

## **WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 35**

### **Minutes of the Meeting of Board of Directors December 8, 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 December 8, 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 Battistini, who entered later in the meeting as noted herein, 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 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"); David Daughtry of Kimley-Horn & Associates, Inc. ("KH"); and Christina Cole and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

The Vice 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 November 10, 2025. After discussion, it was moved by Director Feiler seconded by Director Walker, and unanimously carried, that said minutes be approved, as written.

### **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 November 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 A**. After discussion, on motion made by Director Feiler, seconded by Director Walker and unanimously carried, the Board approved the TAC Report and authorized the

payments listed therein.

### **OPERATOR'S REPORT**

Ms. Hollingsworth presented to and reviewed with the Board the Operations Report dated December 8, 2025, a copy of which is attached hereto as **Exhibit B**.

Ms. Cole next reported to the Board that the Texas Water Code requires a retail public utility providing potable water to perform and file with the Texas Water Development Board ("TWDB") a water audit every five years computing the utility's most recent annual system water loss. In connection therewith, Ms. Cole requested that the Board consider authorizing the District's operator and engineer to perform a 2025 Water Loss Audit. After discussion, Director Ward moved that the District's operator be authorized to file the required water loss audit prior to the due date of May 1, 2026. Director Walker seconded the motion which carried unanimously.

### **ENGINEERING REPORT**

Mr. Bozoarth next presented to and reviewed with the Board an Engineering Report dated December 8, 2025, a copy of which report is attached hereto as **Exhibit C**, relative to the status of various engineering and construction projects within the District. He requested authorization from the Board for Quiddity to re-bid the Sunterra Non-Potable Irrigation Water Well project (the "Project"). Following discussion, Director Feiler moved that the Engineering Report and all actions noted therein be approved as recommended by Quiddity, including authorization to re-bid the Project, as discussed. Director Walker 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. Ms. Cole advised that SSI provided a report for the period November 12, 2025 through December 1, 2025, a copy of which is attached hereto as **Exhibit D**.

Director Battistini entered the meeting at this time.

### **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 E**. 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.

Mr. Daughtry next presented to and reviewed with the Board a monthly report prepared by KH regarding the status of landscape architecture design services within the District, a copy of which is attached hereto as **Exhibit F**. Following discussion, Director Feiler that all actions noted therein be approved as recommended by KH, including award of contracts to the lowest qualified

bidders, subject to SPH's review of the payment and performance bonds and insurance certificates submitted in connection with the contract 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, for the construction of landscape improvements to serve Bartlett Road, Phase 8 Parks, Sunterra Section 69, Sunterra Sections 71-73, Stockdick Road, Sunterra Sections 27 and 40 Parks, Phase 6 Parks, North Pond, and Sunterra Sections 77-78. 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 December 8, 2025, attached hereto as **Exhibit G**, including the disbursements presented for payment, as prepared by MA&C. After discussion, it was moved by Director Walker that the Bookkeeper's Report be approved, and that the disbursements identified in the Bookkeeper's Report be authorized for payment. 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**

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

### **ATTORNEY'S REPORT**

The Board considered the attorney's report. In connection therewith, Ms. Cole advised the Board that she 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 Battistini, seconded by Director Day, and unanimously carried, the meeting was adjourned.

(SEAL)



Secretary

A handwritten signature in blue ink, written over a horizontal line.

## LIST OF ATTACHMENTS

- EXHIBIT A Tax Assessor-Collector's Report
- EXHIBIT B Operations Report
- EXHIBIT C Engineering Report
- EXHIBIT D Report provided by Silt Solutions, Inc.
- EXHIBIT E Landscape Architect Report (Kudela & Weinheimer)
- EXHIBIT F Landscape Architect Report (Kimley-Horn & Associates, Inc.)
- EXHIBIT G Bookkeeper's Report
- EXHIBIT H Security Patrol Report