

MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

MINUTES OF MEETING

July 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 July 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 Director Hightower, 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"); Christine Crotwell of Masterson Advisors LEC ("Masterson"); Robert Garcia of Champions Hydro-Lawn, Inc. ("Champions"); Erin Larimore of Clark Condon ("Clark Condon"); Christie Leighton of Best Trash ("Best Trash"); and Howard Cohen, Julie Kime, and Jennifer Spears 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.

ACCEPTANCE OF OATH OF OFFICE, BOND, AFFIDAVIT OF CURRENT DIRECTOR, STATEMENT OF ELECTED OFFICER, AND ELECTION NOT TO DISCLOSE PERSONAL INFORMATION

The Board next received the Oath of Office, Bond, Statement of Elected Officer and Affidavit of Current Director of Director Selber, in connection with his recent election to the Board. Following review, Director Cox moved that such Oath of Office, Bond, Statement of Elected Officer, and Affidavit of Current Director be approved and accepted and that SPH be directed to file the Oath of Office with the Secretary of State, as required by law. Director Brown seconded the motion, which carried by unanimous vote.

Mr. Cohen 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. Director Selber presented an executed Election Not to Disclose Certain Information for such purpose, which was accepted by the Board.

#### APPROVAL OF MINUTES

The Board reviewed the draft minutes of its meeting held on June 19, 2024. Following discussion of the minutes presented, Director Cox 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 July 17, 2024, a copy of which is attached hereto as **Exhibit A**. He also presented and reviewed with the Board the Quarterly Investment Report for the period ended May 31, 2024, a copy of which is attached to the Bookkeeper's Report. Mr. Patel next presented for the Board's consideration a proposed Budget for the Fiscal Year ending August 31, 2025. He advised that he will present a final proposed Budget for approval at the next Board meeting following input from the Board and the District's consultants. Following review and discussion, Director Brown moved that the bookkeeping report be approved and that payment be authorized on the checks presented, being check nos. 2333 through 2349, except check no. 2338, which was voided. Director Cox seconded the motion, which unanimously carried.

#### TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Goin presented the Tax Assessor/Collector's Report dated June 30, 2024, a copy of which is attached hereto as **Exhibit B**. Following review and discussion, Director Cox moved that the Tax Assessor/Collector Report be approved and that payment be authorized on the checks listed therein. Director Brown seconded the motion which unanimously carried.

Mr. Cohen advised the Board that the Board adopted and approved a Resolution Requesting Appraisal of Property from the Montgomery Central Appraisal District as of June 15, 2024 at its meeting held June 19, 2024, in connection with the District's first bond issue,. He advised that since the consideration of such action was not included on the agenda for such meeting, it is necessary that the Board ratify such action. Following discussion, Director Cox moved that such action be ratified, approved, and confirmed in all respects. Director Brown seconded the motion, which unanimously carried.

#### FINANCIAL ADVISOR'S REPORT

Ms. Crotwell advised that Masterson has no report for this agenda item.

#### DEVELOPER'S REPORT

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

## ENGINEERS' REPORTS

Mr. Murdock presented an Engineer's Report prepared by Quiddity dated July 17, 2024 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit C**. Following review and discussion, Director Selber moved to authorize payment of the pay estimates 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 July 17, 2024 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit D**. Following review and discussion, Director Brown moved to authorize payment of the pay estimates identified in the Pape-Dawson Report. Director Selber seconded the motion, which unanimously carried.

## STATUS OF BOND APPLICATION NO. 1 FOR DISTRICT'S \$14,000,000 UNLIMITED TAX BONDS, SERIES 2024 (THE "BONDS")

In connection with the proposed sale of the Bonds at its next meeting. Ms. Crotwell presented to and reviewed with the Board a proposed form of Official Notice of Sale and Preliminary Official Statement. Mr. Cohen also noted that the District needs to appoint a paying agent for the Bonds and the Bank of New York Mellon Trust Company, N.A. ("BONY") has submitted a proposal for same. Following discussion, Director Cox moved that, (i) subject to SPH's final review, such offering materials be approved, completed and distributed in anticipation of a sale of the Bonds on August 21, 2024, at 12:00 p.m., and that such preliminary official statement be deemed to be final for all purposes with the exception of any additional materials or information relating to subsequent material events, offering prices, interest rates, selling compensation, identity of the underwriters, aggregate principal amounts and other similar information, terms and provisions to be specified in the competitive bidding process, (ii) the Board authorize Masterson to advertise for the sale of the Bonds, with bids to be received by the Board on August 21, 2024, at 12:00 p.m.; (iii) the Board accept the proposal received from BONY for paying agent/registrar services and that BONY be designated as Paying Agent/Registrar in connection with the Bonds; (iv) the District's bookkeepers be authorized to issue a wire in the amount of \$9,500.00 to the Attorney General of Texas in connection with the review of the transcript of proceedings relative to the Bonds; and (v) the Board approved and execute Agreements to Provide Certain Information with TPHTL, HBL, LLC, Toll Southwest, LLC, and Tri Pointe Homes Texas, Inc. pursuant to SEC Rule 15c2 12 and the President by authorized to execute same on behalf of the Board and the District. Director Selber seconded said motion, which unanimously carried.

