

## MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

### MINUTES OF SPECIAL MEETING

February 26, 2025

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 152A met in special session, open to the public on February 26, 2025, 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 Farrell, thus constituting a quorum. Director Farrell who entered the meeting later as indicated below.

Also present were Lorenzo Rivera of TPHTL HBL, LLC ("TPHTL"); Ravi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Robin Goin of BLICO Inc. ("BLICO"); Martin Murdock 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"); Kim Cosco of Champions Hydro-Lawn, Inc. ("Champions"); Julie Peak of Masterson Advisors LLC ("Masterson"); Bill Cole, resident of the District; and Howard Cohen and Jennifer Spears of Schwartz, Page & Harding, L.L.P. ("SPH"); Katrina Bogany of TPHTL HBL LLC entered the meeting later as indicated in below.

The President called the regular meeting to order and declared it open for such business as might regularly come before the Board.

#### PUBLIC COMMENTS

The Board began by opening the meeting for public comments. Mr. Cole informed the Board that he was here to observe the meeting and had no public comment at this time.

#### APPROVAL OF MINUTES

The Board reviewed the draft minutes of its meetings held on January 15, 2025. Following discussion of the minutes presented, Director Cox moved that such minutes of the January 15, 2025 Board meetings be approved. Director Selber seconded said motion, which unanimously carried.

## BOOKKEEPING REPORT

Mr. Patel then presented to and reviewed with the Board the Bookkeeping Report dated February 26, 2025, a copy of which is attached hereto as **Exhibit A**. Following review and discussion, Director Cox moved that the Bookkeeping Report be approved and that payment be authorized for the checks presented. Director Selber seconded the motion, which unanimously carried.

Director Farrell entered the meeting at this time.

## TAX ASSESSOR/COLLECTOR REPORT

Ms. Goin presented the Tax Assessor/Collector Report dated January 31, 2025, 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 presented. Director Selber seconded the motion, which unanimously carried.

Ms. Goin next informed the Board that she has received correspondence from Montgomery Central Appraisal District ("MCAD") indicating they have agreed to send out clerical error notices to affected taxpayers which should reopen the protest period for affected taxpayers. Mr. Cohen thanked her for her update and stated that the District will monitor the situation and relay information from MCAD as the District receives information.

## RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION FOR 2025

Mr. Cohen outlined for the Board the various tax exemptions available for the District, including the exemptions provided for by Article VIII, Section 1-b of the Texas Constitution and Section 11.13 of the Tax Code, as amended. He advised that under said provisions, the District may provide for the exemption of up to 20% (but not less than \$5,000, if granted) of the market value of residential homestead improvements for the year 2025, and the District may also exempt residential homesteads of persons who are under a disability for purposes of payment of disability insurance benefits under the Federal Old Age, Survivors and Disability Insurance Act, or its successor, or persons sixty-five years of age or older from ad valorem taxes levied by the District during the calendar year 2025, and, if any such exemptions are granted, they must be for not less than \$3,000 of the market value of such homesteads. Ms. Peak discussed the exemptions with the Board. After discussion of the matter, Director Brown moved that the District (i) not grant the residential homestead exemption; and (ii) grant an exemption of \$10,000 of the appraised value of residence homesteads for persons under a disability or sixty-five years of age or older from ad valorem taxes levied by the District during the calendar year 2025, and that the Board adopt the Resolution Concerning Exemptions from Taxation, a copy of which is attached hereto as **Exhibit C**. Director Selber seconded said motion, which carried unanimously.

## ADOPTION OF RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2025 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 2025 Tax Year ("Resolution"), determining that the District shall not be considered a Developed District. Following discussion, upon motion made by Director Cox, seconded by Director Hightower, and unanimously carried, the Resolution attached hereto as **Exhibit D** was adopted by the Board.

## DEVELOPER'S REPORT

Mr. Rivera reported to the Board that both Phase 1 and Phase 2 of development are complete with an aggregate of 594 lots. Mr. Rivera further went on to report to the Board that development of Phase 3 has begun, which is expected to have approximately 269 lots. Mr. Rivera further reported that Section 30 is expected to be delivered in April 2025, with Section 33 to follow in May of 2025, Sections 31 through 32 in August 2025 and Section 29 to follow in November of 2029. Conroe Independent School District is starting construction on their Ninth Grade and Junior High campus and it is estimated that construction will begin in Fall of 2026, and be ready for students in Spring of 2029. Recreational Center No. 2 is in design and construction is scheduled for September of 2025, along with Antler Run Park, which will begin construction in March and April of 2025. Mr. Rivera also reported to the Board that the land exchange between TriStar and Toll Brothers has been closed.

## FINANCIAL ADVISOR'S REPORT

Ms. Peak then discussed the issuance of the District's second series bonds in the proposed amount of \$9,000,000 (the "Bonds"), and reviewed with the Board a draft Summary of Costs prepared by Quiddity and a AV Growth Cash Flow Analysis prepared by Masterson in connection therewith, copies of which are attached hereto as **Exhibit E**. 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 Cox seconded said motion, which carried unanimously.

## DESIGNATING LOCATION IN DISTRICT FOR POSTING NOTICES OF MEETINGS

The Board considered the designation of a new location in the District for posing notice of its meetings. Following discussion, upon motion made by Director Selber, seconded by Director Cox, and unanimously carried, that the location for posting notices of meetings be at 31490 Townsend Boulevard, Spring, Texas 77386, and that the Resolution Designation Location in District for Posting Notices of Meetings attached hereto as **Exhibit F**, be adopted by the Board.

