

MINUTES
MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 142

May 8, 2024

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 142 (the "District") met in regular session, open to the public, on the 8th day of May, 2024, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, TX, outside the boundaries of the District, and the roll was called of the duly appointed members of the Board:

Cody Carden	President
Vacant	Vice President
David J. Patrick	Secretary
Connor Lynch	Director
Cameron Feehan	Director

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

Also present at the meeting were: Brittany Neel of Stuckey's LLC; Rahi Patel of Municipal Accounts & Consulting LP; Debbie Arellano of Bob Leared Interests; Michael Sullivan of Bleyl & Associates Project Engineering and Management; Jordan Kirk of Davidson Homes; Josh Rambo of McCall Gibson Swedlund Barfoot PLLC; and Hannah Bradley and Arlene Catalan of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENT

Ms. Bradley offered any members of the public attending the meeting the opportunity to make a public comment. There being no members of the public requesting to make a public comment, Ms. Bradley moved to the next agenda item.

MINUTES

The Board considered approving the minutes of the March 13, 2024, meeting. After review and discussion, Director Patrick moved to approve the minutes of the meeting. Director Feehan seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Cody Carden and Cameron Feehan to the Board of Directors of the District, both for a four-year term.

Ms. Bradley reviewed the Sworn Statements and Oaths of Office for Directors Carden and Feehan.

The Board considered reorganizing the Board of Directors and concurred to maintain the current organization.

The Board then considered ratifying the filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected and appointed directors.

After review and discussion, Director Feehan moved to: (1) approve the Certificate of Election and the distribution of same to Directors Carden and Feehan and direct that the Certificate of Election be filed appropriately and retained in the District's official records; (2) approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State, as required by law; and (3) ratify 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 Carden seconded the motion, which passed by unanimous vote.

OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

Ms. Bradley discussed the Texas Public Information Act ("TPIA") and noted that the Texas Legislature has made it explicit that officers and employees of governmental entities are temporary custodians of public information. She distributed a memorandum regarding Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board of Directors to receive TPIA training as soon as possible and forward their certificate of completion to ABHR for inclusion in the District's permanent records.

CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE, INCLUDING REVIEW OF DISCLOSURE FORMS ADOPTED BY THE TEXAS ETHICS COMMISSION AND LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Bradley noted that a memorandum from ABHR regarding conflict-of-interest disclosure required under Chapter 176 of the Texas Local Government Code has been presented. The Board then considered updating the District's List of Local Government Officers. The Board concurred moved to approve the List of Local Government Officers and direct it be filed appropriately and retained in the District's official records.

MAINTENANCE OF DISTRICT DETENTION FACILITIES, AND APPROVE APPROPRIATE ACTION

Ms. Neel presented and reviewed a maintenance report, a copy of which is attached.

Ms. Neel presented and reviewed a proposal for the maintenance of Mackenzie Creek Sections 3 and 4 in the amount of \$34,276.80 per year. She then presented and reviewed a proposal for the maintenance of Caney Creek Place in the amount of \$20,192.35 per year. A copy of the proposal is attached to the maintenance report.

After review and consideration, Director Patrick moved to: (1) approve the maintenance report; (2) approve the proposal for the maintenance of Mackenzie Creek Sections 3 and 4 in the amount of \$34,276.80 per year; and (3) approve the proposal for the maintenance of Caney Creek Place in the amount of \$20,192.35 per year. Director Feehan seconded the motion, which passed unanimously.

AUDIT FOR FISCAL YEAR END DECEMBER 31, 2023

Mr. Rambo presented and reviewed the draft audit for the District's fiscal year end December 31, 2023. After discussion, Director Feehan moved to approve the audit for the fiscal year end December 31, 2023, subject to final consultant and Board review and comment, and direct that the audit be filed appropriately and retained in the District's official records. Director Lynch seconded the motion, which passed unanimously.

DISTRICT INSURANCE RENEWAL

The Board reviewed an insurance renewal proposal from McDonald & Wessendorff Insurance. After review and discussion, Director Feehan moved to approve renewal of the District's insurance policies through McDonald & Wessendorff Insurance, direct the proposal and policies be filed appropriately and retained in the District's official records. Director Lynch seconded the motion, which passed unanimously.

