

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

MINUTES OF MEETING  
May 15, 2024

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 152A met in regular session, open to the public on May 15, 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 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"); Katie Golzarri of Clark Condon ("Clark Condon"); Dane Turner of Best Trash, LLC ("Best Trash"); 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 April 17, 2024. Following discussion of the minutes presented, Director Hightower moved that such minutes be approved, as presented. Director Brown seconded said motion, which unanimously carried.

BOOKKEEPING REPORT

Mr. Patel then presented to and reviewed with the Board the bookkeeping report dated May 15, 2024, a copy of which is attached hereto as **Exhibit A**. Mr. Patel also presented check no. 2315 for the MidAmerican Energy Services, LLC ("MidAmerican") invoice expected to be received following this meeting and due prior to the next meeting. Following review and discussion, Director Hightower moved that the bookkeeping report be approved and that (i) check no. 2315 to MidAmerican, be approved, pending receipt of invoicing from MidAmerican, and (ii)

payment be authorized on the checks presented, being check nos. 2300 through 2314, except check nos. 2300 and 2302, which were voided. Director Brown seconded the motion, which unanimously carried.

#### ACCEPTANCE OF OATHS OF OFFICE, BONDS, AFFIDAVITS OF CURRENT DIRECTOR, STATEMENTS OF ELECTED OFFICER, AND ELECTIONS NOT TO DISCLOSE PERSONAL INFORMATION

The Board next received the Oaths of Office, Bonds, Statements of Elected Officer and Affidavits of Current Director of Directors Brown and Farrell, in connection with their recent election to the Board. Following review, Director Hightower moved that such Oaths of Office, Bonds, Statements of Elected Officer, and Affidavits of Current Director be approved and accepted and that SPH be directed to file the Oaths of Office with the Secretary of State, as required by law. Director Brown seconded the motion, which carried by unanimous vote.

Ms. Miller advised the Board that, pursuant to Section 552.024 of the Texas Government Code, Directors are permitted to elect to withhold public access to certain information in the custody of the District relating to home addresses, home telephone numbers, social security numbers and information regarding family members. Following discussion, Directors Brown and Farrell each executed an Election Not to Disclose Certain Information presented for such purpose, which were accepted by the Board.

#### ELECTION OF OFFICERS

The next item to be considered was the reorganization of the Board and election of officers. Following discussion, Director Hightower moved that the existing officers of the Board remain in their current positions. Director Brown seconded said motion, which unanimously carried.

#### DISTRICT REGISTRATION FORM

The Board next considered approving a District Registration Form required by the Texas Commission on Environmental Quality ("TCEQ"). Ms. Miller explained that, in accordance with the Texas Water Code, municipal utility districts are required to file a District Registration Form listing the names, mailing addresses and terms of new directors with the TCEQ within thirty days after an election or appointment. She advised that, with the Board's approval, SPH will complete the District Registration Form to include the names and new terms of office for the newly elected Directors and will file same with the TCEQ. Following discussion, Director Hightower moved that the Board authorize SPH to complete the District Registration Form and file same with the TCEQ. Director Brown seconded the motion, which carried by unanimous vote.

#### LOCAL GOVERNMENT OFFICERS LIST

Ms. Miller advised the Board that unless there are changes in the offices of the Directors or the investment officers, it is not necessary to prepare a local government officers list.

#### BEST TRASH NOTICE OF ANNUAL CPI ADJUSTMENT

Mr. Turner introduced himself to the Board and inquired as to any complaints from residents as to solid waste collection service within the District. Ms. Miller advised that the District has received Best Trash's notice of annual CPI adjustment which will be effective on August 1, 2024. She noted that items will be placed on the July agenda to consider the increase and amend the District's Rate Order accordingly.

Mr. Turner exited the meeting at this time.

