

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

MINUTES OF MEETING

February 21, 2024

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 152A met in regular session, open to the public on February 21, 2024, at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas 77056, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Justin Cox	President
Wesley Hightower	Vice President
Stanton Brown	Secretary
Mary V. Farrell	Assistant Secretary
Peter Selber	Assistant Secretary

and all of said persons were present, except Directors Cox and Hightower, thus constituting a quorum.

Also present were Lorenzo Rivera on behalf of TPHTL HBL, LLC ("TPHTL HBL"); Putri Tesalonika of Municipal Accounts & Consulting, L.P. ("MAC"); Robin Goin of BLICO Inc. ("BLICO"); Martin Murdock of Quiddity Engineering, LLC ("Quiddity"); William R. Zollman and Austin Keith of Costello, Inc. ("Costello"); Dana Hollingsworth of Municipal District Services, L.L.C. ("MDS"); Julie Peak of Masterson Advisors LLC ("Masterson"); Robert Garcia of Champions Hydro-Lawn, Inc. ("Champions"); and Howard Cohen and Julie Kime, of Schwartz, Page & Harding, L.L.P. ("SPH").

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. There being no comments from members of the public, the Board continued to the next item of business.

APPROVAL OF MINUTES

The Board reviewed the draft minutes of its meeting held on January 17, 2024. Following discussion of the minutes presented, Director Brown moved that such minutes be approved, as presented. Director Selber seconded said motion, which unanimously carried.

BOOKKEEPING REPORT

Ms. Tesalonika then presented to and reviewed with the Board the bookkeeping report dated February 21, 2024, a copy of which is attached hereto as **Exhibit A**. Following review and discussion, Director Selber moved that the bookkeeping report be approved and that payment be authorized on the checks presented, pending receipt of developer advances, except

check nos. 2253 and 2257, which were voided. Director Brown seconded the motion, which unanimously carried.

#### TAX ASSESSOR/COLLECTORS REPORT

Ms. Goin presented the Tax Assessor/Collector's Report dated January 31, 2024, a copy of which is attached hereto as **Exhibit B**. Following review and discussion, Director Brown moved that the Tax Assessor/Collector Report be approved and that payment be authorized on the checks presented. Director Selber seconded the motion which unanimously carried.

#### ADOPTION OF RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2024 TAX YEAR

Mr. Cohen next reminded the Board that pursuant to the Texas Property Tax Reform and Transparency Act of 2019, the District is required to determine whether or not the District will be considered a Developed District under Texas Water Code Section 49.23602 for the current tax year. Mr. Cohen then reviewed with the Board a worksheet completed by Quiddity to assist the Board in making this determination, along with a Resolution Concerning Developed District Status for the 2024 Tax Year ("Resolution"), determining that the District shall not be considered a Developed District. Following discussion, upon motion made by Director Farrell, seconded by Director Selber, and unanimously carried, the Resolution attached hereto as **Exhibit C** was adopted by the Board.

#### DEVELOPER'S REPORT

Mr. Rivera discussed the status of the development in the District.

#### FINANCIAL ADVISOR'S REPORT

Ms. Peak then discussed the issuance of the District's first series of water, sewer and drainage bonds in the proposed amount of \$13,000,000 (the "Bonds"), and reviewed with the Board a draft Summary of Costs prepared by Quiddity and a No Growth Cash Flow Analysis prepared by Masterson in connection therewith, copies of which are attached hereto as **Exhibit D**. Mr. Cohen advised the Board that Montgomery County Municipal Utility District No. 152C will be responsible for preparing and filing with the Texas Commission on Environmental Quality ("TCEQ") a Master District Application for approval of the facilities to be financed with the connection charges to be paid by the District to District 152C from the proceeds of the Bonds. After discussion of the matter, Director Selber moved that the Board (i) approve the Summary of Costs as presented, and (ii) authorize Quiddity to prepare a bond application report for the Bonds. Director Brown seconded said motion, which carried unanimously.

#### ENGINEERS' REPORTS

Mr. Murdock presented an Engineer's Report prepared by Quiddity dated February 21, 2024 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit E**. Following presentation

of the Quiddity Report, Director Farrell moved to authorize payment of the pay estimates identified in the Quiddity Report. Director Selber seconded the motion, which unanimously carried.

Mr. Zollman next presented an Engineer's Report prepared by Costello dated February 21, 2024 ("Costello Report"), a copy of which is attached hereto as **Exhibit F**. Following review and discussion, Director Brown moved to authorize Costello to advertise for bids for construction of water, sanitary sewer, drainage and paving facilities to serve Waterbend Cove. Director Selber seconded the motion, which unanimously carried.

The Board deferred action on the Quitclaim Conveyance of Utility Facilities regarding Lift Station No. 1.

#### AMENDMENT TO INTERIM WATER SUPPLY AGREEMENT WITH MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 105

The Board deferred action on the Amendment to Interim Water Supply Agreement with Montgomery County Municipal Utility District No. 105 ("MUD 105") pending its consideration by the Board of Directors of MUD 105.

#### LANDSCAPE ARCHITECT REPORT

Mr. Cohen noted that no representative of Clark Condon was present and no landscape architect report was received for this meeting.

#### PREVAILING WAGE RATE RESOLUTION

The Board next considered adoption of a Resolution Adopting Wage Rate Scale for Construction Projects. In that regard, Mr. Cohen reported that Quiddity and Costello are recommending that the District adopt the revised United States Department of Labor ("DOL") wage rate scales for construction projects for Montgomery County, Texas, as permitted under Section 2258.022 of the Government Code. Following discussion, Director Farrell moved that the new DOL wage rate scales for Montgomery County, Texas, be adopted as the prevailing wage rate scale for construction projects of the District, and that the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects attached hereto as **Exhibit G** be adopted by the Board. Director Brown seconded said motion, which unanimously carried.

#### OPERATOR'S REPORT

Ms. Hollingsworth presented an Operations Report prepared by MDS. There were no actions requested or taken in connection with the Operations Report, a copy of which is attached hereto as **Exhibit H**. Director Selber moved to accept the Operations Report as presented. Director Farrell seconded said motion which unanimously carried.

CHAMPIONS HYDRO-LAWN REPORT

Mr. Garcia presented to and reviewed with the Board a Detention and Drainage Facilities Report dated February 2024, a copy of which is attached hereto as **Exhibit I**. There was no action requested or taken in connection with such report.

ARBITRAGE ANALYSIS REPORT

Mr. Cohen briefly discussed the District's arbitrage requirements. He then presented the Arbitrage Analysis Report prepared by Municipal Risk Management Group, L.L.C. relative to the District's outstanding bonds, noting that no action is currently required by the District with respect to same. A copy of the Arbitrage Analysis Report is attached hereto as **Exhibit J**.

ATTORNEY'S REPORT

Mr. Cohen then advised the Board that the District has received notice from its continuing disclosure counsel, McCall Parkhurst & Horton L.L.P., that the Annual Report Pursuant to SEC Rule 15c2-12, was timely filed.

SUPPLEMENTAL AGENDA

The Board considered cancellation of the Directors Election called for May 4, 2024. Mr. Cohen advised that, in accordance with Subchapter C, Chapter 2 of the Texas Election Code, the District may cancel the Directors Election if each candidate whose name is to appear on the ballot and/or has registered as a write-in candidate is unopposed as of 5:00 p.m. on February 20, 2024. In such case, the Board may declare the unopposed candidates to be elected. In that regard, there was presented to the Board a certificate of the Secretary declaring all candidates unopposed, a copy of which is attached hereto as **Exhibit K**. Mr. Cohen then presented and reviewed the Order Declaring Candidates Elected, attached hereto as **Exhibit L**. After discussion, Director Farrell moved that the Order be adopted by the Board declaring Stanton Brown, Peter Selber and Mary V. Farrell elected Directors of the District, each to serve a term of four years or until a successor is duly elected or appointed, that the President be authorized to execute and the Secretary to attest same on behalf of the Board and the District, and that the Directors Election called for May 4, 2024, be cancelled. Director Selber seconded said motion, which unanimously carried.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Selber, seconded by Director Brown, and unanimously carried, the meeting was adjourned.



Secretary, Board of Directors

List of Attachments to  
Montgomery County Municipal Utility District No. 152A  
Minutes of Meeting of February 21, 2024

- Exhibit A Bookkeeping Report dated February 21, 2024
- Exhibit B Tax Assessor/Collector Reports dated November 30, 2023, and December 31, 2023
- Exhibit C Resolution Concerning Developed District Status for the 2024 Tax Year
- Exhibit D Summary of Costs and No Growth Cash Flow Analysis
- Exhibit E Quiddity Engineering Report
- Exhibit F Costello Engineering Report
- Exhibit G Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- Exhibit H Operations Report
- Exhibit I Detention and Drainage Facilities Report dated February 2024
- Exhibit J Arbitrage Analysis Report
- Exhibit K Certificate of No Contest
- Exhibit L Order Declaring Candidates Elected