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

Ms. Bradley discussed certain filing requirements related to the District's Annual Report filing as part of the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12. She noted the District may file its most recent audit to satisfy its continuing disclosure requirements. Following discussion, Director Feehan moved to approve the Annual Report, authorize ABHR to submit the District's updated financial and operating data in compliance with the continuing disclosure provisions contained in the bond resolutions, and direct that the Annual Report be filed appropriately and retained in the District's official records. Director Patrick 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. Ms. Bradley stated that no changes are required at this time.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Patel presented and reviewed a bookkeeper's report, a copy of which is attached, including a list of checks presented for payment. Following review and discussion, Director Patrick moved to approve the bookkeeper's report and pay the bills. Director Feehan seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano presented and reviewed the tax assessor/collector's report, a copy of which is attached. Following review and discussion, Director Patrick moved to approve the tax assessor/collector's report and payment of the tax bills. Director Feehan seconded the motion, which passed unanimously.

DELINQUENT TAX COLLECTION

Ms. Bradley reported that the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., can begin collecting delinquent taxes in the District on July 1, 2024. After discussion, Director Feehan moved to authorize the District's delinquent tax attorney to proceed with the collection of delinquent District taxes as of July 1, 2024. Director Lynch seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

ENGINEERING MATTERS

Mr. Sullivan presented and reviewed the engineer's report, a copy of which is attached.

Mr. Sullivan updated the Board regarding the construction of the Caney Creek Place water, sewer and drainage and roads and reviewed and recommended approval of Pay Estimate No. 8 in the amount of \$97,383.09, payable to Bay Utilities, LLC. Additionally, he requested and recommended the release of retainage from 10% to 5%.

Mr. Sullivan updated the Board regarding the construction of Mackenzie Creek, Section 4 water, sewer and drainage facilities and reviewed and recommended approval of Pay Estimate No. 4 in the amount of \$303,670.31, and Pay Estimate No. 5 in the amount of \$107,044.74, payable to R Civil Construction, LLC ("R Civil"). Additionally, he reviewed and recommended approval of Change Order No. 2 to the contract with R Civil to decrease the contract in the amount of \$29,516.00. The Board determined that Change Order No. 2 is beneficial to the District.

Mr. Sullivan updated the Board regarding the construction of Mackenzie Creek, Section 4 paving, and reviewed and recommended approval of Pay Estimate No. 1 in the amount of \$13,212.64, payable to Northtex Construction, LLC (“NorthTex”).

Mr. Sullivan stated that bids were received for construction of The Courtyards at Barton Park Water, Sewer and Drainage and Roads. He recommended that the Board award the contract to the lowest bidder, NorthTex in the amount of \$2,101,610.97, including alternative bid items. The Board concurred that, in its judgment, NorthTex 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 and based on the engineer’s recommendation, Director Feehan moved to: (1) approve the engineer’s report; (2) approve Pay Estimate No. 8 in the amount of \$97,383.09 payable to Bay Utilities, LLC; (3) authorize the release of retainage from 10% to 5% for the Caney Creek Place Water, Sewer and Drainage and Roads project; (4) approve Pay Estimate No. 4 in the amount of \$303,670.31, payable to R Civil; (5) approve Pay Estimate No. 5 in the amount of \$107,044.74, payable to R Civil; (6) approve Change Order No. 2 in the amount of \$29,516.00 as a decrease to the contract with R Civil, based upon the Board’s finding that the Change Order is beneficial to the District; (7) approve Pay Estimate No. 1 in the amount of \$13,212.64, payable to Northtex; and (8) award the contract for construction of The Courtyards at Barton Park Water, Sewer and Drainage and Roads to NorthTex in the amount of \$2,101,610.97, including alternative bid items and based upon the engineer’s recommendation, receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Lynch seconded the motion, which passed unanimously.

ANNEXATION MATTERS

Ms. Bradley updated the Board on the annexation of Whispering Valley Estates.

DEVELOPMENT IN THE DISTRICT

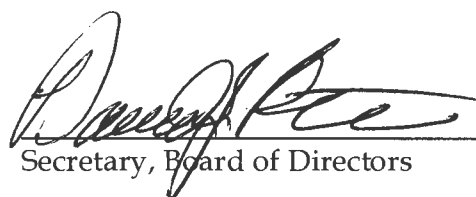
Ms. Kirk updated the Board on Development in the District.

NEXT MEETING DATE

The Board concurred to meet on July 10, 2024.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.




Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
maintenance report	2
bookkeeper's report	4
tax assessor/collector's report	4
engineer's report	4