

WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 35

Minutes of the Meeting of Board of Directors October 13, 2025

The Board of Directors (the "Board") of Waller County Municipal Utility District No. 35 (the "District") met in regular session, open to the public, on October 13, 2025, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted members of the Board, as follows:

Victoria A. Battistini, President
Ryan C. Ward, Vice President
Jaclyn Day, Secretary
Daniel C. Feiler, Assistant Secretary
Tiffani S. Walker, Assistant Secretary

all of whom were present with the exception of Director Walker, who entered later in the meeting as noted herein, and Director Day, thus constituting a quorum.

Also present were: Blair Bozoarth of Quiddity Engineering, LLC ("Quiddity"); Jennifer Abad of Municipal Accounts & Consulting, L.P. ("MA&C"); Dana Hollingsworth and Mia Hargrove of Municipal District Services, LLC ("MDS"); David Wood of Robert W. Baird & Co., Inc. ("Baird"); Patty Rodriguez of BLICO, Inc., dba Bob Leared Interests ("BLICO"); Tiffany Wilkes of Kudela & Weinheimer ("K&W"); Brian Krueger of Forvis Mazars, LLP ("Forvis"); and Daniel Ringold and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

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

PUBLIC COMMENTS

There were no comments from members of the public.

MINUTES

The Board considered the minutes of its meeting held on September 8, 2025. After discussion, it was moved by Director Feiler seconded by Director Battistini, and unanimously carried, that said minutes be approved, as written.

PUBLIC HEARING REGARDING ADOPTION OF THE DISTRICT'S 2025 TAX RATE, LEVY OF THE DISTRICT'S 2025 TAX RATE, AND ADOPTION OF AN ORDER IN CONNECTION THEREWITH

The Board conducted a hearing regarding the imposition of a proposed debt service tax rate, a maintenance tax, and contract tax rate for 2025. There being no comments presented from the public, such hearing was then closed.

The Board then discussed the setting of the District's 2025 tax rate and levying the District's 2025 taxes. Ms. Rodriguez confirmed that notice of the District's intent to adopt and levy a 2025 tax rate had been published in accordance with all legal requirements and as directed at the previous meeting. Mr. Wood then presented to and reviewed with the Board an updated recommendation regarding the proposed 2025 debt service tax rate and maintenance tax rate, a copy of which is attached hereto as **Exhibit A**. After discussion on the matter, Director Feiler moved that: (i) the Board levy a debt service tax rate of \$0.535 per \$100 of assessed valuation, a maintenance tax rate of \$0.48 per \$100 of assessed valuation, and a contract tax rate of \$0.485 per \$100 of assessed valuation, resulting in a total 2025 tax rate of \$1.50 per \$100 of assessed valuation; and (ii) the Order Levying Taxes attached hereto as **Exhibit B** be adopted in connection therewith and the President be authorized to execute and the Assistant Secretary to attest same on behalf of the Board and the District. Director Battistini seconded said motion, which carried unanimously.

AMENDMENT TO DISTRICT INFORMATION FORM

Mr. Ringold presented and discussed with the Board a proposed Amendment to the District Information Form relative to the levy of the District's 2025 tax rate. After discussion, Director Feiler moved that said Amendment be approved and that the Board members present be authorized to execute same on behalf of the Board and the District. Director Battistini seconded said motion which carried unanimously.

Director Walker entered the meeting at this time.

TAX ASSESSOR-COLLECTOR REPORT

Ms. Rodriguez presented to and reviewed with the Board a written Tax Assessor-Collector Report ("TAC Report") for the period ended September 30, 2025, including the disbursements presented therein for payment from the District's tax account, a copy of which TAC Report is attached hereto as **Exhibit C**. After discussion, on motion made by Director Feiler, seconded by Director Battistini and unanimously carried, the Board approved the TAC Report and authorized the payments listed therein.

AUTHORIZE PREPARATION AND FILING OF INITIAL LOCAL GOVERNMENT BOND, TAX, AND PROJECT REPORT

Mr. Ringold advised the Board that, pursuant to Chapter 403, Texas Gov't Code, as amended by H. B. 103 in the 89th Regular Legislative Session, every taxing unit that currently

levies a tax, including the District, must annually submit a tax rate and bond authorization and issuance report to the Comptroller of Public Accounts (the "Comptroller") for inclusion in the Comptroller's Local Government, Bond, Tax, and Project Database. He stated that the initial report will include historical tax rate and bond election and issuance information for the District for the previous ten year period and must be submitted by January 1, 2026. Following discussion, Director Feiler moved that the District's consultants be authorized to prepare the report, and that SPH be authorized to submit same to the Comptroller on the District's behalf. Director Battistini seconded the motion which carried unanimously.

OPERATOR'S REPORT

Ms. Hargrove presented to and reviewed with the Board the Operations Report dated October 13, 2025, a copy of which is attached hereto as **Exhibit D**. Following discussion, it was noted that no action was required by the Board.

