

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, October 14, 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 September 9, 2024, Board of Directors meeting;
3. Tax Assessor-Collector Report;
4. Conduct a public hearing regarding the adoption of the District's 2024 tax rate;
5. Levy of the District's 2024 debt service and maintenance and contract tax rates, and the adoption of an Order in connection therewith;
6. Approval and execution of an Amended District Information Form;
7. 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;
8. 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) Paving facilities serving Sunterra Section 47; and
 - (ii) 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 47 (Blazey Construction Services, LLC);
 - (ii) Water, sanitary sewer, and drainage facilities serving Sunterra Section 55 (Principal Services, Ltd.);
 - (iii) Paving facilities serving Sunterra Section 55 (A&M Contractors, Inc.);
 - (iv) Water, sanitary sewer, drainage facilities serving Sunterra Section 56 (Fellers & Clark, LP);
 - (v) Paving facilities serving Sunterra Section 56 (Allgood Construction Company, Inc.);
 - (vi) Water, sanitary sewer, and drainage facilities serving Sunterra Sections 65 and 66 (Principal Services, Ltd.);
 - (vii) Paving facilities serving Sunterra Sections 65 and 66 (Allgood Construction Company, Inc.);
 - (viii) Water, sanitary sewer, and drainage facilities serving Sunterra Sections 67 and 68 (Gonzalez Construction Enterprises, Inc.);
 - (ix) Paving facilities serving Sunterra Sections 67 and 68 (A&M Contractors, Inc.);
 - (x) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 69 (R Construction Civil, LLC);
 - (xi) Paving facilities serving Sunterra Section 69 (Allgood Construction Company, Inc.);
 - (xii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 70 (Fellers & Clark, LP);
 - (xiii) Paving facilities serving Sunterra Section 70 (Hurtado Construction Company);
 - (xiv) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 71 (TexaSite, LLC);
 - (xv) Paving facilities serving Sunterra Section 71 (Daco Paving, Inc.);
 - (xvi) Water, sanitary sewer and drainage facilities serving Sunterra Section 72 (TexaSite, LLC);
 - (xvii) Paving facilities serving Sunterra Section 72 (Allgood Construction Company, Inc.);
 - (xviii) Water, sanitary sewer, and drainage serving Sunterra Section 73 (R Construction Civil, LLC);
 - (xix) Paving facilities serving Sunterra Section 73 (Hassell Construction Group, Inc.);
 - (xx) Water, sanitary sewer and drainage facilities serving Sunterra Section 74 (Blazey Construction Services LLC);
 - (xxi) Paving facilities serving Sunterra Section 74 (Allgood Construction Company, Inc.);
 - (xxii) Water, sanitary sewer, drainage and paving facilities serving Sunterra Section 75 (Bay Utilities, LLC);

- (xxiii) Paving facilities serving Sunterra Section 75 (Hurtado Construction Company);
 - (xxiv) Water, sanitary sewer, and drainage facilities serving Sunterra Sections 76 and 77 (Blazey Construction Services, LLC);
 - (xxv) Paving facilities serving Sunterra Sections 76 and 77 (Allgood Construction Company, Inc.); and
 - (xxvi) Water, sanitary sewer, and drainage facilities serving Sunterra Section 78 (Lischka Company, LP);
 - 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) Water Meter Easements for daycare facility;
 - 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;
9. Consider status of preparation of Bond Application Report to be submitted to the Texas Commission on Environmental Quality ("TCEQ") for proposed Series 2025 Bonds, and authorize any necessary action in connection therewith, including:
 - a. Approval of Summary of Costs;
 - b. Approval of an Order Authorizing Application to the TCEQ for Approval of Projects and Bonds; and
 - c. Authorize the filing of the application with the TCEQ;
 10. Discussion relative to the proposed issuance of the District's Bond Anticipation Note, Series 2024 (the "Series 2024 BAN"), and consider taking the following actions in connection with the Series 2024 BAN:
 - a. Authorize District's Financial Advisor to negotiate the sale of the Series 2024 BAN;
 - b. Authorize engagement of auditor for preparation of audit of payments to the developer(s) out of the proceeds of the Series 2024 BAN; and
 - c. Authorize application to the TCEQ for pre-purchase inspection and approval to purchase facilities with proceeds of the Series 2024 BAN;
 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);
 - (ii) Sunterra Phase 7 - Landscape Improvements (Sunterra Sections 65 and 66); and
 - (iii) Sunterra Phase - Landscape Improvements (Sunterra Sections 67 and 68);
 - 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 (Stricksapes);
 - (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);
 - (viii) Sunterra Phase 6 – Landscape Improvements (Sunterra Section 48) – Softscape (PGS Landscaping); and
 - (ix) 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;
- 13. Bookkeeper's Report and authorizing the payment of invoices presented; amendment of operating budget;
- 14. Status of compliance by the District with Texas Government Code, Chapter 2265, relative to energy reporting;
- 15. Annual review of Order Establishing Policy for Investment of District Funds and Appointing Investment Officer, and adoption of Resolution in connection therewith;
- 16. Developer's Report;
- 17. Security Patrol Report;
- 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 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.