

WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 35
NOTICE OF PUBLIC MEETING

Notice is hereby given to all interested members of the public that the Board of Directors of the above captioned District will hold a regular meeting at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas 77056, said address being a meeting place of the District.

The meeting will be held on **Monday, May 13, 2024, at 12:00 p.m.**

The Board shall consider and discuss the following matters and take any action appropriate with respect to such matters:

1. Public Comments;
2. Review and approve minutes of the April 8, 2024, Board of Directors meeting;
3. Acceptance of Qualification Statements, Bonds, Oaths of Office, Affidavits of Current Director, and Elections Not to Disclose Certain Information for Directors Battistini, Ward, and Feiler;
4. Election of officers of Board of Directors;
5. Approval of District Registration Form relative to election of Directors;
6. Engagement of auditor to audit the District's financial statements and prepare the District's audit report for fiscal year ending May 31, 2024, and authorize acceptance of related Texas Ethics Commission ("TEC") Form 1295;
7. Tax Assessor-Collector Report;
8. Ratify adoption of Resolution Requesting Appraisal of Property as of May 1, 2024;
9. Operator's Report, including:
 - a. Authorize the repair and maintenance of District facilities;
 - b. Appeal of District charges and customer complaints, and status of collections of the District's delinquent water and sewer accounts; refer accounts for collections and approve write-off of uncollectible accounts;
 - c. Compliance with permit and regulatory requirements, including discussion of any violations of same and review of notices of violation, self-reporting of any violations as required, responses to notices and remedial action taken, self-reporting forms as required, and correspondence to and from regulatory agencies regarding same; and
 - d. Review and approval of Consumer Confidence Report and authorize distribution to consumers;

10. Engineering Report, including:
- a. Authorizing the design, advertisement for bids and/or award of construction contracts or concurrence in the award of contracts for the construction of water, sanitary sewer, drainage and/or paving facilities within the District, and authorize acceptance of TEC Form 1295, including:
 - (i) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 47;
 - (ii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 56;
 - (iii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 70;
 - (iv) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 72;
 - (v) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 74;
 - (vi) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 75;
 - (vii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 76;
 - (viii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 77; and
 - (ix) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 78;
 - b. Status of construction contracts, including the approval of any pay estimates and/or change orders, and authorize acceptance of TEC Form 1295, including:
 - (i) Water, sanitary sewer and drainage facilities serving Sunterra Section 48 (TexaSite, LLC);
 - (ii) Paving facilities serving Sunterra Section 48 (A&M Contractors, Inc.);
 - (iii) Paving facilities serving Sunterra Section 53 (Allgood Construction Company, Inc.);
 - (iv) Water, sanitary sewer, and drainage facilities serving Sunterra Section 55 (Principal Services, Ltd.);
 - (v) Paving facilities serving Sunterra Section 55 (A&M Contractors, Inc.);
 - (vi) Water, sanitary sewer, drainage and paving facilities serving Sunterra Sections 65 and 66 (Principal Services, Ltd.);
 - (vii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Sections 67 and 68 (Gonzalez Construction Enterprises, Inc.);
 - (viii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 69 (R Construction Civil, LLC);
 - (ix) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 71 (TexaSite, LLC); and
 - (x) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 73 (R Construction Civil, LLC);

- c. Acceptance of sites and/or easement conveyances for facilities constructed or to be constructed for the District, and acceptance of facilities for operation and maintenance purposes;
 - d. Review and approval of Stormwater Quality Management Plans related to construction contracts;
 - e. Status of acceptance by Waller County of streets for maintenance; authorize any action required in connection therewith;
 - f. Status of District's Bond Application Report in connection with the District's \$1,170,000 Unlimited Tax Bonds, Series 2024 Bonds; adoption of Order Authorizing Application to the Texas Commission on Environmental Quality for approval of Project and Bonds;
 - g. Consider engineering proposals in connection with the (i) Series 2024 Unlimited Tax Road Bonds ("2024 Road Bonds"), and (ii) preparation of Bond Application Report No. 2; and
 - h. Approve Sanitary Sewer Easement to Harris-Waller Counties Municipal Utility District No. 4;
11. Discussion relative to the proposed issuance of 2024 Road Bonds, including:
 - a. Approval of Summary of Costs; and
 - b. Engagement of an auditor for preparation of audit of payments to the developer out of the proceeds of the 2024 Road Bonds and authorize the acceptance of TEC Form 1295 in connection therewith;
 12. Silt Solutions, Inc.'s Report; authorize any action in connection therewith, including review of builder stormwater controls and issuance of fines and penalties for non-compliance; approval of proposal relative to trash pickup;
 13. Consider amendment of the District's Rate Order;
 14. Landscape Architect Reports, including:
 - a. Authorizing or ratifying the design, advertisement for bids and/or award of construction contracts or concurrence in the award of contracts of facilities within the District, and authorize acceptance of TEC Form 1295, including:
 - (i) Sunterra Phase 6 – Landscape Improvements (Sunterra Sections 47 and 56);
 - b. Status of construction contracts, including the approval of any pay estimates and/or change orders and authorize acceptance of TEC Form 1295, including:
 - (i) Hardscape, Landscape and Irrigation Improvements (Sunterra Sections 49 and 50) (Triple E Landscapes);
 - (ii) Landscape Improvements (Sunterra Sections 35, 36 and 44) – Softscape (Stricksapes);
 - (iii) Landscape improvements (Sunterra Sections 35, 36 and 44) – Hardscape (DL Meachum);
 - (iv) Landscape Improvements (Sunterra Sections 45, 51 and 52) – Softscape and Hardscape (Stricksapes);
 - (v) Landscape Improvements (Sunterra Section 46) – Softscape

- (v) (Zodega);
 - (vi) Landscape Improvements (Sunterra Section 46) - Hardscape (Oak Forest Construction Group);
 - (vii) Landscape Improvements (Sunterra Sections 53 and 54) – Softscape (Zodega);
 - (viii) Landscape Improvements (Sunterra Sections 53 and 54) - Hardscape (DL Meachum);
 - (ix) Sunterra Phase 6 – Landscape Improvements (Sunterra Section 48) – Softscape (PGS Landscaping); and
 - (x) Sunterra Phase 6 – Landscape Improvements (Sunterra Section 48) – Hardscape (Stricksapes);
 - c. Acceptance of sites and/or easement conveyances for facilities constructed or to be constructed for the District and acceptance of facilities for operation and maintenance purposes;
15. Bookkeeper's Report and authorizing the payment of invoices presented;
16. Consider adoption of operating budget for fiscal year ending May 31, 2025;
17. Developer's Report;
18. Security Patrol Report;
19. Attorney's report, including:
- a. Review and discuss memorandum regarding use of social media by public officials;
20. Matters for possible placement on future agendas.



SCHWARTZ, PAGE & HARDING, L.L.P.

By: Christina Cole
Christina Cole
Attorneys for the District

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact the District's attorney at (713) 623-4531 at least three business days prior to the meeting so that appropriate arrangements can be made.