

MINUTES
FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 10

April 13, 2022

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 13th day of April, 2022, 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 Director Higgins who attended via teleconference, thus constituting a quorum.

Also present for all or part of the meeting were Judy Osborn of McLennan & Associates, L.P; Kristen Scott and Shammarie Leon of Bob Leared Interests, Inc.; David Pella, Jim Cowen, and Mike Wingard 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 January 12, 2022, regular meeting. Discussion ensued regarding revisions to the minutes related to the proposed removal and replacement of Chinese Tallow trees along the Brooks Lake Trail. Following review and discussion, Director Peper moved to approve the meeting minutes, as revised. Director Cypert 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 Peper moved to approve the bookkeeper's report and authorize payment of the invoices as presented. Director Cypert seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Scott introduced Ms. Leon. Ms. Leon presented and reviewed the tax assessor/collector's report as of March 31, 2022, including a list of top delinquent taxpayers. A copy of the tax assessor/collector's report is attached. Ms. Leon reported that the District's 2021 taxes were 96.7% collected as of March 31, 2022.

Ms. Leon presented and reviewed a delinquent tax report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. dated April 13, 2022.

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

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adoption of a Resolution Concerning Exemptions from Taxation. Following review and discussion, Director Peper moved to adopt a Resolution Concerning Exemptions from Taxation, reflecting that the Board grants a \$40,000 exemption for individuals who are disabled or are sixty-five years of age or older and an exemption of 20% of the appraised value of residence homesteads, and direct that the resolution be filed appropriately and retained in the District's official records. Director Mohan seconded the motion, which passed by unanimous vote.

ARBITRAGE REBATE REPORT FOR SERIES 2016A REFUNDING BONDS

Mr. Pagan reviewed the requirements for performing arbitrage rebate and yield restriction liability analyses for the District's outstanding bonds. He reported that the District is not required to remit payment to the Internal Revenue Service per the previously distributed arbitrage rebate and yield restriction liability report prepared by OmniCap Group, LLC for the District's Series 2016A Refunding Bonds.

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

Mr. Pella reported that the installation of rip rap in the areas of erosion near the Hyatt Place was completed. He distributed photographs of the areas where the rip rap was installed.

Mr. Pella reported that pruning of the 14 Elm and 7 Cypress trees located behind the townhomes in the District was completed.

Mr. Pella reported that a horticulturalist will evaluate a tree that a resident reported as dying. He stated that if the tree is determined to be hazardous, it will be removed quickly, and a Drake Elm tree will be planted in its place.

Mr. Pella discussed additional costs for anticipated irrigation modifications for the trees to be planted to replace the Chinese Tallow trees to be removed from along the Brooks Lake Trail. Following discussion, the Board concurred to authorize payment of the additional costs for the anticipated irrigation modifications in an amount equal to 20% of the \$68,000.00 cost for planting the trees.

Mr. Pella discussed a request for the Board's and Fluor Corporation's approvals for a proposed one-day water lantern festival event to be held after sunset on Brooks Lake. Following discussion, the Board concurred to approve use of the District's property for the event, subject to including the District as an additional insured on the insurance coverage for the event.

Mr. Pella reported on the status of LJA Engineering, Inc.'s design of Brooks Lake bulkhead repairs within the District, including wall replacement and repairs of areas of subsidence and erosion, tiebacks, and holes in the sheetpile. He stated that a cost estimate and proposed schedule for the recommended repairs will be presented to the Board after the design is complete. He stated that the repairs are anticipated to be made on a phased schedule over the next ten years.

LONG TERM PARK PLANNING AND PROJECT DEVELOPMENT

Director Craig reported that there continues to be no response to the District's outstanding offer for the tract of land for sale along Brooks Lake Trail and a response was not anticipated to be received soon.

BROOKS LAKE TRAIL

In response to Director Higgins' inquiry, Mr. Pella stated that there have not been any issues with motorized vehicles along Brooks Lake Trail.

PROPOSED LIGHTING PROJECT AT LAKE POINTE PEDESTRIAN BRIDGE

Director Craig reported that the City of Sugar Land has withdrawn its proposed lighting project at the Lake Pointe Pedestrian Bridge.

BOARD MEETING ATTENDANCE AND DIRECTOR POSITIONS

The Board discussed the importance of obtaining an in-person quorum for meetings and finding suitable replacements for Directors unable to commit to regularly attending the meetings. Following discussion, the Board concurred to meet on June 8, 2022, September 14, 2022, and November 9, 2022. Director Higgins stated that he is unable to attend in-person on November 9, 2022.

2022 DIRECTORS ELECTION

Mr. Pagan discussed procedures related to the 2022 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election (the "Certificate") executed by the Secretary's agent stating that the District received two candidate applications for the two director positions for the May 7, 2022, Directors Election. Following review and discussion, Director Mohan moved to accept the Certificate and direct that the Certificate be distributed appropriately and retained in the District's official records. Director Peper seconded the motion, which passed unanimously.

Mr. Pagan presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order") stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, John E. Peper and Marta Mohan, are declared elected to office to serve from the May 7, 2022, election until the May 2, 2026, Directors Election. Following review and discussion, Director Mohan moved to adopt the Order and direct that the Order be filed appropriately and retained in the District's official records. The motion was seconded by Director Peper and passed unanimously.

Mr. Pagan discussed that the Board had approved entering into a contract with Fort Bend County to administer the District's 2022 Directors Election. Following discussion, Director Mohan moved to cancel the contract with Fort Bend County for election services for the 2022 Directors Election. Director Peper seconded the motion, which passed unanimously.

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

[SIGNATURE PAGE FOR THE MINUTES OF THE APRIL 13, 2022, BOARD MEETING]


Secretary, Board of Directors

(SEAL)



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