

MINUTES  
FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 10

March 8, 2023

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 8<sup>th</sup> day of March, 2023, 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 in person, except Directors Higgins and Mohan, thus constituting a quorum. Director Higgins participated via teleconference.

Also present for all or part of the meeting were Nikita Khambe of the Office of Fort Bend County Commissioner Andy Meyers; Judy Osborn of McLennan & Associates, L.P; Shammarie Leon of Bob Leared Interests, Inc.; David Pella of FCCA; and Greer Pagan and Justine M. Cherne of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

Ms. Khambe introduced herself and offered to be of assistance with any engineering-related matters.

APPROVE MINUTES

The Board considered approving the minutes of the January 11, 2023, regular meeting. Following review and discussion, Director Cypert moved to approve the meeting minutes, as written. Director Peper 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. Leon reviewed the tax assessor/collector's reports for January and February, 2023, including a list of the checks presented for approval. Copies of the tax assessor/collector's reports are attached. Ms. Leon reported that the District's 2022 taxes were 97.0% collected as of February 28, 2023.

Ms. Leon reviewed a delinquent tax report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. dated March 8, 2023, a copy of which is attached.

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.

## AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

The Board considered an Amendment to Agreement for Professional Engineering Services to include a new rate schedule. A previous email from the District's engineer, Chad Hablinski of Costello, Inc., stated that the proposed amendment would have no impact on the District's budget. Following review and discussion, Director Cypert moved to authorize execution of the amendment as presented. Director Peper seconded the motion, which passed unanimously.

## MAINTENANCE AND REPAIR OF DISTRICT FACILITIES (FCCA), COMMUNITY DEVELOPMENT PROJECTS, AND BROOKS LAKE TRAIL

Mr. Pagan reported on his review of a proposed amendment to the Maintenance Agreement for Recreational Facilities between the District and FCCA. He stated that he requested additional information to ensure the costs included in the proposed amendment are appropriate.

Mr. Pella reported on maintenance and repair of District facilities and responded to questions, including continued evaluation of repairs for sloughing at the bulkhead near the north end of the trail and two other areas, monitoring of the rodent bait boxes, evaluation of upgrades for the irrigation system, mowing, landscape maintenance, plantings, and the schedule for resupplying plastic dog waste bags. Mr. Pella reported that cleaning of the trail lights has been completed.

Discussion ensued regarding residents' comments related to the number of trees that have been planted to replace the Chinese Tallow trees removed from along the Brooks Lake Trail. Mr. Pella stated that 80 trees were removed and approximately 33 trees were planted at the end of the lake and two other locations due to spacing considerations. He discussed Dr. Watson's recommendations for the types of trees to plant near the pipe outfall and 11 other areas along the lakeside of the trail. He stated that the trees are ornamental and will not provide shade. He explained the space

constraints along the trail and the inability to plant trees within 15 feet of the levee which limits the ability to plant shade trees. He stated that the small live oaks will grow to provide more shading in approximately two years. Discussion ensued regarding the proposed planting of hedges to screen exposed backyards until the planted trees grow in several years. Mr. Pella stated that he will obtain cost estimates for the proposed hedges. Following discussion, the Board requested that the removed Drake Elm trees be replaced with Drake Elm trees for consistency.

#### LONG TERM PARK PLANNING AND PROJECT DEVELOPMENT

Director Craig reported that the tract of land previously for sale along the Brooks Lake Trail has been sold.

#### MEETING SCHEDULE

Following discussion, the Board concurred to meet on May 10, 2023.

#### CONDUCT WORKSHOP REGARDING DISTRICT PROJECTS

The Board discussed planning for proposed District parks, trees, and landscaping projects. Following discussion, Director Craig stated that he will prepare a list of proposed District projects for distribution to the Board prior to the next meeting.

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

[SIGNATURE PAGE FOR THE MINUTES OF THE MARCH 8, 2023, BOARD MEETING]

(SEAL)



*John E. Pepen*  
Secretary, Board of Directors

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