for Disaster Debris Management. Mr. Frank discussed issues regarding cooperative emergency response during the last major event.

Following review and discussion Director Jacobson made a motion to approve the Interlocal Agreement with the City. Director Coffman seconded the motion, which carried unanimously.

ORDER ADOPTING ELECTRONIC SIGNATURE RULES

The Board considered adopting an Order Adopting Electronic Signature Rules for Construction Contracts to set forth rules surrounding the receipt of electronic signatures on construction contracts. Following review and discussion, Director Jacobson moved to adopt an Order Adopting Electronic Signature Rules for Construction Contracts and direct that the Order be filed appropriately and retained in the District's official records. Director Sherrill seconded the motion, which passed unanimously.

ORDER ADOPTING ELECTRONIC BIDDING RULES

The Board considered adopting an Order Adopting Section 49.2731 Electronic Bidding Rules to permit the receipt of bids under Section 49.273 of the Texas Water Code through electronic transmission. Following review and discussion, Director Jacobson moved to adopt an Order Adopting Section 49.2731 Electronic Bidding Rules and direct that the Order be filed appropriately and retained in the District's official records. 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 stated the design is underway for the outfall structure upgrades and he is meeting with Mr. Klump to discuss safety measures. He stated the hardening of the levee tops is also underway.

Mr. Frank presented and reviewed a proposal from Pape-Dawson in the amount of \$215,980.00, for engineering services for the design of the Storm Sewer Outfall Closures along Oyster Creek (the "Project"), a copy of which is attached. Discussion ensued regarding the completion of the Project.

Following review and discussion, Director Coffman moved to (1) approve the engineering report, as discussed; and (2) approve the proposal from Pape-Dawson in the amount of \$215,980.00 for engineering services related to the Project. Director Jacobson seconded the motion, which passed unanimously.

FORT BEND LEVEE COALITION MEETINGS AND UPDATES, NATIONAL FLOOD INSURANCE PROGRAM (“NFIP”) LEGISLATION, FLOOD MANAGEMENT CONFERENCES, AND APPROVE ALL REIMBURSEMENTS TO DIRECTORS

The Board reviewed the History of Sugar Stone Perimeter system, a copy of which is attached. Discussion ensued regarding the National Association of Flood and Stormwater Management Agencies and the effect it has on the District. Director Coffman stated she attended a groundbreaking ceremony on August 6, 2024, for the Fort Bend Levee Improvement District No. 19 Lost Creek Pump Station Project. She stated the District was presented with an engraved shovel to commemorate the event and partnering efforts.

COMMUNITY RATING SYSTEM (the “CRS”) AND RISK RATING 2.0

Director Coffman discussed the Fort Bend Levee Coalition meetings she attended and explained one of the main focuses is to decrease homeowners flood insurance costs with a lower CRS. Ms. Lutz reviewed a memorandum that was sent from ABHR to Richie Hernandez, State NFIP Coordinator, for Land Use and Floodplain Administration Authority between Fort Bend County Levee Improvement District No. 2 and the City. She stated they are currently pending approval of the interlocal agreements from the City. Discussion ensued regarding submitting a similar letter to the State NFIP Coordinator on behalf of the District.

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 13, 2024, at 1:30 p.m.

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




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
2024 Tax Rate Analysis.....	2
Tax Assessor/Collector's Report.....	2
Bookkeeper's Report.....	3
Operator's Report.....	3
Engineer's Report.....	4
Proposal for engineering services for Closure of Storm Sewer Outfalls.....	4
History of Sugar Stone Perimeter	5