

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

November 22, 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 22<sup>nd</sup> day of November, 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 except, thus constituting a quorum.

Also attending the meeting were Liz Currie, resident of the District; Greg McGrath of McGrath and Co. PLLC ("McGrath"); Justin Klump of Storm Water Solutions, LLC ("Storm Water"); Robin Goin of Bob Leared Interests, Inc. ("BLI"); Toto Ontowiryo of Municipal Accounts & Consulting, L.P. ("MAC"); Jason Klump of LID Solutions, LLC ("LID Solutions"); Greg Frank of Pape-Dawson Engineers ("Pape-Dawson"); and Greer Pagan and Kia Fields 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.

MINUTES

The Board considered approving the minutes of the September 13, 2024, regular meeting. Following review and discussion, Director Coffman moved to approve the minutes of the September 13, 2024, regular meeting, as submitted. Director Jacobson seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

The Board reviewed the tax assessor/collector's reports for the months of September and October 2024, copies of which are 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.

APPROVAL INTERLOCAL COOPERATION AGREEMENT FOR DEBRIS PURCHASING BETWEEN THE CITY OF SUGAR LAND ("COSL") AND THE DISTRICT

The Board reviewed a letter from the COSL Engineering Department that states they are terminating all previous Interlocal Agreements for storm debris, a copy of which is attached.

Mr. Frank presented and reviewed a draft of the Interlocal Cooperation Agreement for Debris Purchasing Between the COSL and the District (the "Interlocal Agreement").

Following review and discussion, Director Coffman moved to approve the Interlocal Agreement, and direct that it be filed appropriately and retained in the District's official records. Director Jacobson seconded the motion, which passed unanimously.

DISCUSS RENEWAL OF DISTRICT'S INSURANCE POLICIES

Mr. Pagan stated the District's insurance policies will expire on December 31, 2024 and reviewed a renewal proposal from Brown and Brown Insurance Services, Inc. ("Brown and Brown") with a proposed annual premium of \$5,814.00. Following review and discussion, Director Coffman made a motion to approve the proposal from Brown and Brown and authorize renewal of the District's insurance policies. Director Jacobson seconded the motion, which passed unanimously.

AUDIT FOR FISCAL YEAR ENDED JULY 31, 2024

Mr. McGrath reviewed the audit for the fiscal year ended July 31, 2024. 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 and retained in the District's official records. Director Coffman seconded the motion, which passed unanimously.

MS4 STORM WATER MANAGEMENT PLAN

Mr. Klump discussed the Notice of Intent (the "NOI") and presented the updated Stormwater Management Program ("SWMP") prepared in accordance with the requirements set forth in the 2024 Texas Pollutant Discharge Elimination System General Permit No. TXR040000 for the Board's review, a copy of which is attached.

Following review and discussion, Director Jacobson moved to approve the SWMP, authorize Director Jacobson to electronically execute and submit the NOI on behalf of the District to the Texas Commission on Environmental Quality, and direct that the NOI and the SWMP be filed appropriately and retained in the District's official

records. Director Coffman seconded the motion, which was approved by unanimous vote.

DISCUSS MEETING LOCATION AND FOOD ACCOMODATIONS FOR THE JANUARY 21, 2025 SUGARSTONE MEETING

The Board discussed hosting the Missouri City Perimeter Levee Quarterly Meeting (the "SugarStone Meeting") on January 21, 2025 at the Fort Bend Chamber of Commerce (the "FB Chamber"). The Board requested to have the FB Chamber coordinate the preparation and delivery of food. Discussion ensued regarding preparation of the agenda.

FORT BEND COUNTY COMMISSIONERS COURT

There was no discussion on this agenda item.

DISTRICT WEBSITE

The Board reviewed emails from Off Cinco regarding the amount of email and text subscribers that have opted in or out for District correspondence or alerts, copies of which are attached. The Board concurred to not send an email blast this quarter.

