

MINUTES
FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 10

November 30, 2021

The Board of Directors (the "Board") of First Colony Municipal Utility District No. 10 (the "District") met in regular session open to the public, on the 30th day of November, 2021, at the offices of First Colony Community Services Association ("FCCA"), 4350 Austin Parkway, Sugar Land, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Rodney L. Craig	President
Zac Cypert	Vice President
John E. Peper	Secretary
Stephen D. Higgins	Assistant Vice President
Marta Mohan	Assistant Secretary

and all of the above were present, except Directors Cypert and Higgins, thus constituting a quorum. Director Higgins attended by teleconference.

Also present for all or part of the meeting were of Greg McGrath of McGrath & Co., PLLC; Judy Osborn of McLennan & Associates, L.P; Kristen Scott of Bob Leared Interests, Inc.; David Pella and Jim Cowen of FCCA; and Greer Pagan and Justine M. Cherne of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

There were no public comments.

APPROVE MINUTES

The Board considered approving the minutes of the September 8, 2021, regular meeting. Following review and discussion, Director Peper moved to approve the meeting minutes. Director Mohan seconded the motion, which passed unanimously.

APPROVE AUDIT FOR FISCAL YEAR END JULY 31, 2021

Mr. McGrath presented a draft audit for the District's fiscal year ended July 31, 2021, and the associated management letter. Discussion ensued regarding the calculations for the property tax rebates paid to the District by the City of Sugar Land, the annual standard material weakness letter provided with the audit, and corrections to be made to the tax rate included in the audit. Following review and discussion, Director Peper moved to approve the audit for the fiscal year ended July 31, 2021, subject to final comments, and direct that the audit be filed appropriately and retained in the District's official records. Director Mohan seconded the motion, which passed

unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Osborn presented the bookkeeper's report, including the investment report and the invoices for payment. A copy of the bookkeeper's report is attached. Following review and discussion, Director Mohan moved to approve the bookkeeper's report and authorize payment of the invoices as presented. Director Peper seconded the motion, which passed unanimously.

ANNUAL REVIEW OF INVESTMENT POLICY, AUTHORIZED DEPOSITORY INSTITUTIONS, AND QUALIFIED BROKER/DEALERS

The Board conducted an annual review of the District's Investment Policy. Mr. Pagan stated that there were no recommended changes to the policy. He reported that the District's list of authorized depository institutions and qualified broker/dealers had been updated by the District's bookkeeper. Following review and discussion, Director Peper moved to (1) adopt a Resolution Regarding Annual Review of Investment Policy confirming that the current Investment Policy shall remain in effect; (2) adopt a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with whom the District May Engage in Investment Transactions; and (3) direct that the resolutions be retained in the District's official records. Director Mohan seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Scott presented and reviewed the tax assessor/collector's reports for October and November, 2021, including the list of top delinquent taxpayers. Copies of the tax assessor/collector's reports are attached. Ms. Scott reported that the District's 2021 taxes were 11.2% collected as of November 30, 2021. She discussed a letter closing the District's Wells Fargo bank account for signature by Director Craig.

Ms. Scott presented and reviewed a delinquent tax report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. dated November 10, 2021.

Following review and discussion, Director Peper moved to approve the tax assessor/collector's report and payment of the tax bills. Director Mohan seconded the motion, which carried unanimously.

EMINENT DOMAIN REPORT

Mr. Pagan reported on the District's filing requirements related to eminent domain authority and stated that the District's Eminent Domain Authority Annual Report will be filed with the Comptroller of the State of Texas as required.

MAINTENANCE AND REPAIR OF DISTRICT FACILITIES (FCCA) AND COMMUNITY DEVELOPMENT PROJECTS

Mr. Pella requested approval for removal of a dying Drake Elm tree located along the Brooks Lake Trail at 1350 Lake Pointe Parkway. Discussion ensued regarding Mr. Pella's previous recommendation for removal of 94 to 104 Chinese tallow trees along the trail and replanting options for replacing any trees that are removed. Mr. Pella reported that he received two quotes for removing the Chinese tallow trees in the amounts of approximately \$80,000.00 and \$42,760.00. He explained the invasive nature of the Chinese tallow tree and stated that he will obtain replanting recommendations from a horticulturalist, pending the Board's decision regarding removal of the Chinese tallow trees. Following discussion, the Board requested that Mr. Pella provide information regarding the proposed removal of the Chinese tallow trees along the trail to the Board for review prior to the January 2022 Board meeting, including a map identifying the locations of the trees and the costs for removal. The Board additionally discussed scheduling an in-person viewing of the proposed tree removal locations. Following discussion, the Board concurred to authorize removal of the dying Drake Elm tree located along the Brooks Lake Trail at 1350 Lake Pointe Parkway.

Mr. Pella reported on Westco Grounds Maintenance, LLC's performance of extensive repairs for three leaks on four-inch and eight-inch irrigation system pipelines serving the District and area commercial entities in the approximate amount of \$10,158.00. He recommended requesting reimbursement from Planned Community Developers, Ltd., FCCA, and Fluor Daniel for their shares of the costs of the repairs for the irrigation pipelines serving their facilities, pending calculation of the appropriate allocations. Following discussion, the Board concurred with Mr. Pella's recommendation. Mr. Pella and Mr. Cowen discussed an audit of the structure of the irrigation system and the resulting proposed recommended changes to the structure under evaluation by the FCCA, including the relocation of irrigation system pipelines away from tree roots and adding the ability to isolate individual service locations.

Mr. Pella reported on the status of LJA Engineering, Inc.'s ("LJA") evaluation and design of bulkhead repairs. He stated that LJA's report will be forwarded to the Board when received. The Board requested that Mr. Pella contact the District's engineer, Chad Hablinski of Costello, Inc., regarding the proposed installation of rip rap at the bulkhead near the hotel.

Mr. Pella reported on the FCCA's new landscape maintenance service contract effective in January 2022 and anticipated increased landscape maintenance costs for the District's Lake Pointe area for an increased amount of flower bed plantings. The Board requested that Mr. Pella review the Maintenance Agreement for Recreational Facilities between the District and FCCA for any needed updates.

LONG TERM PARK PLANNING AND PROJECT DEVELOPMENT

Director Craig reported that he did not anticipate a response to the District's outstanding offer for the tract of land for sale along Brooks Lake Trail within the next 12 months.

BROOKS LAKE TRAIL MATTERS

Mr. Pella stated that public communications related to the replacement of the bulbs for the lights on Brooks Lake Trail with LED bulbs has been positive to date. He stated that a report on the estimated electricity costs savings achieved from the replacement is anticipated within six months.

PROPOSED LIGHTING PROJECT AT LAKE POINTE PEDESTRIAN BRIDGE

Director Craig reported on the status of the City of Sugar Land's proposed lighting project at the Lake Pointe Pedestrian Bridge, including three proposals for the project presented to the evaluation committee. His written report on the status of the proposed project was previously distributed to the Board. He stated that, as the Board's interim liaison for the proposed project, he is continuing to monitor the Board's previously discussed concerns related to the project and he will keep the Board apprised as it progresses.

CONVENE IN EXECUTIVE SESSION

The Board did not convene in this executive session.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

(SEAL)




Secretary, Board of Directors

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