## ENGINEERS' REPORT

Mr. Murdock presented an Engineer's Report prepared by Quiddity dated February 26, 2025 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit G**. Following review and discussion, Director Selber moved to authorize payment of the pay estimate as 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 February 26, 2025 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit H**. Following review and discussion, Director Selber moved to (i) authorize payment of the pay estimates as identified in the Pape-Dawson Report, and (ii) approve change orders as identified in the Pape-Dawson Report. Director Cox seconded the motion, which unanimously carried.

## 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 is 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 Selber 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 I** be adopted by the Board. Director Cox seconded said motion, which unanimously carried.

Mr. Rivera left the meeting and reentered the meeting during the Prevailing Wage Rate agenda item.

## LANDSCAPE ARCHITECT'S REPORT

Mr. Cohen noted that no representative of Clark Condon was present, but Ms. Larimore asked for Mr. Cohen to present the Clark Condon report on her behalf. Mr. Cohen next presented and reviewed a Landscape Architect Report prepared by Clark Condon, dated as of February 26, 2025 ("Clark Condon Report"), a copy of which is attached hereto as **Exhibit J**, including the pay applications, change orders, and recommendation of awards of contracts for Section 28, Grand Parkway Entry, and Antler Run Park listed therein. Following such presentation and review, Director Brown moved to (i) authorize payment of the pay applications, (ii) change orders, and (iii) award of contracts listed in the Clark Condon Report. Director Cox seconded the motion, which unanimously carried.

## DISCUSSION REGARDING LOCATION OF BOARD OF DIRECTORS MEETINGS, INCLUDING ALTERNATIVES FOR CALL-IN NUMBER AND THE TAKING OF ANY ACTION IN CONNECTION THEREWITH

Mr. Cohen discussed the location of the Directors' meeting and proposed offering a call-in phone number for those District residents who cannot attend in person to participate by phone. He also advised that although residents could participate by phone, Directors had to attend in person.

After discussion, the Board concurred, and directed Mr. Cohen to add a call-in number option to all agendas for the Board of Directors' meeting moving forward.

Mr. Zollman exited the meeting at this time.

#### OPERATOR'S REPORT

Ms. Hollingsworth presented an Operations Report prepared by MDS, a copy of which is attached hereto as **Exhibit K**. Following discussion, Director Selber moved to approve the Operations Report, as presented, and authorize MDS to terminate water service to delinquent accounts in accordance with the District's Rate Order. Director Brown seconded the motion, which unanimously carried.

#### AUTHORIZE PREPARATION OF CONSUMER CONFIDENCE REPORT

The Board considered authorizing MOC to prepare the District's consumer confidence report, the format of which is dictated by the Texas Commission on Environmental Quality ("TCEQ"). After discussion on the matter, Director Selber moved that MOC be authorized to prepare said consumer confidence report for the Board's review. Director Hightower seconded said motion, which unanimously carried.

#### CHAMPIONS HYDRO-LAWN REPORT

Mr. Cosco presented to and reviewed with the Board a Detention and Drainage Facilities Report dated February 2025, a copy of which is attached hereto as **Exhibit L**. He noted that there were no action items regarding the Detention and Drainage Facilities Report.

#### LAKE MANAGEMENT SERVICES REPORT

Mr. Cohen noted that there was no report this month from Lake Management Services.

#### APPROVAL OF INSURANCE PROPOSAL

The Board considered the renewal of the District's insurance policies, including those for General Liability and Directors and Officers Liability, as well as the Director Schedule Bond and the Public Employee Blanket Bond, which expire March 31, 2025. In that regard, the Board discussed the renewal proposal received from the District's current insurance broker, McDonald & Wessendorff Insurance ("M&W"). Mr. Cohen reported to the Board that M&W has filed a TEC Form 1295 with the TEC and has provided the District with a copy of said form. Following discussion, Director Brown moved that (i) the proposal of M&W be accepted and that the President be authorized to execute same on behalf of the Board and the District, and (ii) the District accept M&W's TEC Form 1295 and authorize SPH to acknowledge the District's receipt of same with the TEC. Director Selber seconded said motion, which unanimously carried. A copy of the accepted proposal from M&W is attached hereto as **Exhibit J**.

## ATTORNEY'S REPORT

Mr. Cohen further advised the Board that due to the increase interests from district residents in connection with the District, that all the agendas and approved minutes for the 2024 calendar year have been posted onto the Tax Assessor/Collector's website for the residents to access and that moving forward at least twelve months of agendas and approved minutes will be available to the public on that website. 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. Mr. Cohen additionally reported to the Board that the District had received a notice from the Texas Commission on Environmental Quality ("TCEQ") regarding a failure to file a document in connection with the MS4 permit, the District responded to the TCEQ that the District was not in an "Urbanized Area") under the rules and therefore did not need to file the requested document. After reviewing the TCEQ concurred with the District's statement and withdrew their request.

## FUTURE AGENDA

The Board noted it had no items to be added to future agendas that were not already discussed. Mr. Cohen noted that an agenda item to amend the District's Operating Budget will be added to the next agenda due to the updated appraisal numbers received from MCAD.

## ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Brown, seconded by Director Hightower, 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 26, 2025

- Exhibit A Bookkeeping Report dated February 26, 2025
- Exhibit B Tax Assessor/Collector's Report
- Exhibit C Resolution Concerning Tax Exemptions
- Exhibit D Resolution Concerning Developed District Status for the 2025 Tax Year
- Exhibit E Summary of Costs and AV Growth Cash Flow Analysis
- Exhibit F Resolution Designating Location in District for Posting Notices of Meetings
- Exhibit G Quiddity Engineering Report
- Exhibit H Pape-Dawson Engineers Report
- Exhibit I Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
- Exhibit J Clark Condon Report
- Exhibit K Operations Report
- Exhibit L Champions Hydro-Lawn Report
- Exhibit M Proposals for the District's Insurance Coverage