

WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 35
NOTICE OF SPECIAL 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 special meeting at 1300 Post Oak Boulevard, Suite 2400, Houston, Harris County, Texas 77056, said address being a meeting place of the District.

The meeting will be held on **Monday, July 22, 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 June 10, 2024, Board of Directors meeting;
3. Tax Assessor-Collector Report;
4. 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; and
 - 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;
5. Review of correspondence from Best Trash regarding notice of annual CPI adjustment; authorize any action necessary in connection therewith, including amendment of the District's Rate Order;
6. 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 Sections 76 and 77; and
 - (iv) 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) Paving facilities serving Sunterra Section 48 (A&M Contractors, Inc.);
- (ii) Paving facilities serving Sunterra Section 53 (Allgood Construction Company, Inc.);
- (iii) Water, sanitary sewer, and drainage facilities serving Sunterra Section 55 (Principal Services, Ltd.);
- (iv) Paving facilities serving Sunterra Section 55 (A&M Contractors, Inc.);
- (v) Water, sanitary sewer, and drainage facilities serving Sunterra Sections 65 and 66 (Principal Services, Ltd.);
- (vi) Paving facilities serving Sunterra Sections 65 and 66 (Allgood Construction Company, Inc.);
- (vii) Water, sanitary sewer, and drainage facilities serving Sunterra Sections 67 and 68 (Gonzalez Construction Enterprises, Inc.);
- (viii) Paving facilities serving Sunterra Sections 67 and 68 (A&M Contractors, Inc.);
- (ix) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 69 (R Construction Civil, LLC);
- (x) Paving facilities serving Sunterra Section 69 (Allgood Construction Company, Inc.);
- (xi) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 70 (Fellers & Clark, LP);
- (xii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 71 (TexaSite, LLC);
- (xiii) Water, sanitary sewer and drainage facilities serving Sunterra Section 72 (TexaSite, LLC);
- (xiv) Paving facilities serving Sunterra Section 72 (Allgood Construction Company, Inc.);
- (xv) Water, sanitary sewer, and drainage serving Sunterra Section 73 (R Construction Civil, LLC);
- (xvi) Paving facilities serving Sunterra Section 73 (Hassell Construction Group, Inc.);
- (xvii) Water, sanitary sewer and drainage facilities serving Sunterra Section 74 (Blazey Construction Services LLC); and
- (xviii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 75 (Bay Utilities, 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, including:
 - (i) Quitclaim Conveyance of Utility Facilities - Water, sanitary sewer and drainage facilities serving Sunterra Section 48 (TexaSite, LLC); and
 - (ii) Special Warranty Deed conveying recreational sites to the District;
- d. Review and approval of Stormwater Quality Management Plans related to construction contracts; and
- e. Status of acceptance by Waller County of streets for maintenance; authorize any action required in connection therewith;

7. Discussion relative to the proposed issuance of the District's \$1,170,000 Unlimited Tax Bonds, Series 2024 (the "Bonds"), and consider taking the following actions in connection with the Bonds:
 - a. Review and approve Preliminary Official Statement and Official Notice of Sale;
 - b. Authorize the District's financial advisor to advertise for the sale of the Bonds;
 - c. Approval of designation of Paying Agent/Registrar; and
 - d. Authorize bookkeeper to issue check for Attorney General's fees;
8. Discussion relative to the proposed issuance of the District's Unlimited Tax Road Bonds, Series 2024 (the "Road Bonds") and consider taking the following actions in connection with the Road Bonds, including:
 - a. Approval of Summary of Costs and pre-audit relative to payment of proceeds of the Road Bonds;
 - b. Review and approve Preliminary Official Statement and Official Notice of Sale;
 - c. Authorize the District's financial advisor to advertise for the sale of the Road Bonds;
 - d. Approve designation of Paying Agent/Registrar; and
 - e. Authorize bookkeeper to issue payment for Attorney General's fees;
9. Consider approval of Resolution to Comply with Securities and Exchange Commission Rule 15c2-12 and General Certificates in connection therewith: (i) Harris-Waller Counties Municipal Utility District No. 4 \$15,770,000 Contract Revenue Bonds, Series 2024, and (ii) Harris-Waller Counties Municipal Utility District No. 4 Contract Revenue Road Bonds, Series 2024;
10. Consider approval of revised exhibit to Maintenance Agreement relating to Recreational Facilities between the District and Sunterra Property Owners Association, Inc.;
11. 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;
12. 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) Landscape Improvements (Sunterra Sections 35, 36 and 44) – Softscape (Stricksapes);
 - (ii) Landscape improvements (Sunterra Sections 35, 36 and 44) – Hardscape (DL Meachum);

- (iii) Landscape Improvements (Sunterra Sections 45, 51 and 52) – Softscape and Hardscape (Strickscapes);
- (iv) Landscape Improvements (Sunterra Section 46) – Softscape (Zodega/Silversand Services);
- (v) Landscape Improvements (Sunterra Section 46) - Hardscape (Oak Forest Construction Group);
- (vi) Landscape Improvements (Sunterra Sections 53 and 54) – Softscape (Zodega/Silversand Services);
- (vii) Landscape Improvements (Sunterra Sections 53 and 54) - Hardscape (DL Meachum);
- (vii) Sunterra Phase 6 – Landscape Improvements (Sunterra Section 48) – Softscape (PGS Landscaping); and
- (ix) Sunterra Phase 6 – Landscape Improvements (Sunterra Section 48) – Hardscape (Strickscapes);
- 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, including:
 - (i) Quitclaim Conveyance of Facilities - Hardscape, Landscape and Irrigation Improvements (Sunterra Sections 49 and 50) (Triple E Landscapes);
- 13. Bookkeeper's Report and authorizing the payment of invoices presented;
- 14. Developer's Report;
- 15. Security Patrol Report;
- 16. 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;
- 17. Request from Records Management Officer to destroy certain records of the District;
- 18. Attorney's report; and
- 19. Matters for possible placement on future agendas.



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

By: Christina Cole
Christina Cole
Attorneys for the District

Persons with responsibilities 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.