

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

February 22, 2019

The Board of Directors (the "Board") of First Colony Levee Improvement District of Fort Bend County, Texas (the "District"), convened in regular session, open to the public, on the 22nd day of February, 2019, outside the boundaries of the District, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, 77027, 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 present at the meeting were Pat Hughes of the City of Sugar Land; Robin Goin of Bob Leared Interests, Inc.; Cynthia Colondres of Municipal Accounts & Consulting, L.P.; David Beyer of Storm Water Solutions; Mike Thelen of LID Solutions, LLC ("LID Solutions"); Greg Frank and Jeff Ebersole of Costello, Inc. ("Costello"); and Angela Lutz and Hope Jeffers of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the November 9, 2018, and December 21, 2018, regular meeting and the January 3, 2019, January 23, 2019, and February 7, 2019, special meetings. Following review and discussion, Director Jacobson made a motion to approve the minutes of November 9, 2018, December 21, 2018, January 3, 2019, January 23, 2019, and February 7, 2019, as presented. Director Sherrill seconded the motion, which passed unanimously.

PUBLIC COMMENTS

The Board did not receive any public comments.

LOST CREEK PUMP STATION

The Board reviewed the proposed Cost Sharing Agreement for Steep Bank Creek Watershed Regional Modeling Project and Mr. Frank answered questions from the Board regarding the agreement. Director Coffman requested certain changes to the Agreement. Upon review and discussion, Director Jacobson moved to approve the Cost Sharing Agreement, as amended. Director Sherrill seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS AND ANNUAL DISCLOSURE STATEMENTS

Ms. Colondres distributed and reviewed the bookkeeper's report, including the list of checks presented for approval and a quarterly investment report. A copy of the bookkeeper's report is attached. Ms. Colondres stated she voided check no. 4017 due to a typographical error and reissued it to Director Jacobson as check no. 4109 in the amount of \$434.72, which is not reflected in the bookkeeper's report. Director Jacobson requested the bookkeeper transfer \$1,500,000 from the operating fund to the reserve fund.

Ms. Lutz stated the annual disclosure statements for the bookkeeper and Investment Officers of the District must be filed annually with the Texas Ethics Commission.

Following review and discussion, Director Jacobson made a motion to (i) approve the bookkeeper's report, including paying the District's bills, as amended, (ii) transfer the funds as discussed, and (iii) authorize the disclosure statements to be filed with the Texas Ethics Commission, and to direct that a copy be retained in the District's official records. Director Sherrill seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin distributed and reviewed the tax assessor/collector's reports for the months of December, 2018, and January, 2019, copies of which are attached. Following review and discussion, Director Jacobson made a motion to approve the tax assessor/collector's reports. Director Coffman seconded the motion, which passed unanimously.

The Board reviewed a Resolution Concerning Exemptions from Taxation. They discussed the optional exemptions, including a general residential homestead exemption and a homestead exemption for disabled persons or persons over 65 years of age. The Board noted that the District currently grants a \$25,000 homestead exemption for disabled persons or persons over 65 years of age last year. After review and discussion, Director Jacobson moved to adopt the Resolution Concerning Exemptions from Taxation (the "Resolution"), reflecting that the Board of Directors rejects a general residential homestead exemption and grants a \$25,000 homestead exemption for disabled persons or persons over 65 years of age, and directed that the Resolution be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which passed by unanimous vote.

DISTRICT WEBSITE

Ms. Lutz reviewed website analytics reports for the months of December, 2018, and January, 2019, copies of which are attached. The Board discussed updates to the District website.

Director Coffman discussed engaging Off Cinco to prepare and distribute text message alerts, noting the fee is \$50 per month, plus a by-the-minute fee to compose and send each message, totaling approximately \$25 per message. Director Jacobson asked ABHR to request a \$35 flat fee for composing and distributing each message.

The Board discussed the quarterly email blast.

After discussion, Director Jacobson moved to engage Off Cinco to prepare and distribute text message alerts and approve all other website updates, as discussed. Director Coffman seconded the motion, which passed unanimously.

INFORMATION KIT

Ms. Lutz stated the District's Information Kit was distributed to the consultants for review in advance of the meeting, and all requested revisions have been made. She distributed a copy of the updated District's Information Kit. Following review and discussion, Director Jacobson made a motion to approve the updated District's Information Kit and direct that it be retained in the District's records. Director Coffman seconded the motion, which carried unanimously.

FILING OF EDUCATION/TRAINING COMPLIANCE

Ms. Lutz distributed a list of educational training hours each director earned by attending events during 2018, which she stated has been filed with Fort Bend County. Director Jacobson moved to approve the list of educational training hours. Director Coffman seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING ADDITIONAL OUT-OF-DISTRICT MEETING PLACE

Ms. Lutz presented and reviewed a Resolution Establishing an Additional Out-of-District Meeting Place of the Board of Directors of the District (the "Resolution"), which she stated adds The Muller Law Group, 202 Century Square Boulevard, Sugar Land, Texas 77478 and St. Laurence Catholic Church, 3100 Sweetwater Blvd., Sugar Land, Texas as additional out-of-District meeting places. She stated the Resolution must be published in a newspaper with general circulation within the District and filed with the Texas Commission on Environmental Quality (the "TCEQ"). Following review and discussion, Director Jacobson made a motion to adopt the Resolution as discussed, to direct that it be published in a newspaper with general circulation within the District

and be filed appropriately with the TCEQ, and that it be retained in the District's official records. Director Coffman seconded the motion, which carried unanimously.

