

MINUTES  
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 90

May 9, 2024

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 9th day of May, 2024, 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
Vacant	Assistant Vice President
Danny Golden	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also attending the meeting were Josh Penton of Meritage Homes; Mark Welch of David Weekley Homes; Brian Jarrard of Jarrard Development; Trevor Konopka of Robert W. Baird & Co. Inc.; Joseph Hopper of Storm Water Solutions LLC ("SWS"); Adam Kupstas of Aurous Development Services, Ltd.; Brent Palermo 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 28, 2024, regular meeting. After review and discussion, Director D'Armond moved to approve the minutes of the March 28, 2024, regular meeting, as presented. Director Fisher seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Perri D'Armond to the Board of Directors of the District for a four-year term.

Mr. Pagan reviewed the Sworn Statement and Oath of Office for Director D'Armond.

After review and discussion, Director D'Armond moved to (1) approve the Certificate of Election and the distribution of same to Director D'Armond, and direct that the Certificate of Election be filed appropriately and retained in the District's

official records; and (2) approve the Sworn Statement and Oath of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oath of Office be filed with the Secretary of State, as required by law. Director Fisher seconded the motion, which passed unanimously.

#### REORGANIZE THE BOARD

The Board concurred to retain their current positions.

#### DISTRICT REGISTRATION FORM

The Board considered authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors. Following review and discussion, Director D'Armond moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. 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 98.4% of the District's 2023 taxes were collected as of April 30, 2024. 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.

#### REPORT FROM STORM WATER SOLUTIONS

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

#### ENGINEERING MATTERS

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

Mr. Palermo updated the Board on the clearing and grubbing, water, sewer, and drainage facilities, and paving and appurtenances to serve Stewarts Ranch, Section 2 and recommended approval of Pay Estimate No. 2 in the amount of \$686,110.64 payable to CE Barker, Ltd.

Following review and discussion and based on the engineer's recommendation, Director D'Armond moved to (1) approve the engineer's report; and (2) approve Pay

Estimate No. 2 in the amount \$686,110.64 for the clearing and grubbing, water, sewer, and drainage facilities, and paving and appurtenances to serve Stewarts Ranch, Section 2. Director Fisher seconded the motion, which passed unanimously.

#### BOND APPLICATION NO. 5

Mr. Pagan updated the Board on bond application no. 5 and discussed the expected timeline of the upcoming bond sale. Mr. Konopka then distributed and reviewed a draft of the Preliminary Official Statement and the Notice of Sale for the Series 2024 Unlimited Tax Bonds (the "Bonds").

Mr. Pagan discussed the duties of the paying agent/registrars for the Bonds and noted the financial advisor recommends that the Board appoint Zions Bancorporation, National Association, Amegy Bank Division, Houston, Texas ("Amegy") as the District's paying agent/registrars for the Bonds.

The Board considered authorizing the District's financial advisor to advertise the sale of the Bonds and concurred to hold the bond sale on June 12, 2024, pending final approval.

The Board considered authorizing McCall Gibson Swedlund Barfoot PLLC to prepare the developer reimbursement report for amounts to be reimbursed to the developers from the proceeds of the Bonds.

Following review and discussion, Director D'Armond moved to (1) approve the Preliminary Official Statement and Notice of Sale, subject to final review; (2) appoint Amegy as the paying agent/registrars for the Bonds; (3) authorize the District's financial advisor to advertise the sale of the Bonds; and (4) authorize the auditor to begin preparation of the developer reimbursement report. Director Fisher seconded the motion, which passed unanimously.

#### DEVELOPMENT IN THE DISTRICT

Mr. Penton, Mr. Jarrard, and 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.

MEETING DATE

The Board concurred to hold the next regular meeting on June 12, 2024, at 10:30 a.m.

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
SWS report .....	2
Engineer's report.....	2
Bookkeeper's report.....	4