

MINUTES  
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 90

January 12, 2023

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 12th day of January, 2023, 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:

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

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

Also attending the meeting were Lawrence Kupstas of Aurous Development Services, Ltd.; Suzanne Villarreal of McCall Gibson Swedlund Barfoot PLLC ("McCall"); Ron Dechert of Costello, Inc. ("Costello"); Marissa Iguess of Myrtle Cruz, Inc. ("Myrtle Cruz"); Robin Goin of Bob Leared Interests ("BLI"); and Greer Pagan and Kerri Houck of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the September 8, 2022, regular meeting. After review and discussion, Director Fisher moved to approve the minutes of the September 8, 2022, regular meeting, as presented. Director D'Armond 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 81.4% of the District's 2022 taxes were collected as of December 31, 2022. Following review and discussion, Director D'Armond moved to approve the tax assessor/collector's report and payment of the tax bills. Director Fisher seconded the motion, which passed unanimously.

RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

Mr. Pagan reviewed a Resolution Concerning Exemptions from Taxation reflecting that the District rejects a general residential homestead exemption and grants

a \$20,000 exemption for persons who are over 65 years of age or disabled. After review and discussion, Director Fisher moved to adopt the Resolution Concerning Exemptions from Taxation, as presented, and direct that the Resolution be filed appropriately and retained in the District's official records. Director D'Armond seconded the motion, which passed unanimously.

#### ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Mr. Pagan reported on the District's compliance activities during the prior calendar year related to bond financings. He stated that no corrective action is required at this time.

#### REPORT FROM STORM WATER SOLUTIONS

The Board reviewed a facility report of the north, middle, and south detention ponds, a copy of which is attached.

#### 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 updated the Board regarding construction of the following projects, none of which had any items for the Board's approval: (1) the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 2; and (2) the water, sewer, and drainage improvements to serve Stewarts Forest Section 1A.

Mr. Dechert updated the Board regarding construction of the clearing and grubbing to serve Stewarts Ranch and reviewed and recommended approval of Pay Estimate No. 2 in the amount of \$159,471.00, Pay Estimate No. 3 in the amount of \$56,961.38, and Pay Estimate No. 4 and Final in the amount of 39,756.96 payable to Prime Trees, Inc. ("Prime Trees"). Mr. Dechert also recommended the Board accept the project.

Mr. Dechert then recommended the Board approval of a Final Quantity Adjustment in the amount of \$30,255.35 as a decrease the contract with Prime Trees.

Mr. Dechert stated that bids were received for the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1. Mr. Dechert recommended that the Board award the contract to R Construction Civil, LLC ("R Construction") in the amount of \$5,107,951.30. The Board concurred that, in its judgment, R Construction 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.

Mr. Dechert recommended the Board approve five easements for Stewarts Ranch, Section 1.

Following review and discussion, Director D'Armond moved (1) to approve the engineer's report; (2) based on the engineer's recommendation, to approve Pay Estimate No. 2 in the amount of \$159,471.00, Pay Estimate No. 3 in the amount of \$56,961.38, and Pay Estimate No. 4 and Final in the amount of 39,756.96 for the clearing and grubbing to serve Stewarts Ranch and to accept the project; (3) to approve the Final Quantity Adjustment in the amount of \$30,255.35 as a decrease to the contract with Prime Trees; (4) to award the contract for the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1 to R Construction in the amount of \$5,107,951.30, based upon the engineer's recommendation and subject to approval of the payment and performance bonds and review of the certificate of insurance and endorsements, if any, provided by the contractor; and (5) to accept the five easements, as recommended. Director Fisher seconded the motion, which passed unanimously.

#### DEVELOPMENT IN THE DISTRICT

Mr. Kupstas generally reported on development matters in the District.

#### ADOPT ORDER ADDING LAND

There was no discussion on this item.

#### EXECUTION OF AMENDMENT TO INFORMATION FORM

There was no discussion on this item.

#### APPROVE AUDIT

Ms. Villarreal reviewed a draft of the District's audit for fiscal year end September 30, 2022. Following review and discussion, Director Fisher moved to approve the audit for fiscal year end September 30, 2022, subject to final comments by the Board and consultants, and direct that the audit be filed appropriately and retained in the District's official records. Director D'Armond seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Igness 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.

Ms. Igness noted additional check no. 1068 in the amount of \$1,430.00 payable to Texas Municipal League and check no. 1069 in the amount of \$1,400.00 payable to Brown & Brown Insurance Services ("Brown & Brown").

Following review and discussion, Director D'Armond moved to approve the bookkeeper's report and authorize payment of the bills. Director Fisher seconded the motion, which passed unanimously.


ACCEPT ANNUAL DISCLOSURE STATEMENTS FOR INVESTMENT OFFICER AND BOOKKEEPER

Mr. Pagan stated in accordance with the District's Investment Policy and the Public Funds Investment Act, the District's bookkeeper and the District's Investment Officer, are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. He added the disclosure statements will be filed with the Texas Ethics Commission. After review and discussion, Director D'Armond moved to accept the Disclosure Statements pursuant to the District's Investment Policy and the Public Funds Investment Act and direct that the statements be filed appropriately and retained in the District's official records. Director Fisher seconded the motion, which passed unanimously.

RENEWAL OF INSURANCE POLICIES

The Board reviewed a proposal received from Brown & Brown Insurance Services ("Brown & Brown") for renewal of the District's insurance policies. After review and discussion, Director D'Armond moved to approve the proposal from Brown & Brown for renewal of the District's insurance policies. Director Fisher seconded the motion, which passed unanimously.

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

  
Secretary, Board of Directors

(SEAL)



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