

MINUTES  
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 90

September 14, 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 14th day of September, 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 Director McLane, 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 August 10, 2023, regular meeting. After review and discussion, Director D'Armond moved to approve the minutes of the August 10, 2023, regular meeting, as presented. Director Golden seconded the motion, which passed unanimously.

AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2023

The Board reviewed a letter from McCall Gibson Swedlund Barfoot PLLC ("McCall") requesting authorization to conduct the District's audit for the fiscal year ending September 30, 2023, a copy of which is attached. Following review and discussion, Director D'Armond moved to authorize McCall to conduct the District's audit for fiscal year ending September 30, 2023, pursuant to the presented letter. 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 99.8% of the District's 2022 taxes were

collected as of August 31, 2023. Following review and discussion, Director Fisher moved to approve the tax assessor/collector's report and payment of the tax bills. Director D'Armond 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. Goin stated that notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2023 total tax rate of \$0.57.

The Board opened the public hearing. There being no comments from the public, The Board closed the public hearing.

Mr. Pagan presented an Order Levying Taxes reflecting the proposed 2023 tax rate. He then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Montgomery County.

After review and discussion, Director Golden moved to (1) adopt the Order Levying Taxes reflecting a total 2023 tax rate of \$0.57 per \$100 of assessed valuation, comprised of \$0.32 to pay debt service on water, sewer, and drainage bonds and \$0.25 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 Fisher seconded 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 discussed unauthorized vehicles entering the detention facilities.

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 1; (2) the water, sewer, and drainage facilities to serve Stewarts Ranch, Section 2; and (3) the water, sewer, and drainage improvements to serve Stewarts Forest, Section 1A.

## BOND APPLICATION NO. 5

Mr. Dechert reviewed a summary of costs for bond application no. 5, a copy of which is attached to the engineer's report.

Mr. Pagan presented and reviewed a Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Project and Bonds ("Resolution") for bond issue number five at an amount not to exceed \$6,000,000.00. After review and discussion, Director D'Armond moved to approve the Resolution and direct that it be filed appropriately and retained in the District's official records. Director Golden 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.

Ms. Scott reviewed a draft of the budget for fiscal year ending September 30, 2024, a copy of which is attached to the bookkeeper's report.

Following review and discussion, Director Golden moved to (1) approve the bookkeeper's report and authorize payment of the bills; and (2) adopt the budget for fiscal year ending September 30, 2024. Director D'Armond seconded the motion, which passed unanimously.

## ANNUAL REVIEW OF INVESTMENT POLICY

The Board conducted its annual review of the District's Investment Policy, and Mr. Pagan stated that neither ABHR nor the bookkeeper have any recommended changes. After review and discussion, Director Fisher moved to adopt a Resolution Regarding Annual Review of Investment Policy and to direct that a copy of the resolution be filed and retained in the District's records. Director Golden seconded the motion, which passed unanimously.

ADOPT RESOLUTION ESTABLISHING THE AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKER/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

The Board reviewed a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions to update the list of qualified banks with which the District may invest funds. Mr. Pagan noted the District's bookkeeper provided the updated list of banks, which is attached as an exhibit to the Resolution. After review and discussion, Director Fisher moved to adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and direct that the Resolution be filed appropriately and retained in the District's official records. Director Golden seconded the motion, which passed unanimously.

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

A handwritten signature in black ink, appearing to read "David D. ...", is written over a solid horizontal line. Below the line, the text "Secretary, Board of Directors" is printed.

Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Audit Continuance letter .....	1
Tax assessor/collector's report .....	1
SWS report .....	2
Engineer's report.....	2
Bookkeeper's report.....	3