

## BAUER LANDING WATER CONTROL AND IMPROVEMENT DISTRICT

### Minutes of Meeting September 7, 2023

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 1:30 p.m. at the regular meeting place located outside 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 Directors Land and Riggs, thus constituting a quorum. Also attending were: Jordan Konasheck of Pape-Dawson Engineers, Inc. ("PDE"); Carolyn Walker of McLennan & Associates ("Bookkeeper"); John McLaughlin of Bob Leared Interests ("Tax Assessor/Collector"); Corey Howell of The GMS Group ("Financial Advisor"); Chip Petronella of Champions Hydro-Lawn, Inc. ("Champions"); and Caleb D. Villarreal, attorney, and Mirna Croon, paralegal, of Johnson Petrov LLP ("JP").

The meeting was called to order at 1:36 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 MAY 10, 2023 2023 BOARD MEETING. Upon motion by Director Pugh, seconded by Director Arrant, after full discussion and with all Directors present voting aye, the Board approved the minutes of the May 10, 2023 Board meeting.

RESOLUTION REGARDING DISTRICT'S TAX CHARACTERIZATION FOR YEAR 2023 ("RESOLUTION"). Mr. Villarreal reviewed the differences between low tax rate, developing, and developed districts and stated that the District is currently issuing bonds to reimburse the Developer, which would categorize the District as a developing district. Upon motion by Director Arrant, seconded by Director Pugh, after full discussion and with all Directors present aye, the Board approved the Resolution designating the District as a developing district for the 2023 tax year.

FINANCIAL ADVISOR'S REPORT. Mr. Howell reviewed the 2023 Tax Rate Recommendation, a copy of which is attached hereto as Exhibit "A".

The District will be levying a tax against approximately \$360 million in taxable value this year, which is an increase from last year's value of \$298 million. The increase is due to the

continued development and home building program in the District. Mr. Howell recommended setting a debt service tax for 2023 of \$0.40 per \$100 of assessed valuation, which will cover current and future bond indebtedness, plus \$0.30 per \$100 of assessed valuation for maintenance and operations tax for a total rate of \$0.70 per \$100 of Assessed Valuation. The District levied \$0.73 per \$100 of Assessed Valuation in 2022. He further stated that the average home taxable values have increased from \$257,149 in 2022 to \$287,720 in 2023.

Upon motion by Director Pugh, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board authorized the Tax Assessor/Collector to publish notice of the tax rate public hearing for October 5, 2023 at 1:30 p.m. of a proposed tax rate of \$0.70 per \$100 of assessed valuation.

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

Upon motion by Director Arrant, 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.

TAX ASSESSOR/COLLECTOR'S REPORT. Mr. McLaughlin reviewed the Tax Report for the period ending August 31, 2023, a copy of which is attached hereto as Exhibit "C". He noted that the District is 99.727% collected for the 2022 tax year.

Upon motion by Director Arrant, 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. Konasheck presented to and reviewed with the Board the Engineering Report, a copy of which is attached hereto as Exhibit "D".

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 Gentle Shadow Drive Street Dedication Drainage and Paving Facilities to Park Construction Associates, LLC in the amount of \$345,341.80, as recommended by PDE; (ii) approved Pay Estimate No. 1 in the amount of \$258,976.58 payable to Park Construction Associates, LLC in connection with the Gentle Shadow Drive Street Dedication Drainage and Paving Facilities, as recommended by PDE; (ii) approved the Engineer's Report.

DETENTION AND DRAINAGE FACILITIES REPORT ("Report"). Mr. Petronella presented to and reviewed with the Board the Detention and Drainage Facilities Report, a copy of which is attached hereto as Exhibit "E".

Upon motion by Director Arrant, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board approved the Report.

LEGISLATIVE UPDATE. Mr. Villarreal presented to and reviewed with the Board, a memo entitled "Legislative Update for the 88th Texas Legislature (2023)", which summarizes the actions of the recently concluded legislative session, with particular attention to changes in law that directly affect the District.

Next, upon motion by Director Pugh, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board amended its current per-diem amount from \$150 to \$221, in accordance with the newly adopted House Bill 2815.

ADJOURNMENT. There being no further business to come before the Board, the Board concurred to adjourn the meeting at 2:17 p.m.

[EXECUTION PAGE FOLLOWS]

PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of October, 2023.



Secretary, Board of Directors

- "A" Resolution
- "B" Tax Rate Recommendation
- "C" Bookkeeper Report
- "D" Tax Collection Report
- "E" Engineering Report
- "F" Detention and Drainage Facilities Report