## LANDSCAPE ARCHITECT REPORT

Ms. Larimore next presented the landscape architect report prepared by Clark Condon, dated as of July 17, 2024 ("Clark Condon Report"), a copy of which is attached hereto as **Exhibit E**. Following such presentation and review, Director Brown moved to approve the pay estimates identified in the Clark Condon Report, and the proposals from Clark Condon for landscape design of (i) Grand Parkway Entry; and (ii) Woodson's Reserve Section 28 Landscape Improvements. 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**. No action was requested or taken regarding the Operations Report.

Ms. Hollingsworth noted that Harris County Municipal Utility District No. 105's Water Plant switched to generator power during Hurricane Beryl causing a loss of pressure, that was addressed by MDS. She noted that analyzed water samples indicated that all contaminant levels were within the TCEQ limits and therefore, the District did not have to issue a boil water notice.

## AMENDMENT TO OPERATOR'S SCHEDULE OF RATES AND APPROVAL OF SECOND AMENDMENT TO SERVICE AGREEMENT

Ms. Hollingsworth requested that action on the Second Amendment to Service Agreement be deferred. The Board deferred action on this item until next month.

## REVIEW OF CORRESPONDENCE FROM BEST TRASH REGARDING NOTICE OF ANNUAL CPI ADJUSTMENT

Ms. Leighton reminded the Board that at the last meeting, Best Trash notified the District that, effective August 1, 2024, there will be a rate adjustment based upon the consumer price index ("CPI") for garbage collection, disposal and recycling services. She presented Best Trash's 2024 Automatic Adjustment Letter, a copy of which is attached hereto as **Exhibit G**, and reported that the rate for said services will increase from \$25.00 to \$26.65 in accordance with the most recently published CPI, as set forth in the District's service agreement with Best Trash.

## AMENDMENT OF THE DISTRICT'S RATE ORDER

The Board deferred action on this agenda item until the next meeting of the Board.

## CHAMPIONS HYDRO-LAWN REPORT

Mr. Garcia presented to and reviewed with the Board a Detention and Drainage Facilities Report dated July 2024, a copy of which is attached hereto as **Exhibit H**. Mr. Garcia noted that there were no action items regarding the Detention and Drainage Facilities Report.

Mr. Garcia also presented a proposal from Champions for general rehabilitation of Woodson's Reserve Retention Pond Backslope Swale and Slope Repairs, a copy of which is attached hereto as **Exhibit I**. Following discussion, Director Brown moved to (i) accept the Champions Report, (ii) approve the proposal for Woodson's Reserve Retention Pond Backslope Swale and Slope Repair in all respects and authorize the President to execute same, and (iii) accept Champions' TEC Form 1295 and authorize SPH to acknowledge receipt of the same with the TEC. Director Hightower seconded the motion, which unanimously carried.

ATTORNEY'S REPORT

Mr. Cohen advised that he had nothing of a legal nature to report that was not covered under another agenda item.

REVIEW MEMORANDUM REGARDING ELECTRONIC STORAGE OF DISTRICT RECORDS; APPROVAL OF RESOLUTION ADOPTING RECORDS RETENTION SCHEDULES AND POLICIES AND PROCEDURES FOR ELECTRONIC STORAGE OF DISTRICT RECORDS

Mr. Cohen presented to and reviewed with the Board a memorandum from SPH, which is attached hereto as **Exhibit J**, regarding the legal requirements to electronically store District records and destroy the paper copies of such records. In this regard, he recommended that the Board approve the Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records attached hereto as **Exhibit K** (the "Records Resolution"). After discussion, Director Selber moved to approve the Records Resolution, and authorize the Records Management Officer to execute the related certifications, and that same be submitted to the Texas State Library and Archives Commission for review and approval. Director Brown seconded the motion, which unanimously carried.

REQUEST FROM RECORDS MANAGEMENT OFFICER TO DESTROY CERTAIN RECORDS OF THE DISTRICT

Mr. Cohen reported that the District's Records Retention Schedules adopted in connection with its Records Management Program require that records of the District be retained only for specific periods of time based on the type of record. As an example, He explained that notes taken during meetings and which are used to prepare the official minutes of Board meetings are to be retained for ninety days after approval of such minutes by the Board. He next presented a request from the Records Management Officer for approval to destroy certain records (which will not be scanned in and stored electronically) in accordance with the District's Records Retention Schedules, a copy of which request is attached hereto as **Exhibit L** (the "Request"). After discussion, Director Selber moved that SPH be authorized to destroy the records described in the Request. Director Brown seconded said motion, which carried unanimously.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Brown, seconded by Director Cox, 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 July 17, 2024

- Exhibit A Bookkeeping Report dated July 17, 2024
- Exhibit B Tax Assessor/Collector Report dated June 30, 2024
- Exhibit C Quiddity Engineering Report
- Exhibit D Pape-Dawson Engineers Report
- Exhibit E Clark Condon Report
- Exhibit F Operations Report
- Exhibit G CPI Adjustment Letter
- Exhibit H Champions Hydro-Lawn Report
- Exhibit I Proposal for Woodson's Reserve Retention Pond Backslope Swale and Slope Repairs
- Exhibit J Memorandum Regarding Electronic Storage of District Records
- Exhibit K Resolution Adopting Records Retention Schedules and Policies and Procedures for Electronic Storage of District Records
- Exhibit L Request from Records Management Officer to Destroy Certain Records of the District