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

Mr. Ontowiryo 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.

RESOLUTION REGARDING ANNUAL REVIEW OF INVESTMENT POLICY

Mr. Pagan conducted an annual review of the District's Investment Policy and determined that no changes were necessary. The Board considered adopting a Resolution Regarding Annual Review of Investment Policy reflecting no revisions to the District's Investment Policy at this time.

After review and discussion, Director Jacobson moved to adopt the Resolution Regarding Annual Review of Investment Policy and direct it be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING THE AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKER/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

Mr. Pagan reviewed a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. He stated the District's bookkeeper has provided an updated list of qualified broker/dealers with whom the District may engage in investment transactions as an exhibit to the Resolution.

After review and discussion, Director Jacobson moved to adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and direct that the Resolution be filed appropriately and retained in the District's official records. 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.

Mr. Klump stated every five years the U.S. Army Corps of Engineers requires video inspections of any conveyances through the levee. He stated LID Solutions completed this task 5 years ago. The Board concurred to authorize Mr. Klump to obtain pricing to televise and video inspect the siphons that are throughout the District and present it to the Board at their next meeting. He noted this report is due March 2025.

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

ENGINEER'S REPORT

Mr. Frank reviewed an engineering report, a copy of which is attached.

Mr. Frank updated the Board regarding the outfall structure upgrades. He stated the structural design of the outfall structure upgrades is nearing completion and the lift equipment is being installed.

Mr. Frank updated the Board on the hardening of the levee tops and headwall improvements at Cross Lakes. He stated they are currently waiting on Missouri City ("MOC") to review the plans. He noted once the review has been completed Pape-Dawson will be able to go out for bids.

Mr. Frank updated the Board regarding the Oyster Creek outfall closures design project (the "Project"). He stated the Project is currently on hold because Pape-Dawson needs to determine the feasibility of new models on Oyster Creek that go through Sienna. He stated once this has been addressed he will go to the surrounding counties and cities to decide on whether or not to move forward on the Project. He stated all entities will likely have to go out for a grant.

The Board concurred to have Pape-Dawson address immediate engineering needs for the District. Mr. Frank stated he will update the Board at the next meeting regarding the possibility of additional projects.

Following review and discussion, Director Coffman moved to approve the engineering report, as discussed. Director Sherrill seconded the motion, which passed unanimously.

#### INTERLOCAL AGREEMENTS REGARDING LAND USE AND FLOODPLAIN ADMINISTRATION AUTHORITY

Mr. Pagan reviewed additional drafts of two Interlocal Agreements regarding land use and floodplain administration authority: (1) between the District and the COSL; and (2) between the District and MOC.

Director Coffman stated that once COSL and MOC sign the Interlocal Agreements then the District could possibly get the Community Identification Number dissolved. Director Coffman discussed an email she sent to a MOC City Council Member and requested ABHR forward her correspondence to Director Jacobson for review. She stated she has not been able to obtain an update from First Colony Levee Improvement District No. 2 regarding their progress on the National Flood Insurance Program and Community Rating System ("NFIP and CRS"). She discussed the possible need to send the District's executed Interlocal Agreements and any correspondence relating to the NFIP and CRS directly to FEMA Headquarters so they do not get delayed in the Regional office.

Following review and discussion, the Board concurred to approve the Interlocal Agreements for COSL and MOC and authorize ABHR to coordinate with parties associated with COSL and MOC for signatures.

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

The Board discussed this agenda item under the Interlocal Agreements Regarding Land Use and Floodplain Administration Authority.

COMMUNITY RATING SYSTEM (the "CRS") AND RISK RATING 2.0

The Board discussed this agenda item under the Interlocal Agreements Regarding Land Use and Floodplain Administration Authority.

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 January 31, 2025 at 1:30 p.m.

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

(SEAL)



*D. M. Goffman*

Secretary, Board of Directors

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