DISCUSS SECOND QUARTER PERIMETER LEVEE MEETING

The Board discussed the second quarter perimeter levee meeting scheduled for April 16th that is being chaired by the District. Ms. Jeffers stated the room has been reserved and the catering has been ordered.

MS4 STORM WATER MANAGEMENT PLAN

Mr. Beyer updated the Board on the District's Storm Water Management Plan ("SWMP"). He distributed and reviewed the Year 5 annual report for the SWMP and a summary of the Texas Commission on Environmental Quality ("TCEQ's") permit renewal process for the Texas Pollutant Discharge Elimination System General Permit no. TXR040000, Small MS4 (Phase II) General Permit, a copy of which is attached.

Mr. Beyer began his training session with the Board and consultants. He explained that the time between December 31, 2018, and the adoption date of the new permit, January 24, 2019, will be included in the Year 1 annual report for the new permit term. He continued his training by outlining the schedule of events for obtaining permit coverage under the new permit. He stated that the District will have 180 days from January 24, 2019, to obtain permit coverage. Permit coverage will include preparation of a new Stormwater Management Program ("SWMP") and submittal of a Notice of Intent ("NOI") to the TCEQ. A public meeting will be held as necessary based on significant public interest generated by public comments. Mr. Beyer further explained that once permit coverage is achieved, the District will execute the program elements of Year 1 as outlined in the District's new SWMP during the fourth quarter of 2019.

Mr. Beyer then requested the Board approve a Master Services Agreement ("Agreement") for stormwater management services and a Proposal for Services ("Proposal") for the preparation, submittal, and implementation of the NOI and SWMP required by the MS4 Permit.

Following review and discussion, Director Jacobson moved to approve (i) the Year 5 annual SWMP report, and (ii) the Agreement and Proposal, authorize Mr. Beyer to proceed with preparation of the NOI and SWMP for review by the Board, and direct that the Agreement and Proposal be filed appropriately and retained in the District's official records. Director Coffman seconded the motion, which carried unanimously.

ANNUAL WRITTEN REPORT FROM OPERATOR AND ENGINEER

Mr. Frank presented and reviewed an annual report, which is included in his report.

Director Coffman inquired about the status of the survey of the detention area and Mr. Frank stated the design plans are being finalized and discussion ensued.

Mr. Frank discussed repairs to the force main on the toe of the east levee, which he believes belongs to First Colony Municipal Utility District No. 9.

After review and discussion, Director Jacobson moved to approve the annual report. Director Coffman seconded the motion, which passed unanimously.

OPERATOR'S REPORT

Mr. Thelen presented and reviewed the operator's report regarding general mowing, maintenance, weather watch, and turf management, a copy of which is attached. He then reviewed the monthly shared perimeter levee report, which is included in the operator's report.

Mr. Thelen reported it is time to trim trees in the District and reviewed pictures in his report. He estimated the cost to be approximately \$15,000. He stated he will clear out the pilot channel again this summer.

After review and discussion, Director Coffman moved to approve the operator's report and authorize the operator to trim trees in the District as discussed in an amount not to exceed \$15,000. Director Jacobson seconded the motion, which passed unanimously.

EASEMENTS AND DEEDS

There was no discussion regarding this matter.

ENGINEER'S REPORT

Mr. Ebersole presented and reviewed an engineering report, a copy of which is attached.

Mr. Ebersole updated the Board on the status of the Lin tract development.

Mr. Ebersole reported the State has denied FEMA Hazard Mitigation Grant Funding for the Flat Bank Creek Closure due to a low cost-to-benefit ratio and discussion ensued.

Mr. Ebersole updated the Board on the status of the outfall ditch slope paving and detention pond expansions.

Mr. Ebersole reported that the Ditch "B" outfall structure slope paving project is under design.

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

FORT BEND FLOOD MANAGEMENT ASSOCIATION ("FBFMA") MEETINGS AND UPDATES AND NATIONAL FLOOD INSURANCE PROGRAM ("NFIP") LEGISLATION

Ms. Lutz stated the annual membership dues for FBFMA have been reduced to \$5,000, noting payment was approved under the bookkeeper's report.

Ms. Lutz updated the Board on the Texas Water Day conference and her coordination with Dan Delich to hold a meeting during the conference.

Ms. Lutz distributed a list of various conferences and events for 2019.

Director Jacobson discussed his recent meeting with Commissioner DeMerchant regarding his re-appointment.

FIRST COLONY COMMUNITY ASSOCIATION ("FCCA")

Director Coffman discussed participating in a presentation at a FCCA roundtable meeting scheduled for May 1st. She then discussed purchasing advertisements in the First Colony Compass newsletter. No action was taken.

EMERGENCY ACTION PLANNING

Director Sherrill announced the Fort Bend County Levee Improvement District Spring Seminar is scheduled for March 8th.

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 12, 2019, at 9:00 a.m. at ABHR. The Board then confirmed the quarterly perimeter levee meeting on April 16, 2019, and scheduled a second regular meeting for June 28, 2019, at 9:00 a.m. at ABHR.

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

Richard Sheerill
Asst. Secretary, Board of Directors

(SEAL)



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