

MINUTES

FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 10

September 11, 2024

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 11th day of September, 2024, 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:

Vacant	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 Director Mohan, thus constituting a quorum.

Also present for all or part of the meeting were Gordon Franklin, resident of the District; Nick Laettner of The Morgan Group; Logan Haffelder of Quiddity Engineering, LLC; Leigh Vitols of McLennan & Associates, L.P; Shammari Leon of Bob Leared Interests, Inc.; Bill Grantham of FCCA; and Greer Pagan, Kia Fields, and Maricela Guerrero of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no public comments.

APPROVE MINUTES

The Board considered approving the minutes of the August 14, 2024, regular meeting. Following review and discussion, Director Higgins moved to approve the meeting minutes, as written. Director Cypert seconded the motion, which passed unanimously.

DIRECTORS MATTERS

The Board considered appointing Gordon Franklin to the Board to fill the vacancy left by Rodney L. Craig's resignation. After discussion, Director Higgins moved to appoint Mr. Franklin to the Board. Director Peper seconded the motion, which passed unanimously.

Mr. Pagan stated that Mr. Franklin must execute a Sworn Statement, Official Bond, and Oath of Office as required by the Texas Constitution and Texas Water Code. After review and discussion, Director Higgins moved to approve the Sworn Statement, Official Bond, and Oath of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oath of Office be filed with the Secretary of State, as required by law. Director Peper seconded the motion, which passed unanimously.

The Board then considered reorganizing. After discussion, Director Higgins moved to reorganize the Board as follows:

Zac Cypert	President
Stephen D. Higgins	Vice President
John E. Peper	Secretary
Gordon Franklin	Assistant Vice President
Marta Mohan	Assistant Secretary

Director Peper seconded the motion, which passed unanimously.

The Board then considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality (the "TCEQ"), reflecting the term of the newly appointed director and the reorganization of the Board. Following review and discussion, Director Higgins moved to authorize filing the updated District Registration Form with the TCEQ, and direct that the District Registration Form be retained in the District's official records. Director Peper seconded the motion, which passed unanimously.

Mr. Pagan reviewed a memorandum regarding Texas Open Meetings Act and Texas Public Information Act training requirements for Directors. A copy of the memorandum is attached. Mr. Pagan encouraged Mr. Franklin to receive his training as soon as possible and forward his certificates of completion to ABHR for inclusion in the District's permanent records.

Mr. Pagan reviewed a memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission. A copy of the memorandum is attached. Mr. Pagan stated that pursuant to Chapter 176 of the Texas Local Government Code, the District will maintain a List of Local Government Officers.

Following review and discussion, Director Higgins moved to approve and authorize execution of the List of Local Government Officers and direct that the list be filed appropriately and retained in the District's official records. Director Peper seconded the motion, which passed unanimously.

REPORT REGARDING NEW DEVELOPMENT IN THE DISTRICT

Mr. Laettner updated the Board on the status of the proposed development of a 6.5-acre tract by The Morgan Group, including the anticipated schedule for development. Discussion ensued, and Mr. Laettner addressed questions regarding same. Mr. Pagan then updated the Board regarding plans to finalize the Development Financing Agreement with The Morgan Group related to the proposed development and reviewed cash flow scenarios related to same.

INQUIRY REGARDING CONVEYANCE OF DISTRICT PROPERTY

Mr. Laettner updated the Board on the status of the proposed land swap with Planned Community Developers, Ltd.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board reviewed a renewal proposal for the District's insurance policies expiring on November 29, 2024. After review and discussion, Director Peper moved to accept the proposal from McDonald & Wessendorff Insurance for renewal of the District's insurance policies in the amount of \$12,422.00. Director Higgins seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Vitols presented the bookkeeper's report, including the investment report and the invoices for payment. A copy of the bookkeeper's report is attached.

Discussion ensued regarding rebate payments for tax year 2023 due from the City of Sugar Land.

Following review and discussion, Director Higgins moved to approve the bookkeeper's report and authorize payment of the invoices as presented. Director Peper seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS AND AUTHORIZE COLLECTION OF DELINQUENT TAXES

Ms. Leon reviewed the tax assessor/collector's report for August, 2024, including a list of the checks presented for approval. A copy of the tax assessor/collector's report is attached. Ms. Leon reported that the District's 2023 taxes were 98.559% collected as of August 31, 2024.

Ms. Leon reviewed a delinquent tax report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P. A copy of the delinquent tax report is attached.

Following review and discussion, Director Higgins moved to approve the tax

assessor/collector's report and payment of the tax bills. Director Franklin seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Leon stated that notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2024 total tax rate of \$0.125.

Director Cypert opened the public hearing. There being no comments from the public, Director Cypert closed the public hearing.

Mr. Pagan presented an Order Levying Taxes reflecting the proposed 2024 tax rate. He then presented an Amendment to Information Form reflecting the tax rate and stated that the document will be filed with the TCEQ and recorded in the Official Public Records of Fort Bend County.

After review and discussion, Director Higgins moved to: (1) adopt the Order Levying Taxes reflecting a total 2024 tax rate of \$0.125 per \$100 of assessed valuation, comprised of \$0.035 to pay debt service and \$0.090 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the order and amendment be filed appropriately and retained in the District's official records. Director Peper seconded the motion, which passed unanimously.

APPROVE DESIGN AND REVIEW BIDS AND AWARD CONTRACT FOR CONSTRUCTION OF WATER LINE RELOCATION FOR PEARL SITE

There was no discussion regarding this matter.

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

Mr. Grantham reported FCCA reviewed and verified that FCCA's additional outstanding invoices totaling \$32,653.36 are for services performed for additional District maintenance and repairs, as directed and approved by the Board. Mr. Pagan reported ABHR verified that the meeting minutes recorded Board approval of the services.

Mr. Grantham then reviewed an invoice from The Urban Foresters for annual tree trimming in the amount of \$4,800.00. Mr. Pagan reported that the annual tree trimming services were approved by the Board at its August 14, 2024, meeting. Following review and discussion, the Board authorized Ms. Vitols to issue check no. 1077 in the amount of \$37,453.36 payable to FCCA for the additional outstanding invoices and the invoice from The Urban Foresters.

Director Franklin reported that the sidewalk by the Brooks Lake needs repairs,

dead trees need replacing, and there is a broken lamp post and lights on the trail needing repairs. Discussion ensued. Mr. Pagan stated the Board previously authorized Director Higgins to work with FCCA to verify that the items needing repairs or replacement were for District facilities in an amount not to exceed \$10,000.00. Following additional discussion, Director Cypert moved to authorize Director Franklin to coordinate with FCCA to verify that the items needing repairs or replacement are for District facilities, in place of Director Higgins, if Director Higgins is unavailable. Director Higgins seconded the motion, which passed unanimously.

BROOKS LAKE TRAIL AND REVIEW PLANS FOR IMPROVEMENT

There was no discussion regarding this matter.

PROPOSED DISSOLUTION DISCUSSIONS WITH THE CITY OF SUGAR LAND

There was no discussion regarding this matter.

MEETING SCHEDULE

Following discussion, the Board concurred to hold a regular meeting on October 9, 2024, or November 13, 2024, subject to any necessary action related to new development in the District.

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

[SIGNATURE PAGE FOR THE MINUTES OF THE SEPTEMBER 11, 2024, BOARD MEETING]



John Pape
Secretary, Board of Directors

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