

MINUTES  
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 90

May 11, 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 11th day of May, 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 Garrett Robertson of Storm Water Solutions LLC ("SWS"); Lawrence Kupstas of Aurous Development Services, Ltd.; Ron Dechert of Costello, Inc. ("Costello"); Tracey Scott 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 March 9, 2023, regular meeting. After review and discussion, Director Fisher moved to approve the minutes of the March 9, 2023, 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 98.8% of the District's 2022 taxes were collected as of April 30, 2023. 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.

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

The Board considered authorizing Perdue, Brandon, Fielder, Collins & Mott, LLP (“Perdue”) to proceed with the collection of 2022 real property taxes that are delinquent on July 1, 2023. After discussion, Director D’Armond moved that the Board authorize Perdue to proceed with the delinquent tax collection when appropriate. Director Fisher second the motion, which passed unanimously.

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. Mr. Robertson updated the Board on a broken barrier fence at the detention ponds and stated that it is currently being replaced.

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.

Mr. Dechert updated the Board regarding the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1 and reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$1,556,021.97 and Pay Estimate No. 4 in the amount of \$802,459.64 payable to R Construction Civil, LLC (“R Construction”).

Mr. Dechert then reviewed and recommended approval of Change Order No. 2 to the contract with R Construction for the water, sewer, and drainage improvements to serve Stewarts Forest, Section 1 to increase the contract in the amount of \$47,090.00. The Board determined that Change Order No. 2 is beneficial to the District.

Mr. Dechert updated the Board regarding the water, sewer, and drainage improvements to serve Stewarts Forest, Section 1A and reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$42,723.00 payable to Central Texas Excavation.

Following review and discussion, Director Fisher moved (1) to approve the engineer’s report; (2) based on the engineer’s recommendation, to approve Pay Estimate No. 3 in the amount of \$1,556,021.97 and Pay Estimate No. 4 in the amount of \$802,459.64 for the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1; (3) to approve Change Order No. 2 in the amount of \$47,090.00 as an increase to the contract with R Construction for the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1 based upon the Board’s finding that the Change Order is

beneficial to the District; and (4) based on the engineer's recommendation, to approve Pay Estimate No. 1 amount of \$42,723.00 for the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 1A. Director D'Armond 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.

FINANCIAL AND BOOKKEEPING MATTERS

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

REVIEW FINAL ARBITRAGE REPORT FOR THE SERIES 2014 REFUNDING BONDS

Mr. Pagan reviewed a final Arbitrage Rebate Report for the District's Series 2014 Refunding Bonds. He noted that the Report reflects no payments are due to the Internal Revenue Service and no action was needed by the Board.

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 .....	1
SWS report .....	2
Engineer's report.....	2
Bookkeeper's report.....	3