

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

January 31, 2025

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 31<sup>st</sup> day of January, 2025, 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 Sherrill, thus constituting a quorum.

Also attending the meeting were 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 and Stephen Wilcox 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.

MINUTES

The Board considered approving the minutes of the November 22, 2024, regular meeting. Following review and discussion, Director Coffman moved to approve the minutes of the November 22, 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 November and December 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.

## REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Lutz reported ABHR has filed the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas pursuant to Section 2206.154, Texas Government Code.

## MS4 STORM WATER MANAGEMENT PLAN

Mr. Klump updated the Board on pending MS4 matters.

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

The Board discussed the Missouri City Perimeter Levee Quarterly Meeting (the "SugarStone Meeting") that was supposed to occur on January 21, 2025 at the Fort Bend Chamber of Commerce (the "FB Chamber"). Director Coffman stated due to unforeseen weather circumstances the SugarStone Meeting was cancelled and re-scheduled for February 18, 2025 at the FB Chamber.

## FORT BEND COUNTY COMMISSIONERS COURT

There was no discussion on this agenda item.

## DISTRICT WEBSITE

The Board discussed sending a quarterly email blast.

## 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.

Director Coffman requested Mr. Ontowiryo update the ledger category from FBC Flood Management Association to the new name Fort Bend Levee Coalition.

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.

## 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.

## INFORMATION KIT

The Board reviewed an updated Information Kit. Following review and discussion, Director Coffman moved to approve the updated District's Information Kit, subject to consultant comments, and authorize Off Cinco to post on the District's website. Director Jacobson seconded the motion, which passed unanimously.

## APPROVE AND AUTHORIZE FILING OF EDUCATION/TRAINING COMPLIANCE WITH FORT BEND COUNTY DRAINAGE DISTRICT ("FB DRAINAGE DISTRICT")

Ms. Lutz reported that the list of educational training hours each director earned by attending events during 2024 is required to be filed with FB Drainage District. Following review and discussion, Director Jacobson moved to authorize ABHR to file the list of educational training hours with Fort Bend 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. Mr. Klump stated the District's radios have been received and are fully operational.

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

## ENGINEER'S REPORT

Mr. Frank introduced Mr. Wilcox to the Board and explained the new Pape-Dawson engineering roles for the District. He then reviewed an engineering report, a copy of which is attached.



Mr. Frank discussed a Letter of Interest to participate in the U.S. Army Corps of Engineers National Levee Safety Program Levee Review. He stated Municipal Utility Districts and Levee Improvement Districts that constitute the SugarStone Perimeter Levee are sending this letter of interest because the levee review will offer improved, up-to-date data in the National Levee Data Base for participating districts which could lead to lower NFIP insurance premiums for homeowners. Other levee owners within Fort Bend County are coordinating the submittal of similar letters of interest for their systems, however, are lagging a little behind the schedule of the SugarStone submittal.

Mr. Frank updated the Board regarding the outfall structure upgrades.

Mr. Frank stated bids were received for construction related to the hardening of the levee tops and headwall improvements at Cross Lakes. Mr. Frank recommended that the Board award the contract to ECON Development, Inc ("ECON.") in the amount of \$1,514,552.00. The Board concurred ECON was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. Following review and discussion, Director Coffman moved to award the contract for the construction of hardening of the levee tops and headwall improvements at Cross Lakes to ECON in the amount of \$1,514,552.00, based upon the engineer's recommendation and receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Jacobson seconded the motion, which passed by unanimous vote.

Mr. Frank updated the Board regarding the Oyster Creek outfall closures design project. He stated he has located three additional stormwater outfalls that will require additional design work.

Following review and discussion, Director Coffman moved to (1) approve the engineering report, as discussed; and (2) authorize Director Coffman to sign the Letter of Interest and submit to Pape-Dawson for coordination with appropriate parties. Director Jacobson seconded the motion which passed by unanimous vote.

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

Ms. Lutz presented and reviewed a memorandum to the State National Flood Insurance Program Coordinator for Land Use and Floodplain Administration Authority for the District (the "Memo"). Discussion ensued regarding which agency has the authority to dissolve the customer identification number. The Board discussed addressing the issue with the state rather than federally.

Director Coffman updated the Board regarding the Interlocal Agreements between the District and Missouri City ("MOC") and the City of Sugar Land ("CoSL").

Following review and discussion, Director Jacobson moved to authorize ABHR to submit the Memo to appropriate parties once the fully executed Interlocal Agreements are received from MOC and CoSL. Director Coffman 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 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.

#### ADOPTION OF COVERED APPLICATIONS POLICY

Ms. Lutz discussed legislation enacted by the Texas Legislature that requires all governmental entities to adopt a policy prohibiting the use of certain social media applications and services on government-owned or -leased devices. She stated that a model policy was developed by the Texas Departments of Public Safety and Information Resources for use by governmental entities. Ms. Lutz reviewed the proposed Covered Applications Policy with the Board. After review and discussion, Director Jacobson moved to adopt a Resolution Adopting Covered Applications 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.

#### AGENDA ITEMS FOR NEXT MEETING

The Board discussed agenda items for the next Board meeting and concurred to hold the next regular meeting on March 21, 2025 at 1:30 p.m.

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

(SEAL)



Secretary, Board of Directors

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