

## **BAUER LANDING WATER CONTROL AND IMPROVEMENT DISTRICT**

### **Minutes of Meeting**

**September 4, 2024**

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. 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:

Kameron Pugh	President
Don Riggs	Vice President
Donn Land	Secretary
Juan Olivo	Director
Keith Arrant	Assistant Secretary

All members of the Board were present except Directors Pugh 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"); Les Griffith of Champions Hydro-Lawn, Inc. ("Champions"); and Caleb D. Villarreal and Daniel David, attorneys, and Mirna Croon, paralegal, of Johnson Petrov LLP ("JP").

The meeting was called to order at 12:05 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 16, 2024 2024 BOARD MEETING. Upon motion by Director Arrant, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board approved the minutes of the May 16, 2024 Board meeting.

RESOLUTION REGARDING DISTRICT'S TAX CHARACTERIZATION FOR YEAR 2024 ("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 Land, after full discussion and with all Directors present aye, the Board approved the Resolution designating the District as a developing district for the 2024 tax year.

FINANCIAL ADVISOR'S REPORT. Mr. Howell reviewed the 2024 Tax Rate Recommendation, a copy of which is attached hereto as Exhibit "A".

The District will be levying a tax against approximately \$352 million in taxable value this year, which is a decrease from last year's value of \$361 million. The decrease is primarily due to

average sales prices and corresponding adjustments by the Harris County Appraisal District. Mr. Howell recommended setting a debt service tax for 2024 of \$0.37 per \$100 of assessed valuation, which will cover current and future bond indebtedness, plus \$0.28 per \$100 of assessed valuation for maintenance and operations tax for a total rate of \$0.65 per \$100 of Assessed Valuation. The District levied \$0.70 per \$100 of Assessed Valuation in 2023. He further stated that the average home taxable values have decreased from \$291,874 in 2023 to \$281,471 in 2024.

Upon motion by Director Arrant, 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 9, 2024 at 2:00 p.m. of a proposed tax rate of \$0.65 per \$100 of assessed valuation.

BOOKKEEPER'S REPORT. Director Land 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, 2024, a copy of which is attached hereto as Exhibit "C". He noted that the District is 99.785% collected for the 2023 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 Arrant, seconded by Director Olivo, after full discussion and with all Directors present voting aye, the Board (i) authorized advertisement for: Cypress Trails at Bauer Landing Sec 1 Water, Sanitary Sewer, and Drainage Facilities; Clearing, Grubbing, Mass Grading, and Detention Basin Facilities for Cypress Trails at Bauer Landing Detention Phase (ii) Authorize award of contract for: Cypress Trails at Bauer Landing Sec 1 Water, Sanitary Sewer, and Drainage Facilities to Texas KB Utilities, LLC in the amount of \$2,334,000.00; (iii) approved the following pay estimates: Pay Estimate No. 3 for \$224,889.86 to Hurtado Construction Company; Pay Estimate No. 4 for \$311,359.09 to Hurtado Construction Company; Pay Estimate No. 5 for \$245,175.57 to Hurtado Construction Company; Pay Estimate No. 6 for \$284,563.94 to Hurtado Construction Company; Pay Estimate No. 1 for \$956,702.56 to Texas KB Utilities, LLC; Pay Estimate No. 2 for \$793,048.64 to Texas KB Utilities, LLC; (iv) approved Change Order No. 1 for \$130,026.65 for Texas KB Utilities, LLC; (v) approved Notice to Proceed for Water, Sanitary Sewer, and Drainage Facilities to Texas KB Utilities, LLC; and (vi) approved the Engineer's Report.

DETENTION AND DRAINAGE FACILITIES REPORT ("Report"). Mr. Griffith 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, including a proposal to remove a fallen tree at a cost of \$650.

ADJOURNMENT. There being no further business to come before the Board, the Board concurred to adjourn the meeting at 12:40 p.m.

[EXECUTION PAGE FOLLOWS]

PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of Oct., 2024.

  
\_\_\_\_\_  
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