#### ENGAGEMENT OF AUDITOR REGARDING SURPLUS ROAD BOND PROCEEDS

Ms. Miller advised that the District currently has \$108,330 in surplus bond proceeds from its \$5,000,000 Unlimited Tax Road Bonds, Series 2023, and that the District is authorized to utilize such funds to reimburse TPHTL for road projects which have not previously been reimbursed, upon an audit of the amount to be reimbursed by an independent auditor. She also advised that the District's current engagement with McGrath & Co., PLLC ("McGrath") includes services for the preparation of a supplemental audit of proceeds to be reimbursed from previously issued bonds. Following discussion, Director Hightower moved to authorize Quiddity, Pape-Dawson, Masterson, SPH and McGrath to (i) identify projects eligible for reimbursement, (ii) prepare an audit of the amount of surplus funds to be reimbursed to TPHTL, and (iii) place an item on the next meeting agenda to approve such reimbursement. Director Brown seconded said motion, which carried unanimously.

#### TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin presented the Tax Assessor/Collector's Report dated April 30, 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 check and wire transfer presented. Director Brown seconded the motion which unanimously carried.

#### FINANCIAL ADVISOR'S REPORT

Ms. Peak advised that the District's first bond application may be filed later this week, with an anticipated sale date for such bonds of September 18, 2024.

#### 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 May 15, 2024 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit C**. Following presentation of the Quiddity Report, Director Farrell moved to (i) authorize Quiddity to re-advertise for bids for construction of water, sanitary sewer, drainage, and road facilities to serve Woodson's Spring

Drive, and (ii) authorize payment of the pay estimates and approve the change orders identified in the Quiddity Report. Director Brown seconded the motion, which unanimously carried.

Mr. Zollman next presented an Engineer's Report prepared by Pape-Dawson dated May 15, 2024 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit D**. Following review and discussion, Director Farrell moved to authorize payment of the pay estimate identified in the Pape-Dawson Report. Director Brown seconded the motion, which unanimously carried.

#### STATUS OF BOND APPLICATION NO. 1

Ms. Miller stated that, as reported by Ms. Peak, the District's first bond application will be filed later this week or early next week, assuming receipt of the completed Market Study necessary for such application.

#### LANDSCAPE ARCHITECT REPORT

Ms. Golzarri presented to and reviewed with the Board the Clark Condon report, a copy of which is attached hereto as **Exhibit E**.

Following review and discussion, Director Brown moved to (i) approve and authorize the President to execute Clark Condon's proposals for design, and authorize Clark Condon to advertise for bids for construction of (a) Grand Parkway Entry Landscape Improvements and (b) Woodson's Reserve Section 28 Landscape Improvements, and (ii) award the contracts for construction of (a) Woodson's Reserve Section 24 Landscape Improvements to MoBill Contractors, Inc., and (b) Woodson's Reserve Section 25 Landscape Improvement and Woodson's Reserve Section 26 Landscape Improvements to Triple E Landscapes, 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 Farrell 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**. No action was requested or taken regarding the Operations Report.

#### CONSUMER CONFIDENCE REPORT

Ms. Hollingsworth provided a copy of the 2023 Consumer Confidence Report ("CCR") for the Board's review and approval. In connection therewith, Ms. Miller reminded the Board that pursuant to CCR requirements promulgated by the United States Environmental Protection Agency and the TCEQ, the District is required to provide a report containing various information regarding the District's water supply to all District customers by July 1, 2024. Following discussion, Director Brown moved that the 2023 CCR be approved, subject to SPH's review and final approval of the same, and that the operator be authorized to distribute same to the District's customers by mail prior to July 1, 2024. 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 May 2024, a copy of which is attached hereto as **Exhibit G**. Mr. Garica noted that there were no action items regarding the Detention and Drainage Facilities Report.

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 Farrell, 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 May 15, 2024

- Exhibit A Bookkeeping Report dated May 15, 2024
- Exhibit B Tax Assessor/Collector Report dated April 30, 2024
- Exhibit C Quiddity Engineering Report
- Exhibit D Pape-Dawson Engineers Report
- Exhibit E Clark Condon Report
- Exhibit F Operations Report
- Exhibit G Champions Hydro-Lawn Proposals