

# BAUER LANDING WATER CONTROL AND IMPROVEMENT DISTRICT

## Minutes of Meeting October 13, 2022

The Board of Directors (the "Board") of Bauer Landing Water Control and Improvement District (the "District") met in regular session, open to the public, at 12:00 p.m. on Thursday, October 13, 2022, at the regular meeting place located inside the boundaries of the District, whereupon the roll was called of the members of the Board, to-wit:

Donn A. Land	President
Don Riggs	Vice President
Kameron Pugh	Secretary
Juan Olivo	Treasurer
Keith Arrant	Assistant Secretary

All members of the Board were present except Director Arrant, thus constituting a quorum. Also attending were: Sergio Handal and Megan Jordan of Pape-Dawson Engineers, Inc. ("PDE"); Carolyn Walker of McLennan & Associates ("Bookkeeper"); Corey Howell of The GMS Group ("Financial Advisor"); John McLaughlin of Bob Leared Interests ("Tax Assessor/Collector"); Kim Cosco and Chip Petronella of Champions Hydro-Lawn, Inc. ("Champions"); Caleb D. Villarreal, attorney, and Mirna Croon, paralegal, of Johnson Petrov LLP ("JP").

The meeting was called to order at 12:01 p.m. and evidence was presented that public notice of the meeting had been given in compliance with Texas law.

PUBLIC COMMENT. There was no public comment.

APPROVE MINUTES OF SEPTEMBER 8, 2022 BOARD MEETING. Upon motion by Director Riggs, seconded by Director Olivo after full discussion and with all Directors present voting aye, the Board approved the minutes of the September 8, 2022 Board meeting.

PUBLIC HEARING REGARDING 2022 TAX RATE. Next, at 12:04 p.m., the President convened the public hearing regarding the 2022 tax rate. Mr. Villarreal stated that the proposed tax rate is \$0.73 per \$100 of Assessed Valuation.

After confirming there were no public comments, upon motion by Director Olivo, seconded by Director Riggs, the Board closed the public hearing on the 2022 tax rate at 12:05 p.m.

- A. Order Setting Rate and Levying Tax for 2022. Next, upon motion by Director Riggs, seconded by Director Pugh, after full discussion and with all Directors present voting aye, the Board approved the Order setting a debt service tax for 2022 of \$0.41 per \$100 of assessed valuation for debt service plus \$0.32 per \$100 of assessed valuation for maintenance and operations tax for a total rate of \$0.73 per \$100 of Assessed Valuation. A copy of the Order is attached hereto as Exhibit "A".

- B. Order Appointing Bob Leared Interests, Inc. The Board also considered an Order Appointing Bob Leared Interests, Inc. as the District's Tax Assessor/Collector, a copy of which is attached hereto as Exhibit "A-1".
- C. Resolution Regarding Tax Collection Procedures ("Resolution"). The Board considered approval of the Resolution to set forth some of the criteria for the District's Tax Assessor/Collector in collecting taxes on behalf of the District, providing for no split payments, no early payments and no discounts, a copy of which is attached hereto as Exhibit "A-2".
- D. Amended District Information Form. The Board then discussed approval of an Amended and Restated District Information Form, a copy of which is attached hereto as Exhibit "A-3", which is required to be amended to show the current tax rate, the outstanding debt and the Notice to Purchasers form. All of these records must be recorded in the Harris County Real Property Records (the "HCRPR") and filed with the Texas Commission on Environmental Quality.

Upon motion by Director Pugh, seconded by Director Riggs, after full discussion and with all Directors present voting aye, the Board (i) approved the Order Appointing Tax Collector; (ii) approved the Order Appointing Tax Collector; and (iii) approved the Amended and Restated District Information Form, and authorized JP to record same in the HCRPR and file it with the TCEQ, as required by law.

SALE OF \$2,720,000 UNLIMITED TAX BONDS, SERIES 2022 (THE "BONDS")  
Mr. Howell distributed the bid report, a copy of which is attached hereto as Exhibit "B", and stated that seven (7) bids have been received with the lowest bid being from Robert W. Baird & Co., Inc. ("RWB") at a net effective interest rate of 4.832830 percent. The District has also received a BBB rating from Standard & Poor's. RWB has submitted a good faith deposit check which will be held by Bond Counsel and returned to RWB upon receipt of their purchase price for the Series 2022 Bonds. The Bonds will be insured by Assured Guaranty Municipal and the premium will be paid by RWB. Mr. Howell then recommended that the Board accept the bid to purchase the Series 2022 Bonds submitted by RWB.

Upon motion by Director Pugh, seconded by Director Riggs, after full discussion and with all Directors present voting aye, the Board accepted the low bid received from RWB.

Mr. Villarreal then reviewed the Bond Order and upon motion by Director Olivo, seconded by Director Pugh, after full discussion and with all Directors present voting aye, the Board approved the Order Authorizing Issuance of \$2,720,000 Unlimited Tax Bonds, Series 2022; A Transfer and Paying Agent Agreement; And Other Matters Related Thereto.

BOOKKEEPER'S REPORT. The President recognized Mrs. Walker who presented to and reviewed with the Board the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "C".

Upon motion by Director Pugh, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board approved the Bookkeeper's Report along with the checks presented therein; and the Investment Report.

TAX ASSESSOR/COLLECTOR'S REPORT. Mr. McLaughlin reviewed the Tax Report for the period ending September 30, 2022, a copy of which is attached hereto as Exhibit "D". He noted that the District is 99.870% collected for the 2022 tax year.

Upon motion by Director Riggs, seconded by Director Olivo, after full discussion and all Directors present voting aye, the Board approved the Tax Assessor/Collector's Reports along with checks presented therein.

ENGINEERING REPORT. Mr. Handal presented to and reviewed with the Board the Engineering Report, a copy of which is attached hereto as Exhibit "E".

Next, upon motion by Director Pugh, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board (i) awarded the bid for the construction of Phase II Pond and Channel Rehabilitation to the low bidder, Champions Hydro-Lawn, Inc. in the amount of \$352,600.81; and (ii) approved the Engineer's Report.

DETENTION AND DRAINAGE FACILITIES REPORT ("Report"). The President recognized Mr. Cosco who presented to and reviewed with the Board the Detention and Drainage Facilities Report, a copy of which is attached hereto as Exhibit "F".

Upon motion by Director Pugh, seconded by Director Riggs, after full discussion and with all Directors present voting aye, the Board approved the Report and authorized the floatables collection screen repair proposal at a cost of \$855.

NEXT MEETING. The Board concurred to hold its next meeting on November 9, 2022 at 12:00 p.m.

ADJOURNMENT. There being no further business to come before the Board, the Board concurred to adjourn the meeting at 12:45 p.m.

PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of Nov., 2022.

  
Secretary, Board of Directors

- "A" Order Setting Tax Rate
- "A-1" Order Appointing Tax Collector
- "A-2" Resolution Regarding Tax Collection Procedures
- "A-3" Amended District Information Form
- "B" Bid Form
- "C" Bookkeeper Report
- "D" Tax Collection Report
- "E" Engineering Report
- "F" Detention and Drainage Facilities Report