

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

MINUTES OF MEETING

April 17, 2024

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 152A met in regular session, open to the public on April 17, 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 Brown and Selber, thus constituting a quorum.

Also present were Lorenzo Rivera on behalf of TPHTL HBL, LLC ("TPHTL"); Ravi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Robin Goin of BLICO Inc. ("BLICO"); Martin Murdock and Cameron Miller of Quiddity Engineering, LLC ("Quiddity"); William R. Zollman of Pape-Dawson Engineers, LLC ("Pape-Dawson"); 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 Diana Miller 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 March 20, 2024. Following discussion of the minutes presented, Director Hightower moved that such minutes be approved, as presented. Director Farrell seconded said motion, which unanimously carried.

BOOKKEEPING REPORT

Mr. Patel then presented to and reviewed with the Board the bookkeeping report dated April 17, 2024, a copy of which is attached hereto as **Exhibit A**. Mr. Patel also presented check no. 2299 for the MidAmerican Energy Services, LLC, invoice expected to be received following this meeting and due prior to the next meeting. Following review and discussion, Director Cox moved that the bookkeeping report be approved and that (i) check no. 2299 to MidAmerican Energy Services, LLC ("MidAmerican"), be approved, pending receipt of invoicing from

MidAmerican, and (ii) payment be authorized on the checks presented, being check nos. 2284 through 2298, except check nos. 2286 and 2287, which were voided. Director Hightower seconded the motion, which unanimously carried.

#### TAX ASSESSOR/COLLECTOR'S REPORT

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

#### RESOLUTION AUTHORIZING AN ADDITIONAL PENALTY ON DELINQUENT REAL PROPERTY TAXES

The Board then considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes. In that regard, Ms. Miller advised that the Board is authorized pursuant to Section 33.07 of the Texas Tax Code, as amended, to impose, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due the District on taxes that remain delinquent as of July 1. She noted that the additional penalty to be imposed by this Resolution will not apply to delinquent personal property taxes which have incurred an additional penalty pursuant to that certain Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes, which was passed and approved by the District on January 17, 2024. After discussion, it was moved by Director Farrell, seconded by Director Hightower, and unanimously carried, that the Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes, a copy of which is attached hereto as **Exhibit C**, be adopted by the District, and that Perdue, Brandon, Fielder, Collins and Mott, L.L.P., be authorized to proceed with the collection of the District's 2023 delinquent real property tax accounts on July 1, 2024, subject to proper notice having been given as provided in said Resolution, including the filing of lawsuits as necessary.

#### FINANCIAL ADVISOR'S REPORT

Ms. Peak advised that Masterson had nothing to report at this time.

#### DEVELOPER'S REPORT

Mr. Rivera discussed status of development in the District.

#### ENGINEERS' REPORTS

Mr. Miller presented an Engineer's Report prepared by Quiddity dated April 17, 2024 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit D**. Following presentation of the Quiddity Report, Director Farrell moved to (i) authorize Quiddity to advertise for bids for construction water, sanitary sewer, drainage, and road facilities to serve Woodson's Spring Drive, (ii) authorize Quiddity to design water, sanitary sewer, drainage, and road facilities to serve Woodson's Reserve Sections 31 and 32, and (iii) authorize payment of the pay estimates and

approve the change orders identified in the Quiddity Report. Director Cox seconded the motion, which unanimously carried.

Mr. Zollman next presented an Engineer's Report prepared by Pape-Dawson dated April 17, 2024 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit E**. Mr. Zollman advised the Board that, due to the lack of experience of the lowest bidder for the Woodson's Reserve Section 28 water, sanitary sewer, drainage, and roads project, Pape-Dawson recommended award of the contract to the second low bidder, Fellers & Clark ("Fellers"). Mr. Zollman further advised that award to Fellers will be most advantageous to the District and result in the best and most economical completion of the project. Following review and discussion, Director Farrell moved to authorize Pape-Dawson to (i) advertise for bids for construction of water, sanitary sewer, drainage, and road facilities to serve Townsen Boulevard, (ii) authorize payment of the pay estimates identified in the Pape-Dawson Report, and (iii) award the contracts for construction of (a) water, sanitary sewer, drainage and paving facilities to serve Waterbend Cove to TexaSite LLC, and (ii) water, sanitary sewer, drainage and paving facilities to serve Woodson's Reserve Section 28 to Fellers & Clark, subject to SPH's confirmation that the payment and performance bonds and insurance certificates submitted in connection with such contract meet the requirements of the bid specifications, the rules of the TCEQ and provisions of the Texas Water and Insurance Codes. Director Cox seconded the motion, which unanimously carried.

#### STATUS OF BOND APPLICATION NO. 1

Ms. Miller discussed the District's first bond application to the Texas Commission on Environmental Quality ("TCEQ"). Ms. Peak noted that the amount to be included in such application for connection charges will be sufficient to pay for 499 connections. Mr. Murdock advised that a draft application will be circulated to the District's consultants for review and comment within the next week.

#### RATIFY APPROVAL OF SECOND SUPPLEMENTAL AGREEMENT TO MASTER DISTRICT CONTRACT

Ms. Miller advised the Board that at its meeting of March 20, 2024, the Board approved and authorized the execution of a Second Supplemental Agreement to Master District Contract with Montgomery County Municipal Utility District Nos. 152B and 152C. Ms. Miller advised that since the consideration of such action was not included in the agenda for such meeting, the Board must ratify such action. Following discussion, Director Farrell moved that the actions taken by the Board to approve and authorize execution of the Second Supplemental Agreement to Master District Contract be ratified, approved and confirmed in all respects. Director Hightower seconded the motion, which unanimously carried.

#### LANDSCAPE ARCHITECT REPORT

Mr. Rivera discussed the status of landscaping projects within the District.

Ms. Miller then presented to and reviewed with the Board a Conveyance of Recreational Facilities from TPHTL HBL LLC, for Woodson's Reserve Sections 20, 23 and Lexington

Boulevard landscape improvements. Following review, Director Farrell moved that the Board accept such conveyance and authorize the President to execute the same on behalf of the Board and District. Director Cox seconded the motion, which unanimously carried.

OPERATOR'S REPORT

Ms. Hollingsworth presented an Operations Report prepared by MDS, a copy of which is attached hereto as **Exhibit F**. She also presented MDS' Annual Review of Identity Theft Prevention Program, a copy of which is included in the Operations Report. She noted that no violations occurred during the reporting period and recommended that no changes be made to the Program. No action was requested or taken regarding the Operations Report.

Ms. Hollingsworth reported that the District instituted Stage 2 water restrictions under its Amended and Restated Joint Drought Contingency Plan. She reported that the Montgomery County Municipal Utility District No. 105 (" District 105") water plant is currently offline due to a pump failure, and that water to the District is being provided through one of two interconnects that District 105 has with other retail water providers.

CHAMPIONS HYDRO-LAWN REPORT

Mr. Garcia presented to and reviewed with the Board a Detention and Drainage Facilities Report dated April 2024, a copy of which is attached hereto as **Exhibit G**. He also presented proposals for (i) one-time mowing of Woodson's Reserve Detention Pond, and (ii) Woodson's Reserve Outfall Sod Replacement. Following discussion, Director Farrell moved to accept the Detention and Drainage Facilities Report, and approve and authorize the President to execute the proposals presented, copies of which are attached hereto as **Exhibit H**. Director Cox seconded the motion, which unanimously carried.

ATTORNEY'S REPORT

Ms. Miller advised that she had nothing of a legal nature to report that was not covered under another agenda item.

ADJOURNMENT

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



  
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Secretary, Board of Directors

List of Attachments to  
Montgomery County Municipal Utility District No. 152A  
Minutes of Meeting of April 17, 2024

- Exhibit A Bookkeeping Report dated April 17, 2024
- Exhibit B Tax Assessor/Collector Reports dated March 31, 2024
- Exhibit C Resolution Authorizing an Additional Penalty on Delinquent Real Property Taxes
- Exhibit D Quiddity Engineering Report
- Exhibit E Pape-Dawson Engineers Report
- Exhibit F Operations Report
- Exhibit G Detention and Drainage Facilities Report dated April 2024
- Exhibit H Champions Hydro-Lawn Proposals