ENGINEERING REPORT

Mr. Bozoarth next presented to and reviewed with the Board an Engineering Report dated October 13, 2025, a copy of which report is attached hereto as **Exhibit E**, relative to the status of various engineering and construction projects within the District. Upon review, Director Feiler moved that the Engineering Report and all actions noted therein be approved as recommended by Quiddity, including (i) award of construction contracts to the lowest qualified bidders in connection with the non-potable irrigation distribution and non-potable irrigation water well projects, subject to SPH's review of the payment and performance bonds and insurance certificates submitted in connection with the contracts to determine if the payment and performance bonds and insurance meet the requirements of the bid specifications, the Texas Insurance Code, the rules of the Texas Commission on Environmental Quality and the provisions of the Texas Water Code and Astro Sunterra's or Sunterra 6A-Katy, L.P., as applicable, execution of the special conditions of the contracts under which Astro Sunterra or Sunterra 6A-Katy, L.P., as applicable, guarantees payment of all sums due thereunder, (ii) acceptance and approval of a Quitclaim Conveyance of Utility Facilities (Water, Sanitary and Drainage Facilities to serve Sunterra Section 55), and (iii) authorization of Gonzalez Construction Enterprises, Inc. ("Gonzalez") to repair damaged pavement located in Sunterra Section 53 at a cost of \$4,370, and authorization of SPH to prepare and send a demand letter to Gonzalez in connection with same. Director Battistini seconded the motion, which unanimously carried.

BOND APPLICATION REPORT FOR PROPOSED ISSUANCE OF UNLIMITED TAX BONDS, SERIES 2026 ("SERIES 2026 BONDS")

Mr. Bozoarth next updated the Board regarding Quiddity's preparation of the District's Bond Application Report No. 3 in connection with the proposed issuance of the District's Series 2026 Bonds. No action was taken by the Board at this time.

BOND ANTICIPATION NOTE

The Board next considered the proposed issuance of the District's \$7,605,000 Bond Anticipation Note, Series 2025 (the "Series 2025 BAN"). After discussion, Director Feiler moved

that the Board: (i) authorize the District's financial advisor to negotiate the sale of the Series 2025 BAN, (ii) engage Forvis to prepare an audit of payments to the developer(s) out of the proceeds of the Series 2025 BAN (a copy of the engagement letter is attached hereto as **Exhibit F**), (iii) authorize an application to the Texas Commission on Environmental Quality for a pre-purchase inspection and approval to purchase facilities with proceeds of the Series 2025 BAN, and (iv) authorize the use of BaseFund portal for closing and transaction wire fraud insurance. Director Battistini seconded the motion, which unanimously carried.

SILT SOLUTIONS, INC.

The Board next considered a report from Silt Solutions, Inc. ("SSI") in connection with storm water pollution and prevention services. Mr. Ringold advised that SSI provided a report for the period September 15, 2025 through October 5, 2025, a copy of which is attached hereto as **Exhibit G**.

LANDSCAPE ARCHITECTURE REPORT

Ms. Wilkes presented to and reviewed with the Board a monthly report prepared by K&W regarding the status of various recreational projects, a copy of which report is attached hereto as **Exhibit H**. Following discussion, Director Feiler moved that K&W's report and all actions noted therein be approved as recommended by K&W. Director Battistini seconded the motion, which unanimously carried.

BOOKKEEPER'S REPORT

Ms. Abad presented to and reviewed with the Board the Bookkeeper's Report, dated October 13, 2025, attached hereto as **Exhibit I**, including the disbursements presented for payment, as prepared by MA&C. Ms. Abad also presented to and reviewed with the Board a Quarterly Investment Inventory Report for the investment period ended August 31, 2025, a copy of which report is included in the Bookkeeper's Report. After discussion, it was moved by Director Feiler that (i) the Bookkeeper's Report be approved, and that the disbursements identified in the Bookkeeper's Report be authorized for payment, and (ii) the Quarterly Investment Report for the investment period ended August 31, 2025, be approved as presented, and the Investment Officers of the District be authorized to execute same on behalf of the Board and the District. Director Battistini seconded said motion, which unanimously carried.

DEVELOPER'S REPORT

It was noted that a developer representative was not present at the meeting.

SECURITY PATROL REPORT

Mr. Ringold presented to and reviewed with the Board a Security Patrol Report prepared by On-Site Services, LLC for the month of September 2025, a copy of which is attached hereto as **Exhibit J**.

ATTORNEY'S REPORT

The Board considered the attorney's report. In connection therewith, Mr. Ringold advised the Board that he had nothing further to discuss with the Board of a legal nature which was not covered under a specific agenda item.

FUTURE AGENDA ITEMS

The Board considered items for placement on future agendas. No items were requested to be added to future agendas other than those items discussed hereinabove.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Feiler, seconded by Director Battistini, and unanimously carried, the meeting was adjourned.




Asst. Secretary

LIST OF ATTACHMENTS

- EXHIBIT A 2025 Tax Rate Recommendation
- EXHIBIT B Order Levying Taxes
- EXHIBIT C Tax Assessor-Collector's Report
- EXHIBIT D Operations Report
- EXHIBIT E Engineering Report
- EXHIBIT F Engagement Letter (Forvis)
- EXHIBIT G Report provided by Silt Solutions, Inc.
- EXHIBIT H Landscape Architect Report (Kudela & Weinheimer)
- EXHIBIT I Bookkeeper's Report
- EXHIBIT J Security Patrol Report