

MINUTES
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 90

March 30, 2022

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 90 (the "District") met in regular session, open to the public, on the 30th day of March, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas outside the boundaries of the District, and the roll was called of the members of the Board:

Wayne McLane	President
Tim Kurtin	Vice President
Perri D'Armond	Secretary
Richard Fisher	Assistant Vice President
Danny Golden	Assistant Secretary

and all of the above were present except Directors D'Armond and Golden, thus constituting a quorum.

Also attending the meeting were Lawrence Kupstas of Aurous Development Services, Ltd.; Ron Dechert of Costello, Inc. ("Costello"); Marissa Iguess of Myrtle Cruz, Inc. ("Myrtle Cruz"); Robin Goin of Bob Leared Interests ("BLI"); Garrett Robertson of Storm Water Solutions LLC ("SWS"); and Greer Pagan and Hope Jeffers of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the January 13, 2022, regular meeting. After review and discussion, Director Kurtin moved to approve the minutes of the January 13, 2022, regular meeting, as presented. Director McLane seconded the motion, which passed unanimously.

2022 DIRECTORS ELECTION

Mr. Pagan discussed procedures related to the 2022 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the three director positions for the May 7, 2022, Directors Election.

Mr. Pagan presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, Tim Kurtin, Richard Fisher, and Danny Golden, are declared elected to office to serve from the May 7, 2022,

election until the May 2, 2026, Directors Election. He reviewed the posting requirements for the Order Cancelling.

Mr. Pagan discussed that the Board had approved entering into a contract with Montgomery County (the "County") to administer the District's 2022 Directors Election.

Following review and discussion, Director McLane moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records; (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records; and (3) cancel the contract with the County for election services for the May 7, 2022 Directors Election. Director Fisher seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Goin reviewed the tax assessor/collector's report, including the delinquent tax roll and checks presented for payment from the tax account. A copy of the tax assessor/collector's report is attached. She stated 97.8% of the District's 2021 taxes were collected as of February 28, 2022. Following review and discussion, Director Fisher moved to approve the tax assessor/collector's report and payment of the tax bills. Director Kurtin seconded the motion, which passed unanimously.

REPORT FROM STORM WATER SOLUTIONS, LLC

Mr. Robertson reviewed a facility report of the north, middle, and south detention ponds, a copy of which is attached, and updated the Board on general maintenance of the ponds.

Mr. Robertson discussed with the Board updating the maintenance schedule and pricing. He noted the price increase is due to increased pricing in labor and materials needed for maintenance. Discussion ensued regarding overseed for the detention ponds. After discussion, the Board concurred to discuss the maintenance schedule and price increases at the next meeting.

Following review and discussion, Director McLane moved to approve the facility report. Director Fisher seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Dechert reviewed the engineer's report, a copy of which is attached, and updated the Board on pending construction projects in the District.

Mr. Dechert stated that bids were received for construction of the mass excavation, grading, and fill and water, sewer, drainage and paving for Stewards Ranch Section One. Mr. Dechert recommended that the Board award the contract to Bay Utilities, LLC in the amount of \$5,274,538.40, subject to plan approval. The Board concurred that, in its judgment, Bay Utilities, LLC was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. Following review and discussion, Director McLane moved to award the contract to Bay Utilities, LLC in the amount of \$5,274,538.40, subject to plan approval, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Kurtin seconded the motion, which passed unanimously.

Mr. Dechert stated that bids were received for construction of the water, sewer, and drainage improvements to serve Stewards Forest Section 1A. Mr. Dechert recommended that the Board award the contract to South Central Texas Excavation, LLC ("South Central") in the amount of \$47,586.00. The Board concurred that, in its judgment, South Central was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. Following review and discussion, Director Fisher moved to award the contract for construction of the water, sewer, and drainage improvements to serve Stewards Forest Section 1A to South Central in the amount of \$47,586.00, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Kurtin seconded the motion, which passed unanimously.

DEVELOPMENT IN THE DISTRICT

Mr. Kupstas generally reported on development matters in the District, including the 72-acre tract that is being developed by Meritage Homes.

ADOPT ORDER ADDING LAND

There was no discussion on this item.

EXECUTION OF AMENDMENT TO INFORMATION FORM

There was no discussion on this item.

REVIEW ARBITRAGE REPORT FOR THE SERIES 2014 AND 2016 BONDS

Mr. Pagan reviewed Arbitrage Rebate Reports for the District's Series 2014 and 2016 Bonds. He noted that the Reports reflect no payments are due to the Internal Revenue Service and no action was needed by the Board.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Iguess reviewed the bookkeeper's report, budget comparison, and schedule of investments and presented the District's bills for payment. A copy of the bookkeeper's report is attached. Following review and discussion, Director Kurtin moved to approve the bookkeeper's report and authorize payment of the bills. Director McLane seconded the motion, which passed unanimously.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH CONTINUING DISCLOSURE OF INFORMATION AGREEMENT

Mr. Pagan discussed the annual report containing updated financial and operating data to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions. He stated that the District is required to file certain financial and operating data with the Electronic Municipal Market Access System ("EMMA"). After discussion, Director Fisher moved to approve the Annual Report and authorize the attorney to submit the District's updated financial and operating data in compliance with the continuing disclosure provisions contained in the bond resolutions, through EMMA, and direct that the Report be filed appropriately and retained in the District's official records. Director Kurtin seconded the motion, which passed unanimously.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance and determined no changes are required at this time.

There being no further business to consider, the meeting was adjourned.


Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax assessor/collector's report	2
Facility report.....	2
Engineer's report.....	2
Bookkeeper